

STATE OF IOWA
1945

JOURNAL OF THE SENATE

OF THE

FIFTY-FIRST GENERAL ASSEMBLY

Convened January 8, 1945

Adjourned April 12, 1945



ROBERT D. BLUE, Governor

KENNETH A. EVANS, President of the Senate

HAROLD FELTON, Speaker of the House

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FIFTY-FIRST GENERAL ASSEMBLY

OFFICERS OF THE SENATE

LIEUT. GOV. KENNETH A. EVANS, President.....	Emerson
STANLEY L. HART, President Pro Tempore.....	Keokuk
W. J. SCARBOROUGH, Secretary.....	West Des Moines
WALTER H. BEAM, Assistant Secretary.....	Martensdale
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ELECTIVE STATE OFFICERS

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ELECTIVE STATE OFFICERS

Official Address, Des Moines, Iowa

NAME	TITLE	RESIDENCE
Robert D. Blue.....	Governor.....	Eagle Grove
K. A. Evans.....	Lieutenant Governor.....	Emerson
Wayne M. Ropes.....	Secretary of State.....	Onawa
Chet. B. Akers.....	Auditor of State.....	Ottumwa
J. M. Grimes.....	Treasurer of State.....	Osceola
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. Mantz.....	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

SENATORS—FIFTY-FIRST GENERAL ASSEMBLY

NAME	Residence	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Service
Augustine, A. E. (Earl)	Oskaloosa	54	Realtor and Farmer	Dem.	14	Mahaaka	46X 47 48 49 50 50X
Barkley, J. R.	Moulton	75	Attorney	Rep.	3	Appanoose, Davis	
*Bekman, E. K.	Ottumwa	44	Attorney	Rep.	13	Wapello	48 49 50 50X
*Benson, Ralph E.	Jefferson	37	Farming & Farm Implement				
			Retailing	Rep.	48	Carroll, Greene, Sac	48 49 50 50X
*Berg, John P.	Cedar Falls	56	Retail Merchant	Rep.	38	Black Hawk, Grundy	46 46X 47 48 49 50 50X
Byers, Frank C.	Cedar Rapids	61	Attorney	Rep.	26	Linn	43 44 45 45X 46 46X 47 48 49 50 50X
Clem, A. D.	Sioux City	47	Attorney	Rep.	32	Woodbury	50 50X
*Cromwell, Fred	Burlington	39	Attorney	Rep.	9	Des Moines	48 49 50 50X
Dewel, Duane E.	Algona	43	Newspaperman	Rep.	49	Emmet, Kossuth, Palo Alto	
Doud, Alden L.	Douds	47	Attorney	Rep.	2	Jefferson, Van Buren	50 50X
Dykhouse, J. T.	Rock Rapids	54	Real Estate and Insurance	Rep.	24	Lyon, Osceola, Sioux	47 48 49 50 50X
Elthorn, Leo	Fertile	46	Farmer	Rep.	41	Mitchell, Winnebago, Worth	45 45X 46 46X 47 48 49 50 50X
*Faul, George	Des Moines	46	Attorney	Rep.	30	Polk	48 49 50 50X
Findlay, C. V.	Fort Dodge	78	Former Co. Supt. of Schools	Rep.	27	Calhoun, Webster	37 38 38X 49 50 50X
*Foster, Harlan C.	Mt. Pleasant	58	Farmer	Rep.	10	Henry, Washington	47 48 49 50 50X
*Hart, Stanley L.	Keokuk	48	Cooperage Mfg.	Rep.	1	Lee	47 48 49 50 50X
*Harvey, Robt. W.	Missouri Valley	69	Druggist	Rep.	34	Crawford, Harrison, Monona	48 49 50 50X
Hawkins, R. B.	Leon	59	Attorney	Rep.	5	Decatur, Ringgold, Union	50 50X
*Henningsen, O. H.	Clinton	61	Realtor and Insurance	Rep.	22	Clinton	48 49 50 50X
*Hill, G. R.	Clarion	56	Attorney	Rep.	37	Hamilton, Hardin, Wright	46X 47 48 49 50 50X
Hultman, O. N.	Stanton	57	Retail Lumber Dealer	Rep.	8	Mills, Montgomery	45 45X 46 46X 47 48
Jacobson, Arthur H.	Waukon	34	Attorney	Rep.	40	Allamakee, Fayette	
Jones, Floyd	Osceola	45	Cafe Operator and Farmer	Rep.	11	Clarke, Warren	49 50 50X
Keir, Robert	Spencer	39	Farmer	Rep.	47	Clay, Dickinson, O'Brien	49 50 50X
Kirketeg, O. J.	Bedford	53	Attorney	Rep.	6	Adams, Taylor	47 48
Klien, Tunis H.	Pella	56	Attorney	Dem.	15	Marion, Monroe	
Knudson, Herman M.	Mason City	57	Printer, Executive	Rep.	43	Cerro Gordo, Franklin, Hancock	46 46X 48 49 50 50X
*Leo, Richard V.	Dysart	56	Farmer and Grain Dealer	Rep.	45	Benton, Tama	45X 48 49 50 50X
Long, Irving D.	Manchester	49	Attorney	Rep.	33	Buchanan, Delaware	49 50 50X
Love, H. Sam	Bridgewater	55	Produce Dealer	Rep.	16	Adair, Madison	46 46X 47 48 49 50 50X
Lucas, J. G.	Madrid	65	Publisher	Rep.	31	Boone, Story	
Lynes, J. Kendall	Plainfield	41	Farmer	Rep.	39	Bremer, Butler	49 50 50X
*Martin, Frank D.	Davenport	60	Former Sheriff	Rep.	21	Scott	48 49 50 50X
Mercer, Leroy S.	Iowa City	54	Printing and Publishing	Dem.	25	Iowa, Johnson	45 45X 46 46X 47 48 49 50 50X
Miller, Al	Gray	39	Farmer	Rep.	17	Audubon, Dallas, Guthrie	49 50 50X
*Mowry, Ross R.	Newton	62	Attorney	Rep.	29	Jasper	48 49 50 50X
Newsome, J. A.	Derby	66	Farmer	Rep.	4	Lucas, Wayne	50 50X
*Pine, F. J.	Columbus Jct.	51	Automobile Dealer & Farming	Rep.	20	Louisa, Muscatine	47 48 49 50 50X

*Holdover Senators.

SENATORS—FIFTY-FIRST GENERAL ASSEMBLY—Continued

NAME	Residence	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Service
*Reilly, Robert C.....	Dubuque.....	40	Merchant.....	Dem...	35	Dubuque.....	48 49 50 50X
Ritchie, Fred J.....	Marcus.....	65	Farming.....	Rep...	46	Cherokee, Ida, Plymouth.....	48 49 50 50X
†Rockhill, Robert A.....	Marshalltown.....	50	Attorney.....	Rep...	28	Marshall.....	48 49 50 50X
Schluter, Edwin C.....	Clarence.....	57	Attorney.....	Rep...	23	Cedar, Jackson, Jones.....	50 50X
Sharp, F. E.....	Elkader.....	50	Attorney.....	Rep...	36	Clayton.....	48 49 50 50X
*Shaw, Albert J.....	Pocahontas.....	68	Attorney.....	Rep...	50	Buena Vista, Humboldt, Pocahontas.....	46 46X 47 48 49 50 50X
*Sjulin, Carl O.....	Hamburg.....	54	Nurseryman and Farmer.....	Rep...	7	Fremont, Page.....	48 49 50 50X
*Vittetoe, Luke.....	Sigourney.....	58	Druggist.....	Rep...	12	Keokuk, Poweshieck.....	50 50X
*Vrba, Ed.....	Cresco.....	36	Farmer.....	Dem...	42	Howard, Winneshiek.....	48 49 50 50X
Watson, DeVere.....	Council Bluffs.....	51	Attorney.....	Rep...	19	Pottawattamie.....	49 50 50X
†White, Ed. S.....	Harlan.....	73	Attorney.....	Rep...	18	Cass, Shelby.....	50 50X
*Zastrow, Ralph W.....	Charles City.....	54	Attorney.....	Rep...	44	Chickasaw, Floyd.....	50 50X

*Holdover Senators.

†To fill vacancy. Term expires December 31, 1946.

MEMBERS OF THE HOUSE—FIFTY-FIRST GENERAL ASSEMBLY

4

NAME	Residence	Age	Occupation	Politics	District	County	Former Legislative Service
Anderson, Carl A.	Swedesburg	54	Farmer	Rep.	20	Henry	50 50X
Aubrey, Dean	Ottumwa	40	Secretary	Dem.	18	Wapello	
Avery, A. H.	Spencer	74	Insurance	Rep.	83	Clay	44 45X 46 46X 48 49 50 50X
Baker, Oliver N.	Pomeroy	50	Farming	Rep.	61	Calhoun	
Bass, Elmer A.	Emerson	56	Farming	Rep.	12	Montgomery	
Bents, W. A. (Bill)	Cresco	47	Nurseryman	Dem.	89	Howard	
Blatti, Arthur C.	New Hampton	58	Dairyman and Farmer	Rep.	92	Chickasaw	49 50 50X
Blewett, H. B.	Meservy	54	Farmer	Rep.	74	Franklin	50 50X
Bockwoldt, M. F.	Ida Grove	69	Farmer and Feeder	Rep.	59	Ida	49 50 50X
Bonn, Walter H.	Victor	67	Attorney	Rep.	40	Iowa	50 50X
Bryson, C. A.	Iowa Falls	70	Attorney	Rep.	64	Hardin	49 50 50X
Burkman, Carl A.	Des Moines	52	Attorney	Rep.	37	Polk	
Capesius, Edward	Algona	49	Real Estate Broker	Dem.	85	Kossuth	
Carlson, Robert	Sioux City	59	Oil Business	Rep.	58	Woodbury	49 50 50X
Colburn, Jay C.	Harlan	51	Farmer	Rep.	33	Shelby	49 50 50X
Cooper, Elmer E.	Corning	61	Farmer	Rep.	13	Adams	48 49 50 50X
Cowan, James A.	What Cheer	66	Salesman	Rep.	24	Keokuk	50 50X
Cox, Harry	Fort Dodge	59	Dairyman and Farmer	Rep.	62	Webster	50 50X
Datisman, B. L.	Inwood	66	Farmer	Rep.	99	Lyon	50 50X
Davis, Floyd F.	Waterloo	65	Retired Banker	Rep.	66	Black Hawk	
Davis, J. C.	Oelwein	65	Dentist and Farm Manager	Rep.	71	Fayette	
Dodds, Bert E.	Danville	59	Farmer	Rep.	21	Des Moines	47 48 49 50 50X
Donohue, D. A.	Tipton	33	Real Estate and Insurance	Rep.	44	Cedar	50 50X
Duffield, R. E.	Guthrie Center	68	Attorney	Rep.	35	Guthrie	49 50 50X
Edwards, E. L.	Shannon City	59	Merchant	Rep.	14	Union	49 50 50X
Farmer, George E.	Cedar Rapids	58	Attorney	Rep.	48	Linn	50 50X
Felton, Harold	Indianola	54	Grain and Feed Manufacturer	Rep.	27	Warren	49 50 50X
Fimmen, W. R.	Bloomfield	45	Attorney	Rep.	3	Davis	49 50 50X
Fletcher, Clint L.	Ocheyedan	57	Farmer	Rep.	98	Osceola	45X
Frederickson, Leo D.	Emmetsburg	47	Farmer	Dem.	84	Palo Alto	
Frei, H. R., Jr.	Reinbeck	49	Farmer	Rep.	65	Grundy	
Fulk, Ed. W.	Clarinda	54	Farmer	Rep.	9	Page	
Gardner, Joe F.	Waverly	50	Salesman	Rep.	72	Bremer	49 50 50X
Gardner, John R.	Lisbon	69	Physician and Surgeon	Rep.	48	Linn	47 48 49 50 50X
Good C. G.	Ogden	71	Farmer and Horse Breeder	Rep.	53	Boone	47 49 50 50X
Hall, J. R.	Malvern	64	Bank Cashier	Rep.	11	Mills	48 49 50 50X
Hedin, Philip T.	Davenport	62	Real Estate Broker	Rep.	43	Scott	50 50X
Heffner, John S.	Webster City	61	Farmer and Stockman	Rep.	63	Hamilton	48 49 50 50X
Hicklin, M. F.	Wapello	36	Attorney	Rep.	22	Louisa	50 50X
Hoeness, S. G.	Winterset	64	Farmer	Rep.	28	Madison	50 50X
Huston, T. H.	Crawfordsville	63	Farmer	Rep.	23	Washington	50 50X
Jessen, Peter A.	Exira	47	Oil Jobber	Rep.	34	Audubon	49 50 50X
Kilpatrick, W. J.	Randolph	55	Farmer	Rep.	10	Fremont	

MEMBERS OF THE HOUSE

MEMBERS OF THE HOUSE—FIFTY-FIRST GENERAL ASSEMBLY—Continued

NAME	Residence	Age	Occupation	Politics	District	County	Former Legislative Service
Klemesrud, Theo.	Thompson	42	Newspaper Publisher	Rep.	95	Winnebago	50 50X
Krueger, Henry C.	Clear Lake	49	Veterinarian	Rep.	87	Cerro Gordo	
Kruse, William	Charles City	54	Farmer	Rep.	88	Floyd	48 49 50 50X
Kuester, G. T.	Griswold	56	Farming	Rep.	30	Cass	46 46X 47 48 49 50 50X
Kuhlmann, Paul	Charter Oak	56	Farmer	Dem.	56	Crawford	
Lane, Carroll A.	Carroll	39	Theatre Owner	Rep.	55	Carroll	50 50X
Langland, C. M.	Spring Grove, Minnesota	74	Farmer	Rep.	91	Winnebago	44
Latchaw, F. A. (Ted)	Wilton Junction	60	Electrical Contractor	Rep.	42	Muscatine	47 48 49 50 50X
Less, Frank W.	Cascade	39	Attorney	Dem.	69	Dubuque	50 50X
Long, Harvey J.	Clinton	50	Wholesale Asphalt Roofing and Fuel	Rep.	45	Clinton	49 50 50X
Lynch, Mae A.	Pocahontas	60	Attorney	Dem.	77	Pocahontas	50 50X
Martin, S. A. (Steve)	Centerville	73	Manufacturer	Rep.	4	Appanoose	48 49 50 50X
McEleney, Leo P.	Clinton	51	Automobile Dealer	Rep.	45	Clinton	
McFarlane, Arch W.	Waterloo	59	Fuel Dealer	Rep.	66	Black Hawk	36 37 38 38X 39 42 42X 43 44 45 45X 46 46X 48 49 50 50X
McNeill, A. Earl	Onawa	58	Farmer	Dem.	51	Monona	
McReynolds, Wade H.	Ottumwa	54	City Bus Driver	Dem.	18	Wapello	
Meyer, Lloyd A. (Curly)	Sabula	39	Processing Soybeans	Rep.	46	Jackson	50X
Mills, J. F.	Humboldt	58	Grain Dealer and Farm Operator	Rep.	76	Humboldt	48 49 50 50X
Mills, Ivan R.	Adair	66	Minister	Rep.	29	Adair	49 50 50X
Moore, H. A.	New Hartford	62	Farm Implements Store and Farming	Rep.	73	Butler	
Morrissey, Edw. J.	Valeria	56	Farming and Livestock	Rep.	38	Jasper	48 49 50 50X
Nelson, R. A.	Independence	56	Dairy Farmer	Rep.	67	Buchanan	
Nielsen, Andrew J.	Council Bluffs	55	Attorney	Rep.	31	Pottawattamie	49 50 50X
Norland, Norman	Kensett	56	Farmer	Dem.	94	Worth	50 50X
Olson, Allert G.	Osage	48	Farmer	Rep.	93	Mitchell	
Palmer, C. A.	Waukon	54	Abstractor and Insurance	Rep.	90	Allamakee	
Parrish, Paul	Gravity	42	Farming	Rep.	8	Taylor	50X
Peterson, Oscar	Alta	70	Farmer and Feeder	Rep.	78	Buena Vista	50 50X
Poston, E. E. (Gene)	Corydon	61	Attorney and Farmer	Dem.	5	Wayne	49 50 50X
Prentiss, T. T.	Mount Ayr	48	Hatchery, Feeds and Farming	Rep.	7	Ringgold	48 49 50 50X
Prichard, W. S.	Garner	73	Garage	Rep.	86	Hancock	49 50 50X
Putney, Lawrence	Gladbrook	45	Hatchery and Feeds	Rep.	50	Tama	
Redman, A. G.	Sac City	61	Farming	Rep.	60	Sac	
Reed, Wilson	Fairfield	71	Tax Accountant	Rep.	19	Jefferson	49 50 50X
Robb, George H.	Estherville	63	Livestock	Rep.	96	Emmet	50 50X
Robinson, Glenn E.	Colesburg	40	Attorney	Rep.	68	Delaware	50 50X
Robinson, Ira	Albia	79	Retired Farmer	Dem.	17	Monroe	
Saylor, E. B.	Van Wert	60	Farmer	Rep.	6	Decatur	
Schwengel, Fred	Davenport	37	Life Insurance	Rep.	43	Scott	

MEMBERS OF THE HOUSE—FIFTY-FIRST GENERAL ASSEMBLY—Continued

NAME	Residence	Age	Occupation	Politics	District	County	Former Legislative Service
Shepherd, Ray E.	Chariton	49	Former County Sheriff	Rep.	16	Lucas	
Siefkas, Henry	Osceola	47	Farming	Rep.	15	Clarke	48 49 50 50X
Simonsen, Warren E.	Quimby	57	Veterinarian, Farmer & Manufacturer	Rep.	79	Cherokee	
Sloane, Ted	Des Moines	41	Attorney	Rep.	37	Polk	50 50X
Smith, Ernest T.	Volga City	57	Farmer	Rep.	70	Clayton	
Smith, Wm. Merwin	Millford	43	Farmer	Dem.	97	Dickinson	
Steinberg, Albert	Ames	54	Attorney	Rep.	52	Story	48 49 50 50X
Stevens, Henry H.	Scranton	51	Farmer	Rep.	54	Greene	
Strawman, Clifford M.	Anamosa	55	Attorney and Farmer	Rep.	47	Jones	
Swaner, John J.	Iowa City	46	Dairy Products	Dem.	41	Johnson	49 50 50X
Tatum, William M.	Logan	53	Attorney	Dem.	32	Harrison	49 50 50X
TePaske, Anthony	Sioux Center	76	Attorney	Rep.	81	Sioux	44 50 50X
Tyrrell, W. C. Jr.	Belmond	38	Farmer	Rep.	75	Wright	50 50X
Utzig, Arnold	Dubuque	51	Shoe Merchant	Dem.	69	Dubuque	50 50X
Vanderwilt, Dick H.	Oakaloosa	44	Farmer	Rep.	25	Mahaska	50X
Van Eaton, Charles S.	Sioux City	55	Merchant	Rep.	58	Woodbury	
Visser, Peter W.	Bussey	49	Farmer	Dem.	26	Marion	
Walter H. W.	Council Bluffs	33	Attorney	Rep.	31	Pottawattamie	48 49 50 50X
Walter, W. Eldon	Beaman	46	Farmer	Rep.	57	Marshall	49 50 50X
Watson, Harry E.	Sanborn	38	Farmer	Rep.	82	O'Brien	
Weichman, Harry E.	Newhall	52	Farmer	Rep.	49	Benton	47 48 49 50 50X
Wellington, Thomas W.	Ft. Madison	69	Retired Railway Postal Clerk	Rep.	1	Lee	49 50 50X
Whitaker, Bert N.	Grinnell	57	Operator Grinnell Livestock Exchange and Farming	Rep.	39	Poweshiek	
Whitehead, G. E.	Perry	52	Editor-Publisher	Rep.	36	Dallas	50 50X
Williams, O. C.	Keosauqua	52	Merchant	Rep.	2	Van Buren	
Wormley, Henry W.	Kingsley	46	Attorney	Rep.	80	Plymouth	50 50X

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 8, 1945.

Pursuant to law the Senate of the Fifty-first General Assembly convened at 10 o'clock a. m., and was called to order by Senator Byers, President of the Senate.

Prayer was offered by Rev. Chaplain Thomas Doyle, 1st Regiment, Iowa State Guard, U. S. Veterans Hospital, and pastor of Emmanuel Church, Des Moines, Iowa.

TEMPORARY OFFICERS

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

W. J. Scarborough, temporary secretary.

Edna Gillespie, temporary journal clerk.

Frank Buck, 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.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Sjulín for the day on request of Senator Hart; Senator Whitehill for the day on request of Senator Hart.

COMMITTEE ON CREDENTIALS

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

The motion prevailed and the President appointed as such committee Senators Pine, Leo, Henningsen, Reilly, and Martin.

REPORT OF THE COMMITTEE ON CREDENTIALS

Senator Pine, from the Committee on Credentials submitted the following report and moved its adoption:

REPORT OF THE COMMITTEE ON CREDENTIALS

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 Fifty-first General Assembly:

Second District—Alden L. Doud.
Third District—J. R. Barkley.
Fourth District—J. A. Newsome.
Fifth District—R. B. Hawkins.
Sixth District—O. J. Kirketeg.
Eighth District—O. N. Hultman.
Eleventh District—Floyd Jones.
Fourteenth District—A. E. (Earl) Augustine.
Fifteenth District—Tunis H. Klein.
Sixteenth District—H. Sam Love.
Seventeenth District—Ai Miller.
Nineteenth District—De Vere Watson.
Twenty-third District—Edwin C. Schluter.
Twenty-fourth District—J. T. Dykhousé.
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—J. G. Lucas.
Thirty-second District—A. D. Clem.
Thirty-third District—Irving D. Long.
Thirty-sixth District—F. E. Sharp.
Thirty-ninth District—J. Kendall Lynes.
Fortieth District—Arthur H. Jacobson.
Forty-first District—Leo Elthon.
Forty-third District—Herman M. Knudson.
Forty-sixth District—Fred J. Ritchie.
Forty-seventh District—Robert Keir.
Forty-ninth District—Duane E. Dewel.

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

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.
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—Robert 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 newly elected Senator to fill a vacancy to be entitled to a seat in the Senate:

Eighteenth District—Ed S. White.

F. J. PINE.

RICHARD V. LEO.

ROBERT C. REILLY.

FRANK D. MARTIN.

O. H. HENNINGSEN.

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:

A. E. Augustine

J. R. Barkley

Frank C. Byers

A. D. Clem

Duane E. Dewel

Alden L. Doud

J. T. Dykhouse

Leo Elthon

C. V. Findlay

R. B. Hawkins

O. N. Hultman

Arthur H. Jacobson

Floyd Jones

Robert Keir

O. J. Kirketeg

Tunis H. Klein

Herman M. Knudson

Irving D. Long

H. Sam Love

J. G. Lucas

J. Kendall Lynes

Leroy S. Mercer

Ai Miller

J. A. Newsome

Fred J. Ritchie

Edwin C. Schluter

F. E. Sharp

De Vere Watson

Ed S. White

B. C. Whitehill

Roll call showed all members present except Senator Sjulín and Senator Whitehill who were granted a leave of absence for the day on request of Senator Hart.

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 Fiftieth 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.

Senator Berg offered the following amendment to the motion and moved its adoption:

Amend, by adding the following: "That the newly elected senators, former members of the House, and newly elected former senators, be granted the privilege of making their selections first."

The amendment was adopted.

The Chair announced that, due to defective hearing, Senator White be granted the privilege of occupying seat 3, and Senator Shaw seat 1.

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

Augustine	7	Klein	39
Barkley	42	Knudson	17
Bekman	16	Leo	37
Benson	8	Long	22
Berg	26	Love	20
Byers	34	Lucas	40
Clem	35	Lynes	47
Cromwell	6	Martin	31
Dewel	41	Mercer	5
Doud	50	Miller	2
Dykhouse	46	Mowry	28
Elthon	18	Newsome	10
Faul	13	Pine	29
Findlay	19	Reilly	43
Foster	45	Ritchie	14
Hart	36	Schluter	33
Harvey	4	Sharp	21
Hawkins	9	Shaw	1
Henningsen	38	Sjulin	11
Hill	32	Vittetoe	30
Hultman	24	Vrba	25
Jacobson	44	Watson	15
Jones	49	White	3
Keir	48	Zastrow	12
Kirketeg	27		

COMMITTEE TO NOTIFY THE GOVERNOR

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

The motion prevailed and the President appointed as such committee Senators Berg, Faul and Shaw.

COMMITTEE TO NOTIFY THE HOUSE

Senator Hart 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 Hart, Foster and Martin.

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 COMMITTEE TO NOTIFY THE GOVERNOR

Senator Berg 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 THE HOUSE

Senator Hart 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 Mowry 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. Rowene C. Byers, Associated Press.
54. Virginia Simpson, United Press.
55. Otto Weber, International News Service.
56. Paul Bumbarger, Iowa Daily Press Association.
57. I. C. Kartack, Iowa Press Association.
58. Wallace M. Short, Unionist and Public Forum.
60. Louis Gardner, Republican News.
61. Frank Nye, Cedar Rapids Gazette.

COMMITTEE ON SUPPLIES AND EQUIPMENT

Senator Schluter moved that a committee of three be named to make arrangements for supplies and equipment to be used during the period of the Fifty-first General Assembly.

The motion prevailed and the President named Senators Schluter, Keir and Long.

COMMITTEE ON CHAPLAINS

Senator Miller moved that a committee of one be appointed to provide chaplains for the Senate during the Fifty-first General Assembly which motion prevailed and Senator Miller 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, Faul and Sjulín.

BADGES

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

RESOLUTION FOR CLERKS

Senator Watson 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 Watson, Harvey and Leo on such committee.

Senator Hill 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 Benson, Clem, Doud, Harvey, Jones, Love, Miller, Vitetoe and Zastrow.

Senator Hill 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 and Fiftieth General Assemblies to such members of the Senate and House who shall leave orders for same at the desk. The superintendent of printing is directed to furnish Journals of the Senate and House for the Fiftieth 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.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

House Concurrent Resolution 1 providing for a joint convention of the two Houses of the Fifty-first General Assembly to be held January 9, 1945, at 2 o'clock p. m. for the purpose of receiving the Governor's biennial message and canvassing the vote for Governor and Lieutenant Governor.

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 Fifty-first General Assembly be held on January 9, 1945, at 2:00 p. m.

Be It Further Resolved: That former Governor Bourke B. Hickenlooper be invited to read his message at this joint meeting of the two houses of the General Assembly, and that Governor Robert D. Blue be invited to attend this joint meeting; and that the president pro tempore

of the Senate and the speaker of the House be designated to deliver the invitation to him.

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

Senator Hill moved that the rules be suspended and that the Senate take up for consideration House Concurrent Resolution 1 at this time, and moved its adoption.

The motion prevailed and the resolution was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Barkley for the day, on request of Senator Henningsen; Senator Leo, for the day, on request of Senator Clem.

On motion of Senator Hill the Senate recessed until the fall of the gavel.

The Senate resumed regular session.

Announcement was made to the Senate of the sudden and untimely death of Senator B. C. Whitehill of Marshall.

Senator Hill moved that a committee of three be appointed to draft suitable resolutions in memory of Senator Whitehill, which motion prevailed and the Chair appointed as such committee, Senators Shaw, Berg and Elthon.

ADOPTION OF RULES

Senator Zastrow moved that the rules of the Fiftieth General Assembly be made the temporary rules of the Senate of the Fifty-first General Assembly, which motion prevailed.

ELECTION OF PRESIDENT PRO TEMPORE

Senator Hill placed in nomination the name of Senator Hart as a candidate for the office of President pro tempore of the Fifty-first General Assembly.

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

The result of the roll call was as follows:

Ayes, 45:

Augustine	Findlay	Klein	Pine
Bekman	Foster	Knudson	Reilly
Benson	Harvey	Long	Ritchie
Berg	Hawkins	Love	Schluter
Byers	Henningsen	Lucas	Sharp
Clem	Hill	Lynes	Shaw
Cromwell	Hultman	Martin	Vittetoe
Dewel	Jacobson	Mercer	Vrba
Doud	Jones	Miller	Watson
Dykhouse	Keir	Mowry	White
Elthon	Kirketeg	Newsome	Zastrow
Faul			

Nays, none

Absent or not voting, 5:

Barkley	Leo	Sjulin	Whitehill
Hart			

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

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

Senator Hart addressed the Senate briefly.

Senator Hart, president pro tempore, took the chair.

TELLERS OF JOINT CONVENTION

Senator Benson 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 Benson, Doud and Mercer.

COMMITTEE ON COMMITTEE ROOMS

Senator Knudson 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 Knudson, Hawkins and Lucas.

COMMITTEE ON EXTRA HELP

Senator Faul moved that a committee of three be appointed on extra help. The motion prevailed and the Chair appointed Senators Elthon, Faul and Harvey.

INTRODUCTION OF BILLS

Senate File 1, by Senators Shaw, Faul, Berg, Elthon, Dykhouse, Mowry, Dewel, Findlay, White and Lynes, a bill for an act to amend section six thousand nine hundred forty-six (6946), Code, 1939, relating to tax exemption to soldiers, sailors, marines and nurses, and to provide for reimbursement to the counties for loss of revenues occasioned by such exemptions.

Read first and second times and passed on file.

Senate File 2, by Senators Berg and Faul, a bill for an act to amend section three thousand eight hundred twenty-eight and fifty-one thousandths (3828.051), to repeal section three thousand eight hundred twenty-eight and fifty-three thousandths (3828.053), to amend section three thousand eight hundred twenty-eight and fifty-five thousandths (3828.055), to amend section three thousand eight hundred twenty-eight and fifty-six thousandths (3828.056), to repeal section three thousand eight hundred twenty-eight and fifty-seven thousandths (3828.057), to amend section three thousand eight hundred twenty-eight and fifty-eight thousandths (3828.058), to amend section three thousand eight hundred twenty-eight and sixty-one thousandths (3828.061), to amend section three thousand eight hundred twenty-eight and sixty-four thousandths (3828.064), and to amend section three thousand eight hundred twenty-eight and sixty-five thousandths (3828.065), Code, 1939, relating to relief for honorably discharged men and women of the United States who have served in the military or naval forces of the United States during any war in which the United States was engaged.

Read first and second times and passed on file.

Senate File 3, by Senator Faul, a bill for an act to amend subsection two (2) of section six thousand nine hundred forty-three and forty thousandths (6943.040), Code, 1939, relating to exemption from personal net income tax of members of the armed forces of the United States and those who have died as a result of service in the armed forces of the United States.

Read first and second times and passed on file.

Senate File 4, by Senators Faul and Berg, a bill for an act to amend section seven thousand two hundred fourteen (7214), Code, 1939, relating to interest and penalty on delinquent taxes.

Read first and second times and passed on file.

Senate File 5, by Senators Faul and Berg, a bill for an act to amend section four hundred sixty-seven and five hundredths (467.05), Code, 1939, relating to discrimination against members of national guard or against a person wearing the uniform of the military or naval forces of the United States or of the national guard.

Read first and second times and passed on file.

Senate File 6, by Senators Faul and Berg, a bill for an act to amend section two hundred ninety-five and one-tenth (295.1), Code, 1939, relating to veteran's newsstand in the lobby of the state capitol.

Read first and second times and passed on file.

Senate File 7, by Senators Berg and Faul, a bill for an act to amend section five thousand one hundred thirty and one-tenth (5130.1), Code, 1939, relating to veterans' newsstands in county court houses.

Read first and second times and passed on file.

Senate File 8, by Senators Berg and Faul, a bill for an act to amend section three thousand eight hundred fifteen (3815), Code, 1939, relating to the pardon of a paroled prisoner who entered the army or navy of the United States or its allies, or who was employed in or upon public works.

Read first and second times and passed on file.

Senate File 9, by Senators Berg and Faul, a bill for an act to amend section four hundred sixty-seven and four hundredths (467.04), Code, 1939, relating to the wearing of uniforms.

Read first and second times and passed on file.

Senate File 10, by Senators Faul and Berg, a bill for an act to amend section one thousand one hundred fifty-nine (1159) and section one thousand one hundred sixty-one (1161), Code, 1939, relating to preference in public employment of honorably discharged members of the military or naval forces of the United States, of any war in which the United States was engaged including the Philippine Insurrection and China Relief expedition.

Read first and second times and passed on file.

Senate File 11, by Senators Faul and Berg, a bill for an act to amend section four hundred eighty-two and seven hundredths (482.07), to repeal section four hundred eighty-two and eight hundredths (482.08), to repeal section four hundred eighty-two and nine hundredths (482.09), and to amend section four hundred eighty-two and ten hundredths (482.10), Code, 1939, relating to war orphans' educational aid fund, expenditures from said fund by the State Bonus Board, and the amount of such aid.

Read first and second times and passed on file.

Senate File 12, by Senators Faul and Berg, a bill for an act to amend section six thousand nine hundred forty-three and one hundred fifty-two thousandths (6943.152), Code, 1939, relating to homestead exemptions.

Read first and second times and passed on file.

Senate File 13, by Senators Faul and Berg, a bill for an act to amend section six thousand three hundred fifteen and one-tenth (6315.1), Code, 1939, relating to members of the fire and police department who resigned to serve in the armed forces of the United States, and the inclusion of the time served in the armed forces in the period of service in the department.

Read first and second times and passed on file.

Senate File 14, by Senator Mowry, a bill for an act to require notice to be given by a tenant of intention to vacate any building where damage may be occasioned by freezing and to provide a penalty for failure to give such notice.

Read first and second times and passed on file.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 9, 1945.

The Senate met in regular session, President pro tempore Stanley L. Hart presiding.

Prayer was offered by the Rev. L. W. Nixon, Iowa Des Moines Conference, Des Moines, Iowa.

PETITIONS AND MEMORIALS

The following petition was presented and placed on file:

By Senator Mowry, from residents of Jasper county, relating to the revision of the school code.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Sjulín for the day on request of Senator Love; Senator Barkley for the day on request of Senator Dykhouse; Senator Cromwell for the day on request of Senator Henningsen.

INTRODUCTION OF BILLS

Senate File 15, by Senators Clem, Bekman, Findlay, Hart, Byers, Cromwell (Farmer, Gardner of Linn, Dodds, Wellington, Van Eaton, Burkman, Sloane, Cox, Aubrey, McReynolds), a bill for an act to amend section sixty-five hundred seventeen (6517), Code, 1939, relating to and providing for the salary of the mayor and councilmen of certain cities now or hereafter organized under chapter three hundred twenty-six (326), Code, 1939, relating to cities under the commission form of government.

Read first and second times and passed on file.

Senate File 16, by Senator Berg (McFarlane-Davis), a bill for an act to amend section five thousand two hundred twenty-three (5223), Code, 1939, relating to the salary and duties of deputy treasurers.

Read first and second times and passed on file.

Senate File 17, by Senator Henningsen, a bill for an act to amend sections thirteen thousand six hundred forty-five (13645),

ten thousand six hundred fifty-six (10656), and ten thousand six hundred sixty-nine and one-tenth (10669.1), Code, 1939, relating to the filing of county attorney's true informations in municipal courts.

Read first and second times and passed on file.

Senate File 18, by Senator Benson, a bill for an act to amend chapter three hundred twenty-nine and six tenths (329.6), Code, 1939, providing for a soldiers rehabilitation tax credit.

Read first and second times, and passed on file.

Senate File 19, by Senator Faul, a bill for an act to repeal chapter five hundred forty-two and one tenth (542.1), Code, 1939, and to enact a substitute therefor, relating to the guardianship of incompetent veterans and other incompetents and minor beneficiaries of the Veterans Administration and to make uniform the law relating thereto.

Read first and second times and passed on file.

Senate File 20, by Senator Berg, a bill for an act to provide a home for the Governor at the seat of government and to make an appropriation for said purpose.

Read first and second times and passed on file.

Senate File 21, by Senator Berg (McFarlane), a bill for an act relating to the annual salary of the Governor of the state of Iowa.

Read first and second times and passed on file.

Senate File 22, by Senator Faul, a bill for an act to amend section eight thousand six hundred eighty-four and one hundredth (8684.01), Code, 1939, relating to group accident and health insurance.

Read first and second times and passed on file.

Senate File 23, by Senator Faul, a bill for an act to amend section three thousand eight hundred twenty-eight and ninety-two thousandths (3828.092), Code, 1939, relating to the warning by the authorities preventing persons from acquiring a settlement.

Read first and second times and passed on file.

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

section ten thousand fifty-four (10054), Code, 1939, relating to conveyances of real estate to two or more persons and the tenancy created thereby.

Read first and second times and passed on file.

Senate File 25, by Senators Faul, Byers, Berg, Clem, and Bekman, a bill for an act to provide for a pension and annuity retirement system for employees of municipally owned waterworks in any city having a population of five thousand or more, and to authorize city council or board of water works trustees, whichever is authorized to manage and operate such waterworks, to formulate and establish such plan and adopt appropriate rules and regulations therefor.

Read first and second times and passed on file.

Senate File 26, by Senator Faul, a bill for an act to provide for a pension and annuity retirement system and group insurance for employees of the state of Iowa, and to include employees of subdivisions of the state having taxing power, and to authorize the executive council of Iowa to formulate and establish such plans and adopt appropriate rules and regulations therefor.

Read first and second times and passed on file.

Senate File 27, by Senator Faul, a bill for an act to amend chapter three hundred and three (303) of the Acts of the Forty-ninth (49th) General Assembly of the state of Iowa, relating to actions of forcible entry and detention of real property and the jurisdiction of the municipal courts to try such actions in equity.

Read first and second times and passed on file.

Senate File 28, by Senator Faul, a bill for an act to amend section three thousand six hundred seventy-six (3676), Code, 1939, as amended by chapter one hundred forty (140), Acts of the Forty-ninth (49th) General Assembly, relating to the allowance to institutions for receiving and caring for neglected, dependent and delinquent children.

Read first and second times and passed on file.

Senate File 29, by Senator Faul, a bill for an act to amend section three thousand six hundred fifty-nine (3659), Code, 1939,

relating to the penalty for contributing to the delinquency of a minor.

Rear first and second times and passed on file.

Senate File 30, by Senators Long, Love and Clem, 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 and Forty-four (1944) and Nineteen Hundred and Forty-five (1945) and payable in the years Nineteen Hundred Forty-five (1945) and Nineteen Hundred Forty-six (1946).

Read first and second times and passed on file.

ELECTION OF PERMANENT OFFICERS

Senator Elthon 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—Walter H. Beam, Warren county.

Journal Clerk—Edna Gillespie, Polk county.

Assistant Journal Clerk—Leona Story, Polk county.

Engrossing Clerk—Maretta Blanchard, Polk county.

Enrolling Clerk—Celia Gardner, Jones county.

Enrolled Bills Clerk—Marie Spencer, Polk county.

Special Clerk—Edith Meek, Van Buren county.

Secretary's Stenographer—Doris Hollingsworth, Madison county.

Secretary's Clerk—Katherine Bolton, Polk county.

Bill Clerk—Ed Thompson, Hardin county.

File Clerk—James Hamilton, Keokuk county.

Assistant File Clerk—Madeline Murphy, Pocahontas county.

Postmistresses—Elsie Kent, Sioux county; Linnie M. Fiero, Polk county.

Sergeant-at-arms—Frank E. Buck, Story county.

Assistant Sergeant-at-arms—Walter Homeyer, Scott county.

Chief Doorkeeper—O. H. Raleigh, Emmet county.

Assistant Doorkeepers—John Olson, Clinton county; Victor Lindquist, Lucas county; E. M. Bryan, Polk county; R. G. Miller, Allamakee county; Earl Walters, Cedar county; Carl W. Hempstead, Guthrie county; O. L. Frazier, Decatur county; Charles Gardner, Clarke county.

Telephone Messengers—Willia Mae Williams, Wapello county; Mrs. Gwendolyn Fowler, Polk county.

Matron—Mrs. Margaret Gross, Lee county.

Cloak Room Attendants—William Warfield, Polk county; Maynard Brooks, Polk county.

Lavatory Attendants—Calvin Casey, Black Hawk county; John Gordon, Scott 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.

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 compensation of officials and employees of the Fifty-first General Assembly.

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

House Concurrent Resolution 2 providing for the appointment of a joint committee on extra help, and the Speaker has appointed as such committee on the part of the House the following: Martin, Long, and Hall.

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

House Concurrent Resolution 3 relating to the daily clip sheet.

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

Senate Concurrent Resolution 1 providing for a joint committee to arrange for the inauguration of the Governor and Lieutenant Governor, and the Speaker has appointed as such committee the following: Tyrrell, Hall, Gardner of Linn, Burkman, Siefkas, Carlson, Cox, Wellington, and Gardner of Bremer.

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

Senate Concurrent Resolution 2 providing for the furnishing of copies of Codes, and session laws to members of the press and on request of the members of the General Assembly. A. C. GUSTAFSON, *Chief Clerk*.

HOUSE CONCURRENT RESOLUTION 2

Be It Resolved by the House, the Senate Concurring: That a joint committee of six members be appointed, three from the Senate to be appointed by the 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 clip sheet showing all amendments to bills offered or filed to be attached to the bills in the bill file.

Be It Further Resolved, 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 filing or when the bill to which they apply is up for consideration.

HOUSE CONCURRENT RESOLUTION 2

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

The motion prevailed and the resolution was adopted and the Chair appointed as such committee on the part of the Senate, Senators Elthon, Faul, and Harvey.

HOUSE CONCURRENT RESOLUTION 3

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

The motion prevailed and the resolution was adopted.

HOUSE JOINT RESOLUTION 1

Senator Elthon asked and received unanimous consent to take up House Joint Resolution 1, a joint resolution fixing the compensation of officers of the Fifty-first General Assembly, and moved that the Senate resolve itself into a committee of the whole, which motion prevailed.

The committee of the whole arose and resumed regular session.

THIRD READING OF BILLS

On motion of Senator Elthon, House Joint Resolution 1, 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 section one (1) of House Joint Resolution 1 by striking lines seventy-four and seventy-five and inserting in lieu thereof the following: "Chaplains, ten dollars or five cents per mile to and from the State Capitol, whichever is the greater."

The amendment was adopted.

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

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

Ayes, 44:

Augustine	Findlay	Klein	Newsome
Bekman	Foster	Knudson	Pine
Benson	Hart	Leo	Reilly
Berg	Harvey	Long	Ritchie
Byers	Hawkins	Love	Schluter
Clem	Henningsen	Lucas	Sharp
Dewel	Hill	Lynes	Shaw
Doud	Hultman	Martin	Vittetoe
Dykhousé	Jacobson	Mercer	Vrba
Elthon	Jones	Miller	White
Faul	Keir	Mowry	Zastrow

Nays, 1:

Watson

Absent or not voting, 4:

Barkley	Cromwell	Kirketeg	Sjulin
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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 Elthon 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.

SENATE CONCURRENT RESOLUTION 3

Be It Resolved by the Senate, the House 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 Fifty-first General Assembly on date of introduction and printing thereof, and that same, with binders, be furnished to such officers free of charge.

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

The motion prevailed and the resolution was adopted.

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

AFTERNOON SESSION

The Senate resumed regular session, President pro tempore Hart presiding.

Senator Shaw offered the following memorial resolution, and moved its adoption:

MEMORIAL RESOLUTION

Senator B. C. Whitehill of the 28th Senatorial District passed away January 8th, 1945, the opening day of the Fifty-first General Assembly, while in Des Moines in the performance of his duty as a legislator.

Senator Whitehill was a veteran lawmaker, having served many years in the Iowa Senate, and his colleagues in the Senate had shown their appreciation and esteem by selecting him as President Pro Tempore of the Senate, which office he would have filled but for his passing.

In his passing the state has lost a faithful and efficient servant and statesman and each member of the Senate has lost a valued and esteemed friend and co-worker.

Be It Therefore Resolved, by the Senate of the Fifty-first General Assembly of the State of Iowa: That we extend to the widow and family of the deceased our heartfelt sympathy in their loss and bereavement, and,

Be It Further Resolved: That this Resolution be printed in the Journal of the Senate and that the Secretary of the Senate transmit to Mrs. B. C. Whitehill a copy of such Journal and a regularly engrossed copy of this Resolution.

Be It Further Resolved: That the President of the Senate appoint a committee of three to represent the Senate at the funeral services, and,

Be It Further Resolved: That the President of the Senate appoint six members of the Senate to act as honorary pallbearers at the funeral of Senator Whitehill.

A. J. SHAW
LEO ELTHON
J. BERG
Committee.

The resolution was adopted.

While the above resolution was being read by the Secretary of the Senate a beautiful floral tribute was placed on Senator Whitehill's desk by Senators Berg and Elthon.

In accordance with the memorial resolution, the President appointed Senators Shaw, Berg and Elthon as a committee to represent the Senate at the funeral services of Senator Whitehill.

The President appointed as honorary pallbearers, Senators Shaw, Berg, Elthon, Knudson, Harvey and Leo.

Senator Hill on behalf of the Senate expressed the sympathy and regrets of the members in the sudden and untimely death of Senator Whitehill.

Senator Berg asked and received unanimous consent that the remarks of Senator Hill be printed in the Journal.

REMARKS OF SENATOR HILL

MEMBERS OF THE SENATE: I arise at this time utterly lacking in words to fully express my feeling of the moment. Our hearts were all saddened by the sudden passing and taking from us of our beloved and esteemed friend, Senator B. C. Whitehill, known to all of us affectionately as "Ben".

I came to the Senate at the same time as did Senator Whitehill. It has always been a pleasure to work with him. He was always willing and anxious to perform any service which he believed right and for the best interest of his fellowman. He was courageous and determined, in any cause in which he believed. He was extremely fair and judicious in the performance of his duty. Those of us who knew him learned to love him.

"Ben", as we called him, lived a life of usefulness. Born in Iowa, he served his native state well and faithfully as a businessman, a public servant, as a soldier and above all as a loyal and upright citizen.

As an exemplification of his feeling of responsibility to his obligations, and as the soldier that he was, he responded to his call of duty to be present here at the opening of this legislature and gave his life in the line of that duty.

In addition to the regular duties as a member of this body Senator Whitehill rendered outstanding and distinguished service as a representative of this Senate, the legislature and the State of Iowa.

In 1939 as a member of a legislative committee from Iowa he journeyed to the State of Alabama bearing the flag of that state that had been taken by an Iowa regiment during the Civil War—thus binding the two commonwealths in everlasting friendship. He carried with him the greetings of Iowa to Alabama and returned bearing a message of good will to our people.

Then in 1943 as a member of a special committee of this Senate and the Fiftieth General Assembly of Iowa Senator Whitehill made an official trip to the Navy Yard in New York to represent the State of Iowa at the commissioning of the great battleship "Iowa".

Senator Whitehill on all occasions presented himself with dignity and understanding. He was deeply interested in the military activities of this state, serving on those committees in the legislature and for many years was the Commandant of the Soldiers Home at Marshalltown, Iowa.

Just before his passing he had received the unanimous endorsement of his Republican colleagues in the Senate as a candidate for the high office of President Pro Tempore of this body and within a few moments would have been elected to that office.

I always looked to Ben for guidance and counsel and I believe that his life could be appropriately adopted as a pattern for all of us.

As I was suddenly called to his side yesterday when he was stricken I tried to comfort him in my feeble way. He looked up and tried to

smile as was his manner always. He said, "Hello Ray", and then went to sleep—a peaceful sleep. And now I say that which I wished to say yesterday but was unable to do so. "Goodbye Ben, we are all better for having known you."

COMMITTEE FROM THE HOUSE

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

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

JOINT CONVENTION

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

The roll was called.

Those present were, 150:

Anderson	Dykehouse	Klein	Newsome
Aubrey	Edwards	Klemesrud	Nielsen
Augustine	Elthon	Knudson	Norland
Avery	Faul	Krueger	Olson
Baker	Felton	Kruse	Palmer
Barkley	Fimmen	Kuester	Parrish
Bass	Findlay	Kuhlmann	Peterson
Bents	Fletcher	Lane	Pine
Bekman	Foster	Langland	Poston
Benson	Frederickson	Latchaw	Prentis
Berg	Frei	Leo	Pritchard
Blatti	Fulk	Long of Clinton	Putney
Blewett	Gardner of	Long of Delaware	Redman
Bockwoldt	Bremer	Love	Reed
Bonn	Gardner of Linn	Lucas	Reilly
Bryson	Good	Lynch	Ritchie
Burkman	Hall	Lynes	Robb
Byers	Hart	Martin of	Robinson of
Capesius	Harvey	Appanoose	Delaware
Carlson	Hawkins	McEleney	Robinson of
Clem	Hedin	McFarlane	Monroe
Colburn	Heffner	McNeill	Saylor
Cooper	Henningsen	McReynolds	Schluter
Cowan	Hicklin	Mercer	Schwengel
Cox	Hill	Meyer	Sharp
Datisman	Hoeness	Miller of	Shaw
Davis of	Hultman	Humboldt	Shepard
Black Hawk	Huston	Miller of	Siefkas
Davis of Fayette	Jacobson	Audubon	Simonsen
Dewel	Jessen	Mills	Sloane
Dodds	Jones	Moore	Smith of Clayton
Donohue	Keir	Morrissey	Smith of
Doud	Kilpatrick	Mowry	Dickinson
Duffield	Kirketeg	Nelson	Steinberg

Stevens	Vanderwilt	Walter of	Weichman
Strawman	Van Eaton	Pottawattamie	Wellington
Swaner	Visser	Watson of	Whitaker
Tatum	Vittetoe	O'Brien	Whitehead
Te Paske	Walter of	Watson of	Williams
Tyrrell	Marshall	Pottawattamie	Wormley
Utzig			

Those absent were, 8:

Cromwell	Less	Sjulin	White
Farmer	Martin of Scott	Vrba	Zastrow

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

Senator Lynes moved that a committee of six, consisting of three members from the Senate and three members from the House, be appointed to notify former Governor Hickenlooper and Governor Blue that the Joint Convention was ready to receive them.

Motion prevailed and the President pro tempore appointed as such committee, Senators Hill of Wright, Long of Delaware and Pine of Louisa on the part of the Senate, and Gardner of Linn, Van Eaton of Woodbury and Poston of Wayne on the part of the House.

The committee waited upon the former Governor Hickenlooper and Governor Blue and escorted them to the Speaker's station.

President pro tempore Hart then presented former Governor Hickenlooper, who delivered the following address:

MR. PRESIDENT, MR. SPEAKER, GOVERNOR BLUE, MEMBERS OF THE 51ST GENERAL ASSEMBLY, FELLOW CITIZENS:

This occasion is darkened by the sudden death here yesterday of one of Iowa's outstanding legislators, Senator Ben C. Whitehill, of Marshall County. We who knew him loved him. He had a long record of honorable public service—as a soldier, business man, public official and legislator.

He inspired confidence in all—he contributed soundly and valuably to the welfare of his community and state—he was honored a few days ago, by his colleagues in the senate, in being selected for president pro tempore of that body, the equivalent to election. He was a personal friend.

I know we all join in our sympathy to his widow and family and in our desire to bring them comfort.

I congratulate you upon your election as members of the Iowa legislature and upon the confidence that you have received from your constituents in being selected to represent them in this most important branch of public government. Most of you have had prior service in this body and that service has met with the approval of your home folks as shown

by your re-election. Those of you who are serving for the first time as lawmakers, can look forward to a rich experience and a great opportunity to contribute to the public good.

I am aware that the deep responsibilities of the lawmaking body of our sovereign state are fully appreciated by all of you and in your hands the traditional public spirited attitude of the Iowa legislature will be continued and strengthened.

In these days of bitter warfare and in the bitter days that are to come, our first and immediate concern is the safety of our nation and our free institutions. The prosecution of this war, by us and our allies, to total victory has called for unprecedented sacrifice and now calls for greater sacrifice and greater unity for the future.

The American people have done tremendous deeds; American fathers and mothers, wives, children and sweethearts have borne and will bear the sacrifice of their loved ones with magnificent and unselfish courage; only those who have received the formal and ominous message can know the full measure of the cost and it must be a duty of all of us to share, in such measure as we can, their burden and contribution.

Our obligation to the men and women in the armed forces demands that we have complete unity of purpose for victory at the earliest possible moment and our gratitude to them can only be expressed by increasing effort.

Last summer and fall there was a growing feeling on the part of the public that 1944 would see the end of the European phase of active fighting. This was not entirely generated by the public and the public is not solely responsible for this idea. A number of those in highest authority in the nation stated early last year that we might reasonably expect victory in Europe during 1944 and several went so far as to say that it would come before the snow and before the leaves fell. It is small wonder indeed that the American people relied upon this encouragement. Nevertheless we are still in some of the hardest phases of the fighting and its intensity no doubt will be increased. I believe the public is now fully aware of the vitalness of our situation and that increased effort will result.

But our thoughts and efforts must not be confined alone to the necessary victory in battle. As a nation we must be determined to establish a sound and equitable system for the future, in which nations can live in dignity and freedom and in which wars will be made impossible. Such a system will not function based upon paper agreements alone but must have the acceptance and the determination for honest enforcement firmly established in the minds of the people and the governments of the world. Our nation and our people have the strength to take leadership and we have the system of freedom, the maintenance of which warrants our determination. The degree of future cooperation among nations of the world and the vigor and honesty with which they stamp out international banditry will measure the degree of security and the "pursuit of happiness" which we and our posterity will enjoy.

On the other hand, a failure to establish such a peace will mean increasing regimentation and increasing armaments which, in turn, means increasing restriction of opportunity and individual advancement in the days to come.

STATE GOVERNMENT

In our system, state government is the rock upon which the Union and the preservation of individual opportunity and freedom has been built. Its sovereignty and its functions must not be impaired. State government should increasingly assume the proper responsibilities for the welfare of the people of the state. In Iowa we have strongly resisted centralization of government and, justifiably so, but we must not confuse arbitrary concentration of selfish power with increasing assumption of sound responsibilities that will be of broad general service to the people. Scientific advancement in all fields has greatly broadened the scope of individual activity and, as our economy becomes more complex, there is a necessary increase in the responsibility of governmental supervision and service that will protect the very rights of the individual.

The increase of centralized authority, whether it be in the state or nation, should be confined, however, to the necessary fields of public responsibility, designed for the purpose of enlarging opportunity and should not be permitted to go to the point of arbitrary restrictions and control which in turn destroys the fields of personal opportunity. Government can assume progressive responsibilities in a progressive society without impairing or cutting down the principle of opportunity and the rewards of enterprise. The principle can be practically retained and at the same time, service demanded of government, can be rendered. You, as the law making body, can and will meet these responsibilities in the interest of your fellow citizens, whom you represent, and as an obligation to those men and women who have sacrificed so much and who will sacrifice so much, hereafter. You can and will preserve that opportunity and that system for them and for tomorrow's generations.

CONDITION OF THE STATE

The condition of your state is sound. The wisdom of past legislatures has made substantial provision for the operation of government. There are surpluses in the public treasury, the bulk of which are contained in various trust funds such as the three point tax fund and others. Altogether, the total amount, not immediately needed for current uses, will be in the neighborhood of thirty millions of dollars. In addition, there will be approximately 2½ million dollars that will revert to the general fund on next June 30 from the budget appropriations of the Fiftieth General Assembly.

It must be borne in mind, however, that these surpluses have resulted largely from unusual economic conditions and that a great portion of this money is not to be relied upon as annual income. It is more in the nature of accumulated savings. Nor can I say that all of this surplus is, in good judgment, available for present or current expenditures. Good judgment would seem to indicate that great caution be used in connection with any appropriations of this fund and while capital expenditures, in reasonable degree may be made therefrom, yet care should be exercised that any program or appropriation requiring annual support, be financed from reliable and pre-determined future revenues.

It is easy, in times of prosperity, to assume obligations that are difficult to meet in times of adversity.

We have, of course, certain funds set aside for specific capital improvements, such as the construction of the state office building and improvements at the institutions under the Board of Control. With respect to the state office building I recommend consideration of two things: (1) that the increased cost of construction may mean that the funds now appropriated will not be sufficient to build the building, as planned, when materials are available and, (2) an inquiry as to whether or not the building, as planned, will be sufficiently large to meet the actual needs of the state a few years hence. It may be necessary and economic to increase the size of the building by the addition of one or more wings as already provided for in the plans. Your building committees will be able to evaluate this situation.

With respect to future construction we need increased facilities in the institutions under the Board of Control. In addition to the needed improvements at the various hospitals and other institutions in which the wards of the state are cared for, I recommend your serious consideration of the advisability of building a complete new mental hospital unit equipped as a receiving and classifying hospital and also one in which those who are not permanently mentally deranged, and who can be restored, can receive adequate scientific treatment. It seems to me that such a unit would serve a needful purpose and, perhaps, could be constructed at very little greater cost, with completely modern and scientific installations, than the cost of additions to the various older buildings in our hospitals, as they now exist. As an alternate, perhaps enlargement of the psychopathic hospital at the State University might solve this problem. Certainly the state should give its wards the best of physical and scientific care, both in equipment and in trained capable personnel.

EDUCATION

While Iowa has habitually stood at the top in percentage of literacy in the Union, nevertheless there are certain inefficiencies in our public school system. The Fiftieth General Assembly established a School Code Commission and it has filed its report as provided by law. Each of you has received a copy and copies have been widely distributed by various interested groups throughout the state. Of the thousand copies authorized to be printed by the resolution, enough have been preserved so that each of you may have at least one additional copy. The School Code Commission has done an extensive amount of work. It was aided by the studies of the former school code commission and it contributed a tremendous amount of time as a group. The individual members together with those who worked with them performed a fine service. Their report is concise and clear and covers a great portion of the field. They have recommended some twenty bills for your consideration.

No doubt their report, and some of their recommended legislation, will raise controversy. Nevertheless, it is a capable job and I recommend your thorough study of it and the enactment of such recommended legislation, as may, in your judgment, be constructive and progressive.

Our children should have the best and most efficient educational advantages.

Our institutions of higher education have been progressing and are among the leaders in the nation. The war has caused a disruption of normal programs but the history of such institutions, following every war, has been that of greatly increased enrollment. This fact should be taken into consideration so far as their facilities are concerned when you consider their future needs.

AGRICULTURE

We all know that agriculture is Iowa's basic resource. Upon its prosperity depends the prosperity of our great number of small businesses and communities. Our social and cultural stability and progress demand that we maintain a fair level of farm prosperity and that individual ownership of homes and business be encouraged.

Farm to market roads, access to utilities, modern equipment and conveniences, all become available with reasonable prosperity and they increase the attractiveness of the farm and add to the social advancement of our State.

CONSERVATION

The richness of Iowa soil has been taken for granted for too long a period but we must face the realization that it is being depleted year by year. The only way we can guarantee the preservation of these vast resources is by vigorous and scientific conservation practices. Between 46 and 50 counties are now organized in the soil conservation programs of the state. Others are beginning the organization of such programs. This program should be encouraged until all of the 99 counties are in full cooperation and the vigorous promotion of soil conservation programs should be assumed as a state responsibility.

We must give attention to the over-all problem of flood control. Millions of dollars of Iowa top soil washed southward in the flash floods of last spring. Year after year this loss goes on. Flood control involves not only the matter of large dams and reservoirs but also the problem of retaining water in the areas where it falls. This is a problem of tremendous importance and demands adequate and capable over-all scientific approach.

In our wild life and recreation facilities, administered by the Conservation Commission, we have made much progress and I believe its program has met the universal approval of the public in increasing degree, as the public has become aware of and enjoyed the facilities provided. We have lost some experienced and valuable individuals in that department, however, to other states who pay more commensurate salaries and we are in danger of losing others. I recommend your investigation of the pay scale of those experienced and highly trained individuals in this field.

Eventually, we should establish one over-all department of conservation that will have charge of all conservation, wild life and recreation activities.

POSTWAR PLANNING

The Fiftieth General Assembly established a Postwar Planning Commission composed of representative groups of our economy. The primary purpose of this Commission was to canvass and coordinate re-employment of returning veterans. This Commission in turn divided itself into various committees and these committees invited experienced advisors to sit with them in their studies. The Commission has completed its report. It has done a tremendous amount of work. Its members met repeatedly and they have devoted an unusual amount of their time to its problems. I want to commend the Chairman and officers of the Commission and each individual member for their zeal and for their constructive results.

As, in the case of the School Code report, no doubt the Postwar Planning Commission's report may contain some controversial matter and this report may not be the united opinion of all of its members but it represents their composite views. It merits your careful study and I assure you that it is my belief that it represents their conscientious and able efforts and should be given great weight. Its studies survey a vital field in postwar readjustment.

INDUSTRIAL AND DEFENSE COMMISSION

Under the Iowa Emergency War act of 1943, established by the 50th General Assembly, the Iowa Industrial and Defense Commission was continued and rendered valuable service, in coordination with the federal government, in providing for the internal security of the state. A splendid network warning system was established throughout the state. Civilian Defense functioned smoothly, aided by thousands of volunteers, and, as a state, we received commendation from the federal authorities for the efficiency and utility of our program. Its activities, in connection with internal security, have been largely discontinued but its activities in connection with the Industrial development of the state, in the war effort and for peacetime expansion, have been continued. In this field the Commission likewise has done a splendid job. It has compiled many statistics and facts about Iowa that are appealing to business and industry elsewhere and, as a direct result of its activities, many businesses and industries are definitely planning to locate in Iowa in the postwar period. From an economic standpoint and for increasing diversification in the manufacture and use of the products of our state, such activities should be continued and enlarged. Such a program will pay big dividends in stable employment and in the enlargement of our whole field of economy in the future. I compliment the Chairman, the officers and the members of this Commission for a job well done and for the sacrifice of their time and effort in public service. I recommend that you consider the permanent establishment of such a group to stimulate the future development of the vast resources and attractive conditions of the State of Iowa.

STATE GUARD

The Iowa State Guard is composed of volunteer citizens, some two thousand members, on the average, who with few exceptions, devote their

time, without pay, except for camp periods of active duty, to the security of the state. They conscientiously attend the drills, they submit to the discipline and they are eager to render public service. They compose a highly efficient force, fully adequate and trained, to meet and properly handle emergencies. They are proud of their service and we in turn are proud of them.

Early in my administration, I called a conference of the staff and field officers of the State Guard to discuss the advisability of abolishing the permanent battalion of the guard that was then being maintained at Camp Dodge. As a result of that conference the permanent battalion was disbanded. There was no longer a need for it because the units of the guard throughout the state were trained for service. This effected a saving of over \$300,000 a year and subsequent experience has proved that there is no present need for such a permanent battalion.

The State Guard has been a medium for preliminary training for several thousand young men, who later have gone into the Armed Forces of our country. Many of them have expressed their appreciation of this training and in this capacity the State Guard has also contributed to national defense and security. The officers and men of the State Guard are deserving of thanks and commendation.

BOOKKEEPING SYSTEM

During the Fiftieth General Assembly, inquiry was instituted as to the efficiency of the bookkeeping system of the state. An expert, provided by one of the great foundations of our country, came to the Capitol and made a canvass of our system of accounting. He reported that we have one of the best state accounting systems in the nation and his only criticism was that it made no provision for a daily reconciliation between the Comptroller's office and the State Treasurer. He made it clear that this was a minor deficiency and could be corrected easily. Such corrections have been made and I believe that the objections to our system have now been substantially eliminated.

ANAMOSA INVESTIGATION

About a year ago, some prisoners escaped from Anamosa, unquestionably due to the failure of certain subordinate employees to carry out the strict orders of the institution. These employees were discharged. Nevertheless, because certain charges concerning the institution were publicly made and because I believe the public had every right to know what the actual conditions were in its institution, I directed the Chief of the Bureau of Investigation to conduct a thorough inquiry. My direction to him was to conduct an exhaustive inquiry, using such agencies of the state as he saw fit, and he was unhampered in carrying out that direction. This he did with the aid of counsel from the Attorney General's office. His report was filed and a copy is available for each member of the legislature. He examined each charge as made and reported the facts. His report states that the institution in Anamosa is being run with the highest efficiency of the past 20 years during

which he has had more or less constant dealings with it. His investigation clearly established the fact that the charges made were groundless.

All of our institutions need certain repairs and reconditioning. Plans have been made by the legislature and the Board of Control for these repairs when material is available and these will be made at the earliest possible moment.

BOARD OF CONTROL

The Board of Control has done a splendid job in managing the institutions under its supervision. It is fully aware of the many needs in these institutions and has definitely planned for correcting the deficiencies when materials are available. Its cost of operation has gone up and its problems of personnel have been tremendous. It has been impossible to secure sufficient and competent help, but the Board has been vigorous and efficient and no doubt will more fully amplify its needs and requests to your committees as this session progresses.

PARDONS, PAROLES, ETC.

Under our system of prison procedure, the Board of Parole has authority to parole prisoners who are confined for a term of years, but has no authority to commute a life sentence to a term of years. That power rests with the governor alone.

Also, our courts have the power to suspend the operation of sentences and to give what is commonly called a bench parole.

There is no authority, however, for either the court or the Board of Parole to terminate a parole or a suspended sentence or to give a final discharge. All of these go through the Governor's office and must be signed by him. This is an unnecessary procedure and the governor must act solely upon the recommendation of others. The law should be changed so that the authority granting the parole will also have authority to grant a final discharge when the terms of the parole have been met. The law should further provide that, in any event, when the period of the sentence of such a parolee has been completed, and there has been no violation of the parole, a discharge is automatically given. Hundreds of persons over the state who have been granted suspension of sentence by the court, with sentences running from one to five years, have found themselves still on parole after 20 or more years, and undoubtedly there are many instances where the period is much longer.

In the case of life sentences, many prisoners, and especially younger prisoners, give evidence of reformation and may merit eventual restoration to society. At the present time, the entire responsibility of commutation of a life sentence to a term of years, rests with the Governor. I recommend that a board be established, consisting of the Board of Parole, the Governor and the Wardens of the Reformatory and of the Penitentiary, with authority to review life cases and to grant commutation to a term of years in cases where, in their judgment, such action is for the benefit of society.

A substantial number of final discharges and paroles have been issued at the request of and in cooperation with Selective Service, to enable

the induction of men into the Armed Forces. I am happy to report to you, that, with but two or three exceptions, those so discharged have made good in the service of their country and some have outstanding records of gallantry.

AIRPORTS

It is conceded that air transportation will be of major importance in the postwar period. It is a technical and scientific business and its future possibilities may be limitless. Our Aeronautic Commission and our Civil Air Patrol have done a splendid job in spite of their meager authority and limitation in a more or less makeshift department. A more comprehensive aeronautic department should be established and a progressive air code should be enacted so that we may eliminate, as much as possible, mistakes in airport construction as well as air regulation and supervision, and so that we may be in a position, both in the state and in our communities, to take full advantage of future air development.

INSURANCE

The recent decision of the Supreme Court of the United States overturning the attitude of the past and declaring in effect, that the business of Insurance is inter-state and a matter for federal supervision, should cause concern to our state. Iowa is one of the largest insurance centers of the nation and is recognized as one of the progressive and outstanding insurance states. The possible effect of the Supreme Court decision on the great revenues we have derived from the business of Insurance is a matter that should concern us all. I believe that legislation can be accomplished that will provide full cooperation but that will also retain the definite benefits of local state control.

GOVERNOR AND STATE OFFICERS

Under our constitution, the state executive and administrative officials are elected for two year terms. I am fully aware of the arguments that a two year term keeps incumbency in office closer to the people, and, certainly, it does provide for frequent elections; but a two year term has disadvantages which far outnumber the advantages, in the public interest. I recommend that you give serious consideration to the proposal of a constitutional amendment establishing the term of office of these officials at four years. Such a term will give greater time for the uninterrupted completion of administration policies and programs and, I am sure, the experience of other states, that have adopted similar provisions, will verify the soundness of such a step.

In addition, I suggest that the salaries of state officials are neither adequate or commensurate with the responsibilities they are required to assume. With especial reference to the Governor, I believe that he should receive a salary at least equal to that paid to any other state employee. Iowa is one of the minority of states that does not provide and maintain, for its Chief Executive, an official residence. Thirty-four

states, I believe, make such provision and Iowa is one of the fourteen states that does not. The state does, however, provide substantial residences and maintenance for a number of public officials and employees. In keeping with the standing of the State of Iowa and the dignity of the office of Governor, I feel, upon leaving this office, that I can strongly urge you to make adequate and proper provision for the housing of your Chief Executive. Such a step is bound to be embarrassing to any incumbent governor but the matter should be considered from the standpoint of the pride and dignity of the state.

PUBLIC HEALTH

Public health is becoming an increasing responsibility of government. Our Health Department has extended its services, and several emergencies have proven its value. There are, however, under the present law, 1,600 township boards of health and 900 boards of health in cities and towns. I am thoroughly convinced that efficiency and public health would be better served by abolishing the 1,600 township boards of health and by establishing in their place county boards of health, and I so recommend.

STATE TREASURER BAGLEY

The state, his thousands of friends and the public officials who served with him were saddened, last year, by the death of State Treasurer Willis Bagley. He was not only an outstanding public official but he endeared himself to those who knew him. I valued his help and revere his memory.

CONCLUSION

It is manifestly impractical for me to take up in detail with you the operation of all of the state offices and departments. Certain of them I have mentioned for specific reasons but I can say to you that, without exception, those in charge of the various branches and departments of government, and their administrative assistants, have given complete and efficient cooperation in the performance of their duties as public servants. They have been zealous in the performance of their duties and they have capably discharged them. I have them to thank for making the duties of the executive office easier.

May I congratulate you and the state upon the election of Governor Blue as your chief executive. His public experience and ability provide a leadership of outstanding value in these disturbing times.

I regret that my duties and obligations in the future will take me away, for a time at least, and I shall miss the cordial feeling and happy association with the legislature and with the public officials of Iowa, that I have enjoyed these past several years. It is my hope that our associations can be renewed from time to time at every possible opportunity and I wish for you and yours the success and the satisfaction that will come from a job well done.

Public office has been declared to be and is a public trust. Only so long as those to whom government has been entrusted discharge their

obligations with vigor and with a public spirit will the public maintain its confidence in government. You have maintained that confidence and discharged those obligations in the past and your record will continue in the future.

The details of the future are not clear. The tremendous emotions and sometimes the confusion generated by the war and social and economic disruptions make uncertain the specifications of tomorrow, yet tomorrow must be built upon the moral lessons of government and of humanity learned in the past. The principles of opportunity and freedom must remain the supporting pillars of any free government or society and the responsibility of the individual must be increasingly emphasized and increasingly exercised. Your sons and daughters, or their memories, must come home, with victory, to find that the things they have fought for and the things for which their comrades have died have been strengthened and enlarged and that their victory and sacrifice in war has not been in vain. We must never forget that legislators, national or state, can, in moments of neglect, destroy the fruits of progress. We must also remember that to merely call a piece of legislation or a program progressive does not make it so. The effect of present action may be felt years hence and the failure to act on sound and needed programs now may have serious repercussions on tomorrow's citizens.

Years ago some one set down his philosophy of public responsibility and, as I leave, may I leave with you the thoughts which he so ably stated.

*God give us men. The time demands
Strong minds, great hearts, true faith and willing hands;
Men whom the lust of office does not kill;
Men whom the spoils of office cannot buy;
Men who possess opinions and a will;
Men who have honor; men who will not lie;
Men who can stand before a demagogue
And damn his treacherous flatteries without winking;
Tall men, sun-crowned, who live above the fog
In public duty and in private thinking!
For, while they rabble, with their thumb-worn creeds,
Their large professions and their little deeds
Mingle in selfish strife; lo! Freedom weeps!
Wrong rules the land, and waiting Justice sleeps!*

Mr. Hickenlooper 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 7, 1944, and announced as teller on the part of the

Senate, Senator Benson of Greene and as assistant tellers, Senators Doud of Van Buren and Mercer of Johnson.

Speaker Felton announced as teller on the part of the House, Donohue of Cedar, and as assistant tellers, Swaner of Johnson and McEleney of Clinton.

The President pro tempore further announced that, in accordance with statute, tellers Senator Benson and Representative Donohue would constitute the judges of said canvass.

Speaker Felton 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 7, 1944.

The joint convention recessed until 1:45 p.m. Thursday, January 11, 1945.

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

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 10, 1945.

The Senate met in regular session, President pro tempore Stanley L. Hart, presiding.

Prayer was offered by the Rev. William Mack, pastor of the Union Park Presbyterian Church, Des Moines, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Reilly, from residents of Dubuque county, relating to the revision of the school code.

By Senator Ritchie, from residents of Plymouth county, relating to the revision of the school code.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Hultman for the day on request of Senator Love; Senator Sjulín for the day on request of Senator Love; Senator Mowry for the day on request of Senator Berg; Senator Cromwell for the day on request of Senator Henningsen.

INTRODUCTION OF BILLS

Senate File 31, by Senators Byers, Elthon, Love, Martin, Henningsen and Clem, a bill for an act to provide for the licensing, inspection, control and regulation of barber shops and barber schools.

Read first and second times and passed on file.

Senate File 32, by Senators Mowry, Vittetoe, Love, Doud and Clem, a bill for an act to amend chapter fifty-one (51), Acts of the Fiftieth General Assembly, relating to compensation of county, municipal and school examiners and their assistants.

Read first and second times and passed on file.

Senate File 33, by Senator Schluter, a bill for an act to amend section eleven thousand twenty-eight (11028), Code, 1939, relat-

ing to the limitations for foreclosure of ancient mortgages and other written instruments.

Read first and second times and passed on file.

Senator Dewel asked and received unanimous consent to exchange seats with Senator Barkley.

COMMUNICATION FROM STATE APPEAL BOARD

The following communication was received from the State Appeal Board:

January 10, 1945.

To: Wm. J. Scarborough,
Secretary of the Senate.

In accordance with the provisions of Section 3 of Chapter 61, Acts of the 49th General Assembly, I hand you herewith claims acted upon by the State Appeal Board. Each claim bears the recommendation of the Board.

List of claims as follows:

Claim No.	Claimant	Amt. Claimed	Amt. Rec- ommended
1	Iowa Photographic Supply Company.....	\$ 12.67	\$ 12.67
2	M. D. Munshower.....	100.00	100.00
3 and 4	Withdrawn		
5	Drs. Peterson & Peterson.....	53.00	53.00
6	Atlantic Hospital.....	72.25	72.25
7	R. L. Barnett, M.D.....	5.00	5.00
8	John Deere Tractor Company.....	124.80	124.80
9	Knute Munson.....	8.00	Rejected
10	Sidney S. Water (Asking an amount to exceed the \$450.00 allowed by Appeal Board in February, 1944).....		450.00
11	Earl Waltz.....	No amt. stated	Rejected
12	Chicago & Northwestern Railroad Co.....	2.48	2.48
13	Page County Agricultural Association.....	1,003.00	1,003.00
14	Sac County Fair Association.....	1,945.87	1,945.87
15	Big Four Agricultural Society.....	583.28	583.28
16	Benton County Agricultural Association.....	1,746.87	1,746.87
17	Lyon County Fair Association.....	486.11	486.11
18	R. K. Crane.....	21.12	21.12
19	Giles Funeral Home.....	40.00	40.00
20	Pursel Funeral Home.....	54.25	54.25
21	Dunshee & Sons.....	100.00	100.00
22	Tyler Funeral Home.....	100.00	100.00
23	Drainage Ditch Assessment No. 40 Cerro Gordo County.....	35.54	35.54
24	Honeyamead Products Company.....	245.16	245.16

C. FRED PORTER,
Chairman, State Appeal Board.

MESSAGES FROM THE HOUSE

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

House Concurrent Resolution 5, relating to adjournment of the General Assembly from Thursday, January 11, 1945, to Tuesday, January 16, 1945, at two o'clock p. m.

Also: I am directed to inform your honorable body that the House has amended and concurred in Senate Amendments to and passed House Joint Resolution 1, fixing the compensation of officers and employees of the General Assembly.

A. C. GUSTAFSON, *Chief Clerk*.

HOUSE CONCURRENT RESOLUTION 5

Be It Resolved by the House, the Senate Concurring: That when adjournment is had on Thursday, January 11, 1945, it be to reconvene on Tuesday, January 16, 1945, at two o'clock p. m.

HOUSE AMENDMENT TO SENATE AMENDMENT TO H. J. R. 1

Amend Senate amendment by substituting the following therefor:

Amend by striking lines seventy-four (74) and seventy-five (75) and substitute the following:

"Chaplains five dollars (\$5.00) for each service rendered or five cents (5c) per mile to and from the State Capitol, whichever is the greater, but only one mileage where said service is rendered in both bodies on the same trip."

HOUSE CONCURRENT RESOLUTION 5

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

The motion prevailed and the resolution was adopted.

ADDITIONAL COPIES

Senator Hill asked and received unanimous consent to have 300 additional copies of Senate Files 1 to 30 inclusive printed.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 11, 1945.

The Senate met in regular session, President pro tempore Stanley L. Hart presiding.

Prayer was offered by Dr. Harry Shiffler, pastor of the Highland Park Presbyterian church, Des Moines, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Foster, from employees of the Mt. Pleasant State Hospital, favoring early legislation relative to retirement pay or pension plan for state employees.

By Senator Mowry, from residents of Jasper county, relating to the revision of the school code.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Long for the day on request of Senator Love; Senator Sjulín for the day on request of Senator Love; Senator Pine for the day on request of Senator Martin; Senator Cromwell for the day on request of Senator Henningsen.

INTRODUCTION OF BILLS

Senate File 34, by Senator Faul, a bill for an act to amend section six thousand nine hundred forty-four (6944), Code, 1939, relating to exemption of household furniture and equipment from taxation of personal property.

Read first and second times and passed on file.

Senate File 35, by Senator Faul, a bill for an act to amend section six thousand nine hundred forty-four (6944), Code, 1939, relating to the exemption from taxation of personal property of household furniture and equipment of persons in the armed services of the United States.

Read first and second times and passed on file.

Senate File 36, by Senator Mowry, (Morrissey), a bill for an act amending chapter sixty-eight (68) by adding thereto as

section one thousand two hundred forty-two and nine tenths (1242.9) relating to open-cut or strip mines for the production of coal and providing that anyone so engaged shall post a surety bond with the county treasurer guaranteeing the replacement of surface soil and loss of tax revenue and for the enforcement thereof.

Read first and second times and passed on file.

BILL WITHDRAWN FROM CONSIDERATION

Senator Faul asked and received unanimous consent to withdraw Senate File 13 from further consideration of the Senate.

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			Kirketeg, O. J.....	104	10.40
Kenneth A. Evans.....	139	\$13.90	Klein, Tunis H.....	45	4.50
Augustine, A. E.....	60	6.00	Knudson, Herman M.....	125	12.50
Barkley, J. R.....	104	10.40	Leo, Richard V.....	98	9.80
Bekman, E. K.....	91	9.10	Long, Irving D.....	163	16.30
Benson, Ralph E.....	70	7.00	Love, H. S.....	75	7.50
Berg, John P.....	104	10.40	Lucas, J. G.....	25	2.50
Byers, Frank C.....	118	11.80	Lynes, J. Kendall.....	142	14.20
Clem, A. D.....	199	19.90	Martin, Frank D.....	182	18.20
Cromwell, Fred.....	168	16.80	Mercer, Leroy S.....	120	12.00
Dewel, Duane E.....	135	13.50	Miller, Ai.....	90	9.00
Doud, Alden.....	117	11.70	Mowry, Ross R.....	33	3.30
Dykhouse, J. T.....	259	25.90	Newsome, J. A.....	60	6.00
Elthon, Leo.....	135	13.50	Pine, F. J.....	150	15.00
Faul, Geo.....	No claim for mileage		Reilly, Robt. C.....	225	22.50
Findlay, C. V.....	92	9.20	Ritchie, Fred J.....	192	19.20
Foster, Harlan C.....	135	13.50	Schluter, Edwin C.....	155	15.50
Hart, Stanley L.....	186	18.60	Sharp, F. E.....	190	19.00
Harvey, Robt. W.....	136	13.60	Shaw, Albert J.....	135	13.50
Hawkins, R. B.....	65	6.50	Sjulin, Carl O.....	175	17.50
Henningsen, O. H.....	225	22.50	Vittetoe, Luke.....	85	8.50
Hill, G. R.....	88	8.80	Vrba, Ed.....	220	22.00
Hultman, O. N.....	132	13.20	Watson, DeVere.....	140	14.00
Jacobson, Arthur H.....	209	20.90	White, Ed. S.....	100	10.00
Jones, Floyd.....	45	4.50	Zastrow, Ralph.....	145	14.50
Keir, Robt.	190	19.00			

J. T. DYKHOUSE, *Chairman.*

GEORGE FAUL.

CARL SJULIN.

Senator Dykhouse moved the adoption of the report.

The motion prevailed and the report was adopted.

REPORT OF COMMITTEE ON CLERKS

Senator Watson submitted the following report and moved its adoption:

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

Senator Augustine—Mrs. Dorothy E. Vasey.

Senator Barkley—Velva Day.

Senator Bekman—Marion H. McMurray.

Senator Benson—Rita Moylan.

Senator Berg—Cecil E. Hetrick.

Senator Byers—Peggy Jamesson.

Senator Clem—Wilma M. Clem.

Senator Cromwell—Selma Feldman.

Senator Dewel—Phyllis Jensen.

Senator Doud—Elizabeth H. Foxwell.

Senator Dykhous—Mrs. Ethel Preston.

Senator Faul—Norma Mathis.

Senator Findlay—Angela Collins

Senator Hart—Mary Alice Becker.

Senator Harvey—Zoe D. Pullen.

Senator Hawkins—Georgia Hawkins.

Senator Henningsen—Virginia M. Griffith.

Senator Hill—Bette Morford.

Senator Hultman—Georgia Porter Doud.

Senator Jacobson—Palma M. Quanrude.

Senator Jones—Mrs. Ferne Shannon

Senator Keir—Mrs. Marie E. Martin.

Senator Kirketeg—Maxine Kullbom.

Senator Klein—Maurine M. Lewis.

Senator Knudson—Marvyl B. Stevens.

Senator Leo—Edith W. McElroy.

Senator Long—Lorraine Clark

Senator Lucas—Lorraine S. Huhnke.

Senator Lynes—Marie Capper.

Senator Martin—Louise Hall.

Senator Mercer—H. Mae Peterson.

Senator Miller—Dora A. Miller.

Senator Mowry—Edith C. Hendershot.

Senator Newsome—Alice Tjaden.

Senator Pine—Ruth D. Pine.

Senator Reilly—Mrs. Jean M. Reilly.

Senator Ritchie—Rhea Cloe.

Senator Schluter—Betty Ellis.

Senator Vittetoe—Doris M. Irenbin.

Senator Vrba—Mrs. Evelyn Vrba.

Senator Watson—Ethel M. Potter.
Senator White—Minnie T. Agnew.
Senator Zastrow—Susan Jacobson.

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 adopted the following Concurrent Resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 3 providing for the mailing of House and Senate Bills and Journals of the Fifty-first General Assembly, free of charge, to County Auditors.

Also: 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 providing for the authorization of appropriation of funds by Boards of Supervisors for payment of expenses to aid in sale of War Savings Bonds and Stamps.

Also: 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 2, a bill for an act providing for payment of refunds to persons who have overpaid Iowa chain store taxes.

Also: 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 providing for the issuance of temporary permits to persons engaging temporarily in the business of retail sales in Iowa.

Also: 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 exemption of soldiers' bonus bonds from state taxation.

Also: 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 5, a bill for an act relating to soldiers' bonus levies.

Also: 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 6, a bill for an act relating to notice of determination of tax found to be due by audit made by state tax commission.

Also: I am directed to inform your honorable body that the House

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

House File 7, a bill for an act subjecting tangible personal property purchased from the United States Government to the Iowa Use Tax Laws.
A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 1, 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 and postage) to aid in the sale of War Savings Bonds and Stamps and to conduct campaigns therefor.

Read first and second times and passed on file.

House File 2, a bill for an act providing for the payment of refunds to persons who have overpaid Iowa chain store taxes.

Read first and second times and passed on file.

House File 3, a bill for an act providing for the issuance of temporary permits to persons engaging temporarily in the business of retail sales in Iowa.

Read first and second times and passed on file.

House File 4, a bill for an act to repeal subsection twenty-two (22) of section six thousand nine hundred forty-four (6944), Code, 1939, relating to the exemption of soldiers' bonus bonds from state taxation.

Read first and second times and passed on file.

House File 5, a bill for an act to repeal section six thousand nine hundred eighty-seven (6987), Code, 1939, relating to soldiers' bonus bond levies.

Read first and second times and passed on file.

House File 6, a bill for an act relating to notice of determination of tax found to be due by audit made by the state tax commission.

Read first and second times and passed on file.

House File 7, a bill for an act subjecting tangible personal property purchased from the United States Government or any of its agencies to the provisions of the Iowa Use Tax laws.

Read first and second times and passed on file.

UNFINISHED BUSINESS

Senator Elthon called up House Joint Resolution 1, amended by the House, and moved that the Senate concur in the following amendment:

HOUSE AMENDMENT TO SENATE AMENDMENT

Amend Senate amendment by substituting the following therefor:

Amend by striking lines seventy-four (74) and seventy-five (75) and substituting the following:

"Chaplains five dollars (\$5.00) for each service rendered or five cents (5c) per mile to and from the State Capitol, whichever is the greater, but only one mileage where said service is rendered in both bodies on the same trip."

The Senate concurred in the House amendment.

Senator Elthon moved that the resolution as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the resolution was read a third time.

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

Ayes, 41:

Augustine	Findlay	Kirketeg	Newsome
Barkley	Hart	Knudson	Reilly
Bekman	Harvey	Leo	Ritchie
Benson	Hawkins	Love	Schluter
Berg	Henningsen	Lucas	Sharp
Clem	Hill	Lynes	Shaw
Dewel	Hultman	Martin	Vittetoe
Doud	Jacobson	Mercer	Vrba
Dykhouse	Jones	Miller	White
Elthon	Keir	Mowry	Zastrow
Faul			

Nays, none.

Absent or not voting, 8:

Byers	Foster	Long	Sjulin
Cromwell	Klein	Pine	Watson

The resolution 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 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, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate resumed regular session, President pro tempore Hart presiding.

Senator Elthon asked and received unanimous consent that the Chair appoint a temporary committee on enrolled bills.

The Chair appointed as such committee, Senators Reilly, Newsome and Miller.

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.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Joint Resolution 1.

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 Hart of the Senate presiding.

The roll was called.

Those present were, 141:

Anderson
Aubrey
Augustine
Avery
Baker
Barkley

Bass
Bentis
Bekman
Benson
Berg
Blatti

Blewett
Bockwoldt
Bonn
Bryson
Burkman
Capesius

Carlson
Clem
Colburn
Cooper
Cowan
Cox

Cromwell	Hill	Miller of	Simonsen
Datisman	Hoeness	Humboldt	Sloane
Davis of	Huston	Mills	Smith of
Black Hawk	Jacobson	Moore	Smith of Clayton
Davis of Fayette	Jessen	Morrissey	Dickinson
Dewel	Jones	Mowry	Stevens
Dodds	Keir	Nelson	Strawman
Donohue	Kilpatrick	Newsome	Tatum
Doud	Kirketeg	Nielsen	Te Paske
Duffield	Klein	Olson	Tyrrell
Dykhousé	Knudson	Palmer	Utzig
Edwards	Krueger	Parrish	Vanderwilt
Elthon	Kruse	Peterson	Van Eaton
Farmer	Kuester	Poston	Visser
Felton	Kuhlmann	Prentis	Vittetoe
Fimmen	Lane	Pritchard	Wrba
Findlay	Leo	Putney	Walter of
Fletcher	Long of Clinton	Redman	Marshall
Foster	Love	Reilly	Walter of
Frederickson	Lucas	Ritchie	Pottawattamie
Frei	Lynch	Robb	Watson of
Fulk	Martin of	Robinson of	O'Brien
Gardner of	Appanoose	Delaware	Watson of
Bremer	Martin of Scott	Robinson of	Pottawattamie
Gardner of Linn	McEleney	Monroe	Weichman
Good	McFarlane	Saylor	Wellington
Hall	McNeill	Schluter	Whitaker
Hart	McReynolds	Schwengel	White
Harvey	Mercer	Sharp	Whitehead
Hedin	Meyer	Shaw	Williams
Heffner	Miller of	Shepard	Wormley
Henningesen	Audubon	Siefkas	
Hicklin			

Those absent were, 17:

Byers	Langland	Lynes	Sjulin
Faul	Latchaw	Norland	Steinberg
Hawkins	Less	Pine	Swaner
Hultman	Long of	Reed	Zastrow
Klemesrud	Delaware		

The President protempore 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 11, 1945.

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 7, 1944, beg leave to make the following report of the total vote cast for Governor:

Robert D. Blue.....	561,827
Richard F. Mitchell.....	437,684
Glenn Williamson	2,815
H. E. Bockewitz.....	832

And the total vote cast for Lieutenant Governor, at the election held November 7, 1944:

K. A. Evans.....	537,138
Oscar E. Johnson.....	433,920
Geo. H. Ramsey.....	3,278
Charles E. Clark.....	908

All of which is most respectfully submitted.

D. A. DONOHUE.

RALPH E. BENSON.

Judges.

LEO P. MCELENEY.

JOHN J. SWANER.

ALLEN L. DOUD.

LEROY S. MERCER.

Tellers.

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

Donohue of Cedar moved that the report be adopted. Motion prevailed and the report was adopted.

President pro tempore Hart of the Joint Convention announced that Robert D. Blue, 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 K. A. Evans, 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:

STATE OF IOWA
LEGISLATIVE DEPARTMENT
Certificate of Election

Hall of the House of Representatives,
Des Moines, Iowa, January 11, 1945.

This is to certify that upon a canvass in Joint Convention of the two Houses of the Fifty-first General Assembly of the State of Iowa, of all the votes cast at the general election held November 7, 1944, for the office of 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 eleventh day of January, A. D. 1945.

STANLEY L. HART,
*President Pro Tempore of the Senate and
President of the Joint Convention.*
HAROLD FELTON,
Speaker of the House.
RALPH E. BENSON,
Teller of the Senate.
D. A. DONOHUE,
Teller of the House.
A. C. GUSTAFSON,
*Clerk of the House and Clerk of the
Joint Convention.*

STATE OF IOWA
LEGISLATIVE DEPARTMENT
Certificate of Election

Hall of the House of Representatives,
Des Moines, Iowa, January 11, 1945.

This is to certify that upon a canvass in Joint Convention of the two Houses of the Fifty-first General Assembly of the State of Iowa, of all the votes cast at the general election held November 7, 1944, for the office of Lieutenant Governor of the State of Iowa, it appeared that K. A. EVANS 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 eleventh day of January, A. D. 1945.

STANLEY L. HART,
*President Pro Tempore of the Senate and
President of the Joint Convention.*
HAROLD FELTON,
Speaker of the House.
RALPH E. BENSON,
Teller of the Senate.
D. A. DONOHUE,
Teller of the House.
A. C. GUSTAFSON,
*Clerk of the House and Clerk of the
Joint Convention.*

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

Heffner of Hamilton moved that a committee of five, consisting

of two from the Senate and three from the House, be appointed to notify Governor-elect Blue and Lieutenant Governor-elect Evans of the official result of the canvass of votes.

Motion prevailed and President pro tempore Hart named as such committee Senators Hultman of Montgomery and Findlay of Webster, and Representatives Heffner of Hamilton, Duffield of Guthrie, and McNeill of Monona.

Senator Hultman from the joint committee appointed to notify Robert D. Blue and K. A. Evans 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 Robert D. Blue and the Honorable K. A. Evans 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,

O. N. HULTMAN.

JOHN S. HEFFNER.

C. V. FINDLAY.

R. E. DUFFIELD.

On the part of the Senate.

A. EARL MCNEILL.

On the part of the House.

Motion prevailed and the report was adopted.

Tyrrell of Wright moved that a committee of five be appointed, two from the Senate and three from the House, to escort Governor-elect Blue and Lieutenant Governor-elect Evans to the House chamber.

Motion prevailed and the President pro tempore of the joint convention appointed Senators Hill of Wright and Sharp of Clayton, and Representatives Tyrrell of Wright, Hall of Mills, and Stevens of Greene as such committee.

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

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

The ceremony of the presentation of the colors was conducted

by Clarence Shurtz Post No. 304, American Legion, Eagle Grove, Iowa.

Invocation was delivered by the Reverend Walter L. Breaw, pastor of the Methodist church, Humboldt, Iowa, which was followed by scripture reading by the Reverend Clarence W. Tompkins, pastor of the First Methodist Church, Eagle Grove, Iowa.

Two vocal selections were sung by Miss Madeline Hatter, Marengo, accompanied by Mrs. Milton Maack.

The oath of office was administered to Governor-elect Blue by the Honorable Oscar Hale, Chief Justice of the Supreme Court of Iowa.

The oath of office was administered to Lieutenant Governor-elect Evans by the Honorable Oscar Hale, Chief Justice of the Supreme Court of Iowa.

Lieutenant Governor Evans, President of the joint convention presiding, then presented Governor Blue, who delivered his inaugural message.

GOVERNOR'S INAUGURAL ADDRESS

MR. PRESIDENT, MR. SPEAKER, SENATOR HICKENLOOPER, MR. CHIEF JUSTICE AND JUSTICES OF THE SUPREME COURT, STATE OFFICIALS AND MY FELLOW CITIZENS OF IOWA:

In the midst of the mounting fury of the greatest war of all time, we have proven to ourselves and to the world that we are able to conduct a vigorous political campaign for the election of our leaders without any slackening of our united effort and determination to press the war forward to an early and victorious conclusion. Here in Iowa today and in Washington the chosen representatives of the people meet to demonstrate that representative self-government is the best form of government in the world. That without any permanent loss or weakening of our fundamental liberties we can, as a republic, fight and win a two ocean global war and assist in writing a peace which will aid in the reconstruction of a war torn world.

I congratulate you upon your election. Your selection for the high public office, which you hold, is a testimony of the high esteem in which you are held in your local community. It is a recommendation on the part of your friends and neighbors of their confidence in your ability, honesty and sense of fairness to perform the difficult task which confronts you. I share that feeling of confidence. I know that when the final record of this session is written and the book is closed that you will have added another constructive chapter to the great history of Iowa.

Fearing a concentration of power, our forefathers wisely divided the power of government between the Legislative, Executive and Judicial

branches. Like an intricate machine, the three gears of our government must smoothly mesh together, if sound and efficient government is to be provided for the people. I seek your cooperation. My time and my energy are always at your command. We are all servants of the people. We must all strive diligently to perform the task entrusted to our care.

I want to take this opportunity to thank you and the many other people throughout the state, who have expressed their confidence in this administration. I approach my task most humbly. I realize full well that only with your help, the help of many state and local officers throughout the state can success in my trust be achieved.

Seldom has a legislature been confronted with more diverse and difficult problems. You are a war legislature and as such must consider the problems of war affecting our citizens. You are a reconstruction legislature, we hope the war will be over before the next session of the legislature in 1947. You must consider the problems of peace and reconstruction. You are confronted with the solution of the usual problems incident to the operation of the state and proposals to make substantial changes in some of the fundamental laws of the state.

With this thought in mind, I should like to briefly discuss with you a few of the many problems which confront you.

WAR

Iowa has been making her full contribution to the war effort. Today it is estimated there are nearly three hundred thousand of our Iowa boys and girls who have answered the call to arms. No words we can say, no deeds we can do, can add to their glorious record in advancing our flag and the ideals it symbolizes on battle fronts around the globe.

I want to say a word of appreciation for the splendid, unselfish service which many groups have been rendering on the home front. They have been serving without compensation or hope of reward, except the satisfaction of a task well done. Red Cross, Draft Boards, Ration Boards, Bond Drives, U. S. O., Iowa State Guard, Civilian Defense, Civil Air Patrol, and Scrap Drives are but a few of many such services. Without this voluntary work, our war effort would falter and fail. The nation and the state owe them deep gratitude.

The feeling of undue optimism which prevailed last fall has been largely dispelled. Today we know that a hard and costly war lies ahead of us. We know that this is no time to slacken our war efforts. Rather it is the time for our greatest exertion. The war must not be prolonged nor must any boy lose his life because of any neglect on our part.

When we look at the shattered homes lying in ruin on foreign lands, we are grateful that our own America has been spared this cost. Yet we shall not escape unscathed. Thousands of lives of our best young men are being snuffed out. Thousands more will go through life bearing shattered bodies and tormented minds.

Following every great war, there is always the social and economic debris and wreckage on the home front, moral decline has accompanied every war. It has taken months or even years to train our boys in the horrid art of war. Not all will forget it. It will take months and perhaps years for many who return apparently unscathed to be rehabili-

tated in the ways of civil life. Great as was the task of converting our industry from war to peace, the task of rehabilitating our sons and daughters will be greater and vastly more important.

Although combat will cease, the effect of this war will continue throughout our lives. The ideals we struggle to preserve today will be challenged again in future years. Tomorrow, as today, the price of liberty will be eternal vigilance. In the words of General Logan: "Let no avarice of neglect, no ravage of time testify to the present or succeeding generations, that we as a nation have forgotten the cost of a free and an undivided republic."

SURPLUS COMMODITIES

There will be at the end of this war large amounts of surplus commodities which the federal government has purchased. There must be a disposal of these. A board is being set up in Washington to determine the method of distributing these surpluses. During the last two years our Board of Control has received substantial gifts of surplus food commodities which have been used in our institutions. At the end of the last war carloads of surplus commodities were shipped by the federal government into Iowa without charge, to be distributed in the state because no storage facilities had been provided or provision made for distribution. An unsatisfactory condition arose. If surplus commodities are to be given away, provisions for storage and distribution should be made in Iowa. The surplus commodities have been purchased with taxes paid and bonds bought by Iowa citizens. The state of Iowa should avail itself of any benefit arising from the disposition of these surpluses that can be had without working an injury or hardship to any factory, workman or distributor within the state.

AVIATION

With the rapid progress made in the science of aeronautics and the certain increase in air travel following the war, it behooves Iowa to review present statutes on aviation and to make such corrections as may be needed to meet the problems of tomorrow.

Our Civil Air Patrol has made an outstanding record of service. It is recognized as one of the finest in the country. Our Aeronautic Commission has likewise been keeping abreast of the times.

Adoption of a new aviation code however should be enacted to regulate new airport construction and to provide adequate and sensible regulation of this expanding field. If the states fail to meet this problem, it is certain that the federal government will occupy the field and regulate local air traffic.

SCHOOLS

Throughout her history, Iowa has been greatly interested in the cause of education. She is proud of her high literacy rate and the high percentage of her sons and daughters who not only finish high school, but avail themselves of opportunities of attending our universities and colleges.

The last session of the legislature provided for a committee to study our school law and report to this legislature suggested improvements in our statutes affecting schools in Iowa. You received their report in ample time for study before the convening of this legislature. I know the people of Iowa want their school system to keep pace with progress. We all desire to give to our children every advantage that we can reasonably afford, taking into consideration all of our necessary obligations.

Time does not permit the discussion of the twenty separate proposals contained in this report.

From talking with many of you, I believe you feel, as I feel, that this report ought to receive early, careful and sympathetic consideration, and action. I have confidence in your ability to wisely and equitably deal with this report.

Let all citizens realize the part we play in the education of our youth.

In the final analysis our young men and women are the finished product of our representative form of government. A fair share of the burden of education must be borne by the home, the church, the school, the school board, city council and every other civic organization that goes to make up the community. Mere law alone will not solve every problem in the training of our youth. Let us each ask ourselves: Are we doing our part?

APPROPRIATIONS TO INDUSTRIAL AND DEFENSE COMMISSION

The Industrial and Defense Commission inaugurated by the 49th General Assembly prior to the outbreak of hostilities has rendered an invaluable service to this state. It has carefully husbanded and expended the appropriation given to it and will return over ninety thousand dollars unused. It has brought to labor and to the established industries of the state, large war orders. It has assisted in bringing to Iowa some of the new war industries which have located here. Viewed broadly, this has resulted in large financial benefit to the state government and to many of the communities in which these industries were located. The work of this committee has profoundly affected the economic welfare of Iowa during the time of its existence. With the ending of the war, this committee doubtless will pass out of existence.

The imperative necessities of war have resulted in great changes in the industrial picture in America. With the ending of this conflict, new economic dislocations will occur. Congress recently has reported that the eastern states, if permitted to reconvert to peace time production, might produce over ninety per cent of goods manufactured in America. They previously produced about 60 per cent. This results from placing so large a portion of new war industries along our eastern shore.

Reports indicate that large industry desires to decentralize. Already some of the large industrial institutions are investigating the advantages of Iowa as a possible location. Iowa should be prepared to encourage and assist them to locate here. Many natural advantages of location in the center of the country, unsurpassed facilities of transportation by rail, motor, air and water ways favor us. We are favored by large coal deposits. Iowa is commonly known as a great agricultural state.

Too few of our citizens at home, as well as those outside the state, realize that Iowa is also a great industrial state, ranking 17th among the states of the nation.

The great trio which forms the arch of economic security are labor, agriculture and industry. In Iowa we very properly expend a large sum of money for the encouragement and promotion of agriculture. We have established a department of labor as well as a department of agriculture. To date, we have largely overlooked and neglected our natural resources and have made little or no attempt either to attract or hold industry within the state.

When this war is ended, the great crying need confronting us will be jobs—jobs for eleven million returning veterans and other millions of war workers. States will be competing with each other to attract new industry. Iowa must be prepared to meet this problem, to hold the great industry which is already started, and to attract additional industries to provide jobs for our sons and daughters.

The time has come when Iowa must stop losing to other states the most valuable product she produces—our sons and daughters who are leaving our colleges and universities to find employment in other states. I believe it to be a part of wisdom and of statesmanship to have the vision necessary to solve this problem.

The work of the Iowa Industrial and Defense Council must be continued. The opportunity to encourage the permanent development of the natural resources lies before you.

I believe that some organization to stimulate and encourage industry in Iowa will produce large dividends for labor and for agriculture, as well as for the industry concerned. Local governments, as well as the whole state may profit from such action.

Your vision and determination in meeting this challenge may well determine the future of Iowa for the next century.

LABOR

I want to repeat what I said a few minutes ago. Iowa is a great industrial state. Great, new war industries have come to Iowa. Existing industries have converted from peace to wartime production. Items of great importance to the war effort have been produced in our state. Many army and navy awards have come to us. When the story finally can be told, it will be a brilliant chapter in Iowa's contribution to the war effort.

It has been my privilege to visit several of our war factories and see first hand the job being done by both management and labor in this field of war production.

Iowa has had a minimum of labor difficulty and is to be congratulated on the record of continuous production. Labor and management have earned commendation on their spirit of cooperation and common sense which has made this record possible. Production experts are high in their praise of the ability and the record made by Iowa labor.

WORKMEN'S COMPENSATION

In keeping with the increasing importance of industry to the state of Iowa, I recommend that you give careful consideration to the necessity of the revision of some of the labor laws in this state. At the present time, Iowa has no occupational disease law. The liberal interpretation given by the industrial commissioner to our present laws fails to cover many of the diseases contracted by workmen, resulting from the type of employment in which they are engaged. Occupational disease laws are complicated, different conditions exist in different states. I recommend the enactment of an occupational disease law in the state of Iowa. If sufficient information is not now at hand to permit the enactment of such a law at this session of legislature, I suggest that provision be made for the gathering of such information for presentation at the next session of the legislature. The provisions of the workmen compensation law and unemployment compensation might well be liberalized in this state. Such a liberalization might in part meet some of the problems which may confront us at the conclusion of this war. I earnestly recommend to you careful consideration of such liberalization.

AGRICULTURE

Iowa agriculture has faced a most difficult and trying year. The farmer faced the necessity of increased production to meet the demands of the war. Adverse weather conditions hampered him in the planting of his crops. Some fields were replanted three or four times. Short of help, short of machinery, hampered by the weather, confused by a multitude of red tape and governmental restrictions, our farmers on the food front came through with a smashing victory. They produced one of the largest crops in history. I have seen tractor lights in the middle of the night as our farmers faced an emergency of planting or harvest. Fathers and mothers, sons and daughters, were combat teams that turned in a thrilling and a successful performance.

Next year will be an even more difficult one. Machinery is growing older. Man power is growing shorter. Dad and mother are four years older and worn by the strain of these war years. We have confidence they will face the task in the same resolute spirit they have in the past. They will get the job done.

While the condition of Iowa agriculture is prosperous, the end of the war is certain to bring readjustments. We must look to the future to preserve the stability and prosperity of this vital industry in Iowa.

SOIL CONSERVATION

Iowa's greatest natural resource is her fertile soil. In 1939, the Iowa legislature had the wisdom and foresight to pass a soil conservation law. Today 16 million acres are in soil conservation districts and 47 of the 99 counties have county wide districts.

The demands of war are depleting our soil, despite the progress made. During the flash floods of the single month of May last year, it is estimated that 154 million dollars worth of top soil washed from our slop-

ing fields and was lost forever. Losses ranged as high as 200 tons of top soil per acre.

The problems of drainage and flood control are closely related to soil conservation. River valley control measures enacted by the federal government will not solve this important problem. It must be solved farm by farm, creek by creek, and county by county.

When the soil of a farm is depleted, the income from that farm is lowered. The farmer becomes less able to hire help, buy new machinery, or provide the necessities and comforts of life for himself and family. Labor suffers, the local merchant suffers. The ability of the farmer and merchant to pay taxes for the support of the city, county and school district is impaired. The economic stability of the community and the state is lessened.

We have made a splendid beginning. We must increase our effort at the earliest opportunity.

ROADS

The transportation system of any nation is the arteries through which the life blood of commerce and business flow. In the last two decades we have made a tremendous progress in the building and maintenance of the road system of this state. In the beginning the urgent necessity of first building the primary road system and providing hard surface roads to compose a trunk system of roads was recognized. This program was instituted with the understanding that, as soon as possible, additional provision would be made for the building and improving of our other rural roads.

Substantial progress has already been made in this direction by the adoption of the farm to market road program. Funds have been accumulating, in both state and county road funds, because war restrictions have prohibited road building. It is hoped that by 1950 the primary road debt may be completely paid off. With the payment of the balance of the road bonds and the ending of the war, it would appear that a larger portion of the motor vehicle and gasoline tax might be devoted to the building of farm to market roads, and the building and the maintenance of roads within cities and towns.

When it is possible to build roads again and new road programs are considered, I recommend that among the first roads to be built and improved should be those roads used by our mail carriers and for the transportation of our children to school.

CAPITAL IMPROVEMENTS

It is difficult for the average citizen to visualize the institutions of Iowa. He is apt to see the Capitol building and think of it as the principal building aside from our universities and colleges. Iowa is a great state with public institutions and property scattered throughout it. We have been building a splendid system of parks within this state. There are fifteen Board of Control institutions which house some 15,000 unfortunate citizens. There are men and women in our penitentiaries. In our orphanages and in our training schools at Eldora and Mitchellville,

we have neglected and unfortunate boys and girls. Approximately ten thousand unfortunate men and women are confined in our mental hospitals and our institutions for feeble minded and epileptics. Too often these unfortunates tend to be the forgotten boys and girls, men and women, of Iowa. During the last few months I have visited many of these institutions. What I have to say in no way is a reflection upon the Board of Control—they have been doing a splendid job. During the last six years, the Iowa Legislature has been appropriating increased sums of money for new buildings and for the rehabilitation of these institutions and those confined within them. Some of this money is still on hand, unspent because of war time restrictions. In spite of the progress of the last six years, a very large program of remodeling and new building is necessary at most of these fifteen institutions to place them in a condition of which we can be proud. Substantial numbers of the buildings at these institutions are 60 to 80 years old or even older. They have had hard usage; they have served their day well, but many of them are out of date and should be completely replaced. Others can be rehabilitated. Several of these institutions are greatly over-crowded and additional space to house these unfortunates should be built as soon as building restrictions are lifted. Time does not permit me to go into detail with reference to the good features of these institutions—and they are many—or the faults that need to be remedied. A careful and thorough survey by experts of housing conditions has been made for the Board of Control and will be placed upon your desks. This report and the askings of the Board of Control merit your careful and sympathetic consideration. Forty to sixty years of depreciation and obsolescence should be taken care of. I urge you to carefully consider the problem, the need of rehabilitation of old buildings, the providing of new buildings for the housing of our unfortunates, the providing of adequate living quarters and support for the employees at these institutions and for providing an adequate staff of psychiatrists to meet the needs of our mental institutions.

In addition to the fifteen institutions under the Board of Control, there are five institutions of higher learning. We are proud of the young men and young women they have produced. With the end of the war large numbers of our returning soldiers are going to seek to finish their education and to prepare themselves for the future. These institutions will have to meet an abnormal condition. I am sure that you will lend a friendly ear to the problems which confront the universities and colleges of Iowa.

Iowa has a beautiful Capitol building. To preserve it, funds should be provided to make the repairs which become necessary in any building as the result of age and constant use. This large building investment can be protected by making repairs in the near future. "A stitch in time saves nine," is a good adage to observe in both public and private affairs.

Competent architects and contractors can estimate the usual depreciation in a building of any kind of construction. A careful survey of the properties owned by the state and provision by a permanent statute providing funds to meet such depreciation and wear is worthy of con-

sideration. It is a business practice followed by successful business today. With the burden of other legislative problems, it is impossible for each Legislature to inform itself and wisely provide for the necessary maintenance of state property. Economy does not always consist in pinching pennies. It also consists in the wise investment of money. Funds are available without the levying of new or additional taxes to make extensive improvements. Such use of surplus monies should be classed as an investment which will yield substantial dividends. Such a program of capital improvements should be set up, not only to meet the needs of the institutions, but to aid in meeting the problem of re-employment after the war.

POST WAR PLANNING

Another report into which a tremendous amount of work has gone is the report of the Post War Planning Committee.

The reverses which we have suffered on the western front in recent weeks have largely dispelled the undue optimism and wishful thinking in which we were indulging. Thoughtful men are ceasing to predict when the war will end. We hope it will be over before 1947—when the next Legislature meets. Today our job—the job of every able bodied man and women, boy and girl, is to make an increased effort in the field of production and of self sacrifice. No effort on our part must be spared to shorten or to end the tremendous sacrifices and losses the war is now causing. No word we can say or deed we can do can add lustre to the heroic record our sons and daughters are writing in flaming red on battlefields around the world.

We can and we must preserve for them good, honest, efficient, representative self government at home. Federal, state and local units of government must make any sacrifices necessary to keep our government on a sound basis. We have no right to ask these sons and daughters to fight the war, shoulder the burden of paying two-thirds of the cost of the war when they return, and pay a public debt incurred by needless public extravagance and waste. These times call for patriotism and unselfishness at home, as well as on the battle front.

We must consider and plan for the future. The old maxim is "in time of peace prepare for war." I say in time of war, we must also prepare for peace. I recommend to you the consideration of the report of the Post War Planning Committee. It contains many worthy suggestions. Let us not forget, however, in planning and financing such programs, that, to a very large extent we shall be spending the potential wages of those we are seeking to aid—the returning veteran.

Let us make sure that we are really benefiting our returning heroes and not doing something in their name that will primarily benefit others. Let us remove the patriotic wrappings of such legislation and examine what is really inside.

SALES AND USE TAX

Since the adoption of the Sales and Use Tax in this state, the burden of this tax has been imposed upon the political subdivisions of the state, such as, cities, counties, and school districts. These taxes have been

paid out of monies collected by these local subdivisions for the support of these units of government. In a sense it constitutes a tax upon a tax. Local communities are having and will continue to have difficult financial problems to meet. It is my belief that the imposition of this tax by the state upon these units of local government is both economically unsound and unnecessary. It is difficult of administration and a burden upon the several subdivisions of state government, seemingly out of proportion to any desirable benefit.

Provision should be made to relieve them of the payment of any sales or use tax in the future. It is estimated that the elimination of this tax will remove a burden upon the cities, counties and school districts of the state of approximately three hundred and fifty thousand dollars.

TAXES

The problem of taxes is one of the oldest and most controversial subjects of government. Mary and Joseph were on their way to Jerusalem in response to the command of a Roman tax collector, when Jesus was born.

"Taxation without representation is tyranny," was a slogan of the founding fathers of this country.

Today the American taxpayer is faced with the greatest tax burden and debt in history.

A great deal has been said during the last few months about the balances in our State treasury. Fortunately the State of Iowa as a unit of government is in a sound, prosperous condition. This is the result of careful budgeting by Legislatures, economical administration of funds by officials and increased receipts in certain funds as a result of the war. This has given rise in some instances to an unwarranted feeling of great wealth. Iowa is not a wealthy state. Before the war our per capita income was neither the greatest nor the smallest. Iowa financially is a middle-class state.

A substantial part of the funds accumulated is pledged under our constitution and laws to specific purposes. Unemployment compensation funds and road funds are examples. They cannot be spent for any other purpose. Part of the surplus must be used to replace worn out equipment which cannot now be replaced because of the war. I shall not attempt to quote figures to you. They are available in the reports of the treasurer and different departments.

Sound though the condition of our state finances are, there is another side to the picture. We are partners with the federal government in the most costly war of all time. As partners, we as a state are liable for the debts incurred by the federal government either for fighting this war or for political pork barrel appropriations.

The President has told us that the cost of this war is approximately 250 million dollars a day. Iowa's share each 24 hours is about five million dollars. We are paying about one-third the cost of the war and going in debt for two-thirds of it. Iowa's share of the debt for war today and every day the war continues will be about three million, three hundred and thirty-three thousand dollars. By the end of January—one month's share of the war debt for Iowa will be one hundred million dollars,

an amount several times that of our surplus. It is a debt Iowa must pay.

Let us use another yard stick with which to measure our financial condition. The federal debt by the end of the war will be approximately 300 billion dollars. Iowa's share of this debt will be 6 billion dollars. The assessed valuation of all the real estate in Iowa, assessed at sixty per cent of its actual value is two billion, four hundred and sixty-five million, four hundred and three thousand dollars.

Today Iowa spends for the support of her public school system and for the cost of every city and county government in Iowa, 100 million dollars. Iowa's share of the interest upon the estimated federal debt at two per cent would be 120 million dollars a year. Further comparisons might be made, but time forbids.

It appears that the problem of public financing for the federal government, for our state and for our counties, cities and school districts, will be one of our most perplexing and vexing questions after the war. The part of wisdom suggests that a careful survey be made by experts of Iowa's tax system and of her resources. Such a survey should be available for the consideration of the next legislature. Although the receipts in some Iowa tax funds are increasing, others are decreasing. Both increases and decreases result largely because of the war.

Some people seem to have the belief that the state treasury is an inexhaustible source of money. Iowa owns no money and does not have primarily within itself the means to produce wealth. Neither can we print or coin the token we call money. Money is created only by the creation of goods, or the rendering of service. After the farmer, the laborer and the factory have created wealth, the government demands a part of it for the protection it has given to the individual or the business. Iowa can have, within its means, whatever the citizenry is willing to pay for. For every appropriation of public money, for public service, there must be a tax for the citizenry to pay—a tax that must be paid by the widow, the orphan, the weak and the old, the poor man as well as the rich man.

Many demands will be made upon you. They will earn your sympathy. Most will carry advantages of definite worth. They will suggest services and comforts of great appeal. I can only suggest. You must legislate. I humbly remind that when you legislate, you should act in the interest of all the people. Public money is a public trust. Much of the surplus we have accumulated is the result of the war. It is in a sense "blood money" and must be administered as a sacred trust.

I suggest that before you begin to appropriate money for specific purposes, you carefully determine just how much you have to spend; that you carefully total all the askings of money that are made of you, then see if there is money enough to go around before commencing to spend. If there is not enough money, two courses lie open before you. You must either make an equitable distribution of the funds you have among the different askings, or levy additional taxes. Personally I feel that we should cut our pattern to fit our cloth.

Let us not forget the story about the dream of the old king who saw the seven fat cows followed by the seven lean ones. The war-created fat years we have today are bound to be followed by the lean years of

depression tomorrow. Our watch word may well be "Waste not, want not."

The cost of state and local government is increasing just as is the cost of operating any business. Some of the increases are caused by competition between industry and the federal government for man power.

Today no one knows the length or final cost of the war. No one knows what new or additional taxes the federal government will have to levy to support the war. Our patriotism and determination to win the war and a proper sense of prudence and caution indicate that no new or additional taxes should be levied during this emergency.

The surpluses now on hand, together with revenues in funds increased by the war, should be sufficient to meet all of the needs of Iowa government during the next biennium. I believe that thrift and economy in government, in business, and in personal affairs is a prerequisite to public or private success in time of either war or peace.

LIBERALISM

We are living in an age of change. While the war is raging, great social changes are going on in the world. Some are good and some are bad. In the name of liberalism many experiments are being tried in governments around the world. Many of them have been tried in principle thousands of years ago and have repeatedly failed. They will fail again. Things are not necessarily bad because they are old. Neither are they necessarily good because they are new.

Our American system of self government, while new, has given us one of the most stable governments in the world. It stands as one of the oldest governments in continuous existence in the world today. It is based on the theory of division of power—division of power between the Federal and State governments. Division of power in both Federal and State governments was also made by the establishment of three coordinated branches—the legislative, the executive and judicial.

Today we face the danger of government becoming too big. Vast new powers have been given to or assumed by Federal authority as a result of the depression and of the war. A few years ago liberals feared Wall Street and the financial interests vested there. Wall Street was accused of using the power of wealth to influence elections, to control legislation, and to direct public affairs, all for its own selfish benefit. Today every charge made against the dangers of the concentration of great power in the hands of Wall Street and the money barons can be made against Washington. Great concentration of power in the hands of any small group of individuals, whether it be industry, government, or some other group, is a threat to liberty.

Here in Iowa, government in the past has kept in the middle of the road. We have tried to avoid getting to the right or to the left of center. We have tried to follow a common-sense middle-of-the-road course.

The world today, like the Tower of Babel, is confused by the sound of many voices talking in many tongues. In all of this confusion Iowa can make a real contribution to the world of tomorrow by adhering to time-proven principles. Let us be neither the last to discard the old nor yet

the first to put on the new. Standing on the isthmus of the present, we shall take stock of our situation, look back for guidance to the failures and successes of the past and then press on to the future. Let us all strive to keep government in Iowa on a common-sense, middle-of-the-road course.

Sound State government is the foundation upon which our Federal government was built. To preserve it is a matter of primary concern. If we are to resist the trend toward centralization of government in America and around the world, we here in Iowa must face the responsibilities and opportunities that times like these present to us.

CONCLUSION

Time does not permit the discussion, or even mention of all of the problems which shall confront you. From time to time I shall be glad to visit with you and listen to your views on the various problems of legislation and to express to you my views upon these subjects. The latch-string to the Governor's office is always out to the members of the Legislature and the door is open wide. The most important task which shall confront me during the next two years shall be that of rendering whatever assistance I can give to you during this session of the Legislature. I want you to feel free, at all times, to come to my office for a discussion of the problems that you must consider.

You are meeting during historic times, during a troubled period in the history of the state, the nation and the world. You will not always be able to satisfy the demands of every group. Compromises may have to be made which will be unsatisfactory, even to yourself, in order to reach a solution to a pressing problem. But if you seek to fully inform yourself before taking action and in the light of that information seek to act for the benefit of all of the people in the State of Iowa as distinguished from a particular group or class, I am sure you will be rewarded by the satisfaction that can come only from a task well done. Your tasks call for the wisdom of a Solomon, the courage of a Daniel, the strength of a Sampson, the fidelity of a Ruth and the compassion and tenderness of the Master.

In conclusion I bring you the words of Kipling:

*"If you can keep your head when all about you
Are losing theirs and blaming it on you,
If you can trust yourself when all men doubt you,
But make allowance for their doubting too;
If you can wait and not be tired of waiting,
Or being lied about don't deal in lies,
Or being hated don't give way to hating,
And yet don't look too good, nor talk too wise!*

*If you can bear to hear the truth you've spoken
Twisted by knaves to make a trap for fools,
If you can talk with crowds and keep your virtue,
Or walk with kings—nor lose the common touch,
If neither foes nor loving friends can hurt you,*

*If all men count with you, but none too much:
If you can fill the unforgiving minute
With sixty seconds' worth of distance run,
Yours is the earth and everything that's in it,
And—which is more—you'll be a man, my son!"*

And when the final gavel shall have fallen on this session and this session shall have passed on into history, may you hear those welcome word, "Well done, thou good and faithful servant."

The minutes of the joint convention were read and approved.

Colburn of Shelby moved that the joint convention be now dissolved. Motion prevailed.

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

Senator Hill moved that a committee of two be appointed to escort Lieutenant Governor Evans to the President's station.

The motion prevailed and the Chair appointed as such committee Senators Hultman and Sharp.

President pro tempore Hart presented Lieutenant Governor Evans who graciously expressed his sincere appreciation and pledged his loyal support and continued cooperation.

The President announced the following appointments of standing committees:

APPOINTMENT OF SENATE COMMITTEES

AERONAUTICS			
Benson— Chairman	Vrba* Berg	Dewel Dykhousé	Newsome Pine
AGRICULTURE			
Leo—Chairman	Foster	Klein	Shaw
Ritchie*	Harvey	Lynes	Vittetoe
Augustine	Hill	Miller	Vrba
Benson	Jones	Newsome	Watson
Dewel	Keir	Schluter	White
Dykhousé	Kirketeg	Sharp	Zastrow
Findlay			
APPROPRIATIONS			
Long—Chairman	Henningsen	Leo	Ritchie
Knudson*	Hill	Lucas	Schluter
Berg	Hultman	Lynes	Sharp
Dewel	Jones	Mercer	Shaw
Elthon	Kirketeg	Mowry	Sjulin
Foster	Klein	Reilly	White
BANKS, BUILDING AND LOAN			
Clem—Chairman	Dewel	Hultman	Newsome
Mercer*	Faul	Kirketeg	Sjulin
Bekman	Hart	Lucas	Vittetoe
Berg	Harvey	Lynes	

BOARD OF CONTROL

Love—Chairman	Foster	Lucas	Miller
White*	Hart	Martin	Ritchie
Elthon	Long		

CITIES AND TOWNS

Henningsen—	Byers	Jacobson	Martin
Chairman	Clem	Jones	Mowry
Hawkins*	Dykhouse	Klein	Reilly
Augustine	Findlay	Love	Vittetoe
Berg	Hill		

CLAIMS

Jacobson—	Klein*	Harvey	Newsome
Chairman	Doud		

COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES

Hultman—	Leo*	Kirketeg	Watson
Chairman	Cromwell	Shaw	

CONSERVATION

Elthon—	Dewel	Knudson	Ritchie
Chairman	Dykhouse	Love	Sharp
Shaw*	Foster	Martin	Vrba
Barkley	Keir	Pine	White
Clem	Kirketeg		

ENROLLED BILLS

Reilly—	Newsome*	Miller	
Chairman			

GOVERNMENTAL AFFAIRS

Ritchie—	Hawkins	Love	Vrba
Chairman	Klein	Mowry	Zastrow
Martin*	Knudson		

HIGHWAYS

Sjulin—	Elthon	Lucas	Schluter
Chairman	Foster	Miller	Sharp
Henningsen*	Hawkins	Newsome	White
Augustine	Hultman	Ritchie	
Barkley	Jones		

INSURANCE

Bekman—	Clem	Harvey	Leo
Chairman	Dewel	Henningsen	Long
Faul*	Doud	Jacobson	Mercer
Byers	Dykhouse	Klein	Schluter

JUDICIARY I

Faul—Chairman	Benson	Mowry	Shaw
Zastrow*	Hill	Schluter	White
Barkley	Klein		

JUDICIARY II

Byers—	Bekman	Hawkins	Lynes
Chairman	Clem	Kirketeg	Sharp
Jacobson*	Cromwell	Long	Watson

LABOR

Martin—	Bekman	Foster	Knudson
Chairman	Cromwell	Harvey	Reilly
Kirketeg*	Doud	Hultman	Watson

MANUFACTURING, COMMERCE AND TRADE

Harvey—	Doud	Knudson	Mowry
Chairman	Hill	Martin	Reilly
Hart*	Hultman		

MILITARY AND VETERANS AFFAIRS

Berg—Chairman	Bekman	Faul	Leo
Hultman*	Benson	Kirketeg	Pine

MINES AND MINING

Kirketeg—	Augustine	Elthon	Newsome
Chairman	Barkley	Faul	Ritchie
Miller*	Doud	Lucas	

MOTOR VEHICLES

Pine—Chairman	Faul	Love	Watson
Lynes*	Henningsen	Lucas	Zastrow
Augustine	Hultman	Miller	

NATIONAL DEFENSE AND POSTWAR

Hill—Chairman	Love	Mowry	Sharp
Pine*	Miller	Ritchie	Vrba

PRINTING

Lucas—	Dewel*	Knudson	Mercer
Chairman	Hultman		

PRIVATE CORPORATIONS

Foster—	Long*	Keir	Pine
Chairman	Hart	Knudson	Shaw

PUBLIC HEALTH

Vittetoe—	Berg	Jones	Lynes
Chairman	Dykhouse	Love	Reilly
Cromwell*	Hart	Lucas	Schluter
Benson	Harvey		

PUBLIC LANDS AND BUILDINGS

Shaw—	Hart	Jones	Ritchie
Chairman	Henningsen	Love	Vittetoe
Hill*	Hultman	Newsome	

PUBLIC LIBRARIES

Jones—	Barkley*	Findlay	White
Chairman	Clem	Ritchie	

PUBLIC UTILITIES

Knudson—	Byers	Jacobson	Reilly
Chairman	Hart	Lynes	Watson
Elthon*	Henningsen	Mercer	

RAILROADS

Zastrow—	Barkley	Faul	Jacobson
Chairman	Dewel	Hart	Reilly
Harvey*	Dykhouse	Hultman	

RULES

Hart—Chairman	Hill	Sharp	Zastrow
Byers*			

SCHOOLS AND EDUCATIONAL INSTITUTIONS

Schluter—	Bekman	Hawkins	Mercer
Chairman	Berg	Leo	Shaw
Findlay*	Clem	Lynes	Watson
Barkley	Foster		

SOCIAL SECURITY

Sharp—	Cromwell	Keir	Mowry
Chairman	Dykhouse	Kirketeg	Pine
Bekman*	Harvey	Lucas	Sjulin
Berg	Jacobson	Mercer	

SPECIAL COURT PROCEDURE			
Watson— Chairman	Doud* Findlay	Long	Zastrow
SPECIAL SCHOOL CODE			
Keir—Chairman Doud*	Jones Lynes	Reilly Sharp	White
SPECIAL TAX REVISION			
Cromwell— Chairman	Watson* Doud	Keir Long	Sjulin Vrba
WAYS AND MEANS			
Dykhouse— Chairman	Byers Cromwell	Findlay Hawkins	Martin Sjulin
Keir*	Doud	Henningsen	Vittetoe
Augustine	Elthon	Jacobson	Vrba
Benson	Faul	Leo	

*Indicates ranking member

SENATORS AND THEIR RESPECTIVE COMMITTEES

SENATOR AUGUSTINE		
Agriculture	Highways	Motor vehicles
Cities and towns	Mines and mining	Ways and means
SENATOR BARKLEY		
Public libraries*	Judiciary 1	Schools and educational institutions
Conservation	Mines and mining	
Highways	Railroads	
SENATOR BEKMAN		
Insurance—Chairman	Judiciary 2	Schools and educational institutions
Social security*	Labor	
Banks, building and loan	Military and veterans affairs	
SENATOR BENSON		
Aeronautics—Chairman	Judiciary 1	Public health
Agriculture	Military and veterans affairs	Ways and means
SENATOR BERG		
Military and veterans affairs—Chairman	Banks, building and loan	Schools and educational institutions
Aeronautics	Cities and towns	Social security
Appropriations	Public health	
SENATOR BYERS		
Judiciary 2—Chairman	Cities and towns	Public utilities
Rules*	Insurance	Ways and means
SENATOR CLEM		
Banks, building and loan—Chairman	Conservation	Public libraries
Cities and towns	Insurance	Schools and educational institutions
	Judiciary 2	
SENATOR CROMWELL		
Special tax revision—Chairman	Compensation of public officers and employees	Labor
Public health*	Judiciary 2	Social security
		Ways and means
SENATOR DEWEL		
Printing*	Appropriations	Conservation
Aeronautics	Banks, building and loan	Insurance
Agriculture		Railroads

SENATOR DOUD		
Special Court procedure*	Insurance	Mines and mining
Special school code*	Labor	Special tax revision
Claims	Manufacturing, Commerce and trade	Ways and means
SENATOR DYKHOUSE		
Ways and means—Chairman	Cities and towns	Public health
Aeronautics	Conservation	Railroads
Agriculture	Insurance	Social security
SENATOR ELTHON		
Conservation—Chairman	Appropriations	Mines and mining
Public utilities*	Board of control	Ways and means
	Highways	
SENATOR FAUL		
Judiciary 1—Chairman	Military and veterans affairs	Motor vehicles
Insurance*		Railroads
Banks, building and loan	Mines and mining	Ways and means
SENATOR FINDLAY		
Schools and educational institutions*	Cities and towns	Special court procedure
Agriculture	Public libraries	Ways and means
SENATOR FOSTER		
Private corporations—Chairman	Board of control	Labor
Agriculture	Conservation	Schools and educational institutions
Appropriations	Highways	
SENATOR HART		
Rules—Chairman	Board of control	Public lands and buildings
Manufacturing, commerce and trade*	Private corporations	Public utilities
Banks, building and loan	Public health	Railroads
SENATOR HARVEY		
Manufacturing, commerce and trade—Chairman	Agriculture	Insurance
Railroads*	Banks, building and loan	Labor
	Claims	Public health
		Social security
SENATOR HAWKINS		
Cities and towns*	Judiciary 2	Schools and educational institutions
Governmental affairs		Ways and means
Highways		
SENATOR HENNINGSEN		
Cities and towns—Chairman	Appropriations	Public lands and buildings
Highways*	Insurance	Public utilities
	Motor Vehicles	Ways and Means
SENATOR HILL		
National defense and postwar—Chairman	Agriculture	Manufacturing, commerce and trade
Public lands and buildings*	Appropriations	Rules
	Cities and towns	
	Judiciary 1	
SENATOR HULTMAN		
Compensation of public officers and employees—Chairman	Banks, building and loan	Motor vehicles
Military and veterans affairs*	Highways	Printing
Appropriations	Labor	Public lands and buildings
	Manufacturing, commerce and trade	Railroads

SENATOR JACOBSON		
Claims—Chairman	Insurance	Social security
Judiciary 2*	Public utilities	Ways and means
Cities and towns	Railroads	
SENATOR JONES		
Public libraries—	Cities and towns	Public lands and build-
Chairman	Highways	ings
Agriculture	Public health	Special school code
Appropriations		
SENATOR KEIR		
Special school code—	Agriculture	Social security
Chairman	Conservation	Special tax revision
Ways and means*	Private corporations	
SENATOR KIRKETEG		
Mines and mining—	Banks, building and	Conservation
Chairman	loan	Judiciary 2
Labor*	Compensation of pub-	Military and veterans
Agriculture	lic officers and em-	affairs
Appropriations	ployees	Social security
SENATOR KLEIN		
Claims*	Cities and towns	Insurance
Agriculture	Governmental affairs	Judiciary 1
Appropriations		
SENATOR KNUDSON		
Public utilities—	Governmental affairs	Manufacturing, com-
Chairman	Labor	merce and trade
Appropriations*		Printing
Conservation		Private corporations
SENATOR LEO		
Agriculture—Chairman	Insurance	Schools and educational
Compensation of public	Military and veterans	institutions
officers and em-	affairs	Ways and means
ployees*		
Appropriations		
SENATOR LONG		
Appropriations—	Board of control	Special court pro-
Chairman	Insurance	cedure
Private corporations*	Judiciary 2	Special tax revision
SENATOR LOVE		
Board of control—	Governmental affairs	National defense and
Chairman	Motor vehicles	postwar
Cities and towns		Public health
Conservation		Public lands and build-
		ings
SENATOR LUCAS		
Printing—Chairman	Board of control	Motor vehicles
Appropriations	Highways	Public health
Banks, building and	Mines and mining	Social security
loan		
SENATOR LYNES		
Motor vehicles*	Banks, building and	Public utilities
Agriculture	loan	Schools and educational
Appropriations	Judiciary 2	institutions
	Public health	Special school code
SENATOR MARTIN		
Labor—Chairman	Cities and towns	Manufacturing, com-
Governmental affairs*	Conservation	merce and trade
Board of control		Ways and means

Banks, building and loan* Appropriations	SENATOR MERCER	
	Insurance	Schools and educational institutions
	Printing	Social security
Mines and mining* Agriculture Board of control	SENATOR MILLER	
	Public utilities	
	Enrolled bills	National defense and Postwar
Appropriations Governmental affairs Judiciary 1	SENATOR MOWRY	
	Highways	
	Motor vehicles	
Enrolled bills* Aeronautics Agriculture	SENATOR NEWSOME	
	Manufacturing, commerce and trade	National defense and postwar
	Cities and towns	Social security
Motor vehicles— Chairman National defense and postwar*	SENATOR NEWSOME	
	Banks, building and loan	Mines and mining
	Claims	Public lands and buildings
Motor vehicles— Chairman National defense and postwar*	SENATOR PINE	
	Highways	
	Aeronautics	Private corporations
Enrolled Bills— Chairman Appropriations Cities and towns	SENATOR PINE	
	Conservation	Social security
	Military and veterans affairs	
Enrolled Bills— Chairman Appropriations Cities and towns	SENATOR REILLY	
	Labor	Public utilities
	Manufacturing, commerce and trade	Railroads
Governmental affairs— Chairman Agriculture* Appropriations Board of control	SENATOR REILLY	
	Public health	Special school code
Governmental affairs— Chairman Agriculture* Appropriations Board of control	SENATOR RITCHIE	
	Conservation	Public lands and buildings
	Highways	Public libraries
Schools and educational institutions— Chairman	SENATOR RITCHIE	
	Mines and mining	
	National defense and postwar	
Social security— Chairman Agriculture Appropriations	SENATOR SCHLUTER	
	Agriculture	Insurance
	Appropriations	Judiciary 1
Public lands and buildings—Chairman Conservation* Agriculture	SENATOR SCHLUTER	
	Highways	Public health
Social security— Chairman Agriculture Appropriations	SENATOR SHARP	
	Conservation	National defense and postwar
	Highways	Rules
Public lands and buildings—Chairman Conservation* Agriculture	SENATOR SHARP	
	Judiciary 2	Special school code
Highways—Chairman Appropriations	SENATOR SHAW	
	Appropriations	Judiciary 1
	Compensation of public officers and employees	Private corporations
Public health— Chairman Agriculture	SENATOR SHAW	
	Appropriations	Schools and educational institutions
Public health— Chairman Agriculture	SENATOR SJULIN	
	Banks, building and loan	Special tax revision
	Social security	Ways and means
Public health— Chairman Agriculture	SENATOR SJULIN	
	Banks, building and loan	
	Cities and towns	
Public health— Chairman Agriculture	SENATOR VITTETOE	
	Banks, building and loan	Public lands and buildings
	Cities and towns	Ways and means

Aeronautics* Agriculture Conservation	SENATOR VRBA	
	Governmental affairs	Special tax revision
	National defense and postwar	Ways and means
Special court procedure—Chairman Special tax revision* Agriculture	SENATOR WATSON	
	Compensation of public officers and employees	Motor vehicles
	Judiciary 2	Public utilities
	Labor	Schools and educational institutions
	SENATOR WHITE	
Board of control* Agriculture Appropriations	Conservation	Public libraries
	Highways	Special school code
	Judiciary 1	
Railroads—Chairman Judiciary 1* Agriculture	SENATOR ZASTROW	
	Governmental affairs	Special court procedure
	Motor vehicles	
	Rules	

APPOINTMENT OF SECRETARY AND PAGE TO LIEUTENANT GOVERNOR

Lieutenant Governor Evans announced the appointment of Eleanor Lundberg of Polk county as his secretary and the appointment of James Allen of Adams county as his page.

APPOINTMENT OF PAGES

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

Robert Beardsley, Woodbury county.
Henry Boone, Polk county.
Don Brauer, Polk county.
William Massey, Polk county.
Billy Scarborough, Polk county.

APPOINTMENT OF PAGE TO SECRETARY OF SENATE

The Secretary of the Senate announced the appointment of Billy Scarborough of Polk county as his page.

The foregoing pages and the secretary to the Lieutenant Governor appeared before the bar of the Senate and were duly sworn.

COMMUNICATIONS FROM STATE APPEAL BOARD

The following communications were received from the State Appeal Board:

To W. J. Scarborough

Secretary of the Senate

In accordance with the provisions of section three (3) of chapter sixty-one (61), acts of the Forty-ninth (49th) General Assembly, I hand you herewith claims acted upon by the State Appeal Board. Each claim bears the recommendation of the board.

List of claims as follows:

Claim Number	Claimant	Amount Claimed	Amount Recom- mended
25	Carl Krogman	\$ 40.00	\$ 40.00
26	Margaret Ruvane Johnson, Adm. John J. Ruvane Estate.....	109.92	109.92
27	Byron Hockenberry	61.00	61.00
28	M. E. Noonan, Total.....	1.50	1.50
29	Helen McBride	3.00	3.00
30	Ross L. McCreedy.....	176.19	75.00
31	Mrs. Ann Keller.....	88.21	67.41
32	Sidney S. Water (Refer to File No. 10)		
33	Darris Epperson	710.00	Rejected
34	Jack Tallman.....	30 days pay at \$4.25 per day	127.50
35	William Pennington.....	No. Amt. claimed	Rejected
36	Joe Tyler	1,500.00	450.00
37	Herbert Wearda.....	No. Amt. claimed	Rejected
38	C. R. Gibson.....	344.80	50.00
39	Mrs. Johana Kallemeyne.....	511,300.00	Rejected
40	Consumers Ind. Lumber Co.....	221.00	Rejected
41	Louis Druker	26.66	Rejected
42	Dr. J. J. Brady.....	175.12	175.12

C. FRED PORTER,

Chairman, State Appeal Board.

To W. J. Scarborough

Secretary of the Senate

In accordance with the provisions of section three (3) of chapter sixty-one (61), acts of the Forty-ninth (49th) General Assembly, I hand you herewith claims acted upon by the State Appeal Board. Each claim bears the recommendation of the board.

Claim No.	County	Name and Address of Claimant	Amt. of Claim	Comm. Recom.	App. Bd. Recom.
H-1-45	Cerro Gordo	Policyholders Mut. Cas. Co., Mason City	\$ 125.00	\$	\$
H- 2-45	Clayton	Highland & Illyria Tel. Co., Elgin.....	17.85	17.85	17.85
H- 3-45	Monona	Lawrence Wood- ward, Rodney	64.22	32.11	32.11
H- 4-45	Davis	Fred Bowling, Bloomfield	209.25	209.25	209.25

Claim No.	County	Name and Address of Claimant	Amt. of Claim	Comm. Recom.	App. Bd. Recom.
H- 5-45	Monona	Marx Truck Line, Sioux City	45.36	45.36	45.36
H- 6-45	Polk	James Subdon, West Des Moines	43.05		
H- 7-45	Monroe	Mike Berto, Eddy- ville	49.00		
H- 8-45	Des Moines	Charles F. Keever, Burlington	44.99		
H- 9-45	Des Moines	Grover Smith, Bur- lington	1,500.00	1,000.00	1,000.00
H-10-45	Marshall	Iowa Electric Light & Power, Mar- shalltown	15.58	15.58	15.58
H-11-45	Story	Harry Buck, Ames..	20.50	20.50	20.50
H-12-45	Franklin	Geo. M. Fox, Hamp- ton	7.00	7.00	7.00
H-13-45	Shelby	William Eischeid, Defiance	57.27	57.27	57.27
H-14-45	Ida	George Ferguson, Galva	150.00	100.00	100.00
H-15-45	Fremont	L. H. Benedict, Tabor	32.50		
H-16-45	Lee	John T. Gerwe, Dav- enport	271.18	271.18	271.18
H-17-45	Monona	Don V. Patrick, Mapleton	22.94	22.94	22.94
H-18-45	Buena Vista	Raymond Peterson, Alta	63.50	63.50	63.50
H-19-45	Van Buren	Don S. Spellman, Selma	85.00		
H-20-45	Henry	Karl Keller, Mt. Pleasant	3.00	3.00	3.00
H-21-45	Story	J. Milton Hale, Col- lins	107.20	107.20	107.20
H-22-45	Marshall	Arthur Hegle, Mi- not, N. D.	133.62	133.62	133.62
H-23-45	Marshall	Heuer Truck Line, Marshalltown ..	236.00		
H-24-45	Webster	A. J. Johnson, Ft. Dodge	180.36		
H-25-45	Worth	Hardware Mut. Cas. Co., St. Louis	38.51		
H-26-45	Woodbury	Ernst Rossow, Adm. of Lewis Ballmeyer Est., Anthon	80.17		

Claim No.	County	Name and Address of Claimant	Amt. of Claim	Comm. Recom.	App. Bd. Recom.
H-27-45	Franklin	A. R. Eno, Ft. Dodge	281.81	281.81	281.81
H-28-45	Benton	Lena Melman, Marshalltown	75.00		
H-29-45	Union	Carl Moller, Kent..	21.53	21.53	21.53
H-30-45	Woodbury	L. R. Thatcher, Sioux City	32.90	32.90	32.90
H-31-45	Hamilton	I. W. Braga, Iowa Falls	204.19	204.19	204.19
H-32-45	Hamilton	A. A. Rose, M. D., Story City	4.00	4.00	4.00
H-33-45	Chickasaw	W. P. O'Connel, Nashua	65.00		
H-34-45	Floyd	B. A. Noble, Charles City	67.00		
H-35-45	Dubuque	Louis Duggan, Dubuque	125.00	60.00	60.00
H-36-45	Buena Vista	Clarence Luther, Marathon	125.00		
H-37-45	Cass	Edward W. Holste, Massena	75.00	75.00	75.00
H-38-45	Marshall	Geo. Manfull, Marshalltown	50.00		
H-39-45	Washington	Harlan C. Foster, Mt. Pleasant	2,430.00		
H-40-45	Washington	Louis Coad, Crawfordsville	500.00		
H-41-45	Washington	J. Wallace Evans, Crawfordsville ..	860.20		

C. FRED PORTER,

Chairman, State Appeal Board.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 16, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by Rev. Elmer F. Sahlgren, pastor of the Bethany Lutheran church, Des Moines, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Leo, from residents of Benton county, relating to pensions.

By Senator Berg, from residents of Black Hawk county, relative to the revision of the school code.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Vrba for the day on request of Senator Mercer; Senator Bekman for the day on request of Senator Dewel.

INTRODUCTION OF BILLS

Senate File 37, by Senator Watson, a bill for an act to amend chapter thirty-five (35), Code, 1939, relating to elections and officers and time of election, and limiting the number of members of the board of supervisors that may be elected from territories of the county.

Read first and second times and passed on file.

Senate File 38, by Senator Berg (McFarlane), a bill for an act to amend section eighty-four and fifteen hundredths (84.15), Code, 1939, relating to appropriations from the general revenue fund of the state.

Read first and second times and passed on file.

Senate File 39, by Senators Dykhouse, Knudson, Watson, Augustine, Shaw, Henningsen, (Nielsen, etc.), a bill for an act to amend, revise, and codify chapter ninety-one and two-tenths,

Code, 1939, relating to the licensing and regulation of real estate brokers and salesmen and to matters properly pertaining to the orderly marketing of real estate.

Read first and second times and passed on file.

Senate File 40, by Senator Leo, a bill for an act to amend chapter four hundred forty-six (446), Code, 1939, relating to reversion of abandoned cemetery lots, half lots, divisions, subdivisions or any part or portion thereof.

Read first and second times and passed on file.

Senate File 41, by Senator Byers and Clem, a bill for an act to amend paragraph two (2) of section one (1), chapter two hundred one (201) of the Acts of the Forty-ninth General Assembly relating to the salaries of city assessors and deputy city assessors in cities under the commission form of government having a population of more than sixty thousand and less than one hundred twenty-five thousand.

Read first and second times and passed on file.

Senate File 42, by Senator Faul, a bill for an act to repeal section four (4), chapter one (1), Code, 1939, and enact a substitute therefor, and to repeal section one (1), chapter forty-one (41), Acts of the Fiftieth (50th) General Assembly, and to amend section two (2), chapter forty-one (41), Acts of the Fiftieth (50th) General Assembly, relating to acquisition of real estate by the United States within this state, and jurisdiction thereof.

Read first and second times and passed on file.

Senate File 43, by Senator Faul (Sloane-Burkman), a bill for an act to amend section ten thousand eight hundred forty-six (10846), Code, 1939, relating to fees of jurors.

Read first and second times and passed on file.

Senate File 44, by Senators Lynes and Zastrow, a bill for an act to amend section eight thousand three hundred sixty (8360), Code, 1939, relating to amendments to articles of incorporation by certain corporations.

Read first and second times and referred to committee on judiciary 2.

Senate File 45, 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 and passed on file.

Senate File 46, by Senator Faul (Sloane and Burkman), a bill for an act to amend section three thousand five hundred thirty-three (3533) and section three thousand five hundred thirty-four (3534), Code, 1939, to authorize a member of the board of supervisors or a person designated by said board to be a member of the insanity commission.

Read first and second times and passed on file.

Senate File 47, by Senator Faul (Sloane and Burkman), a bill for an act to amend section five thousand two hundred twenty-nine (5229), Code, 1939, fixing the salaries of assistant county attorneys.

Read first and second times and passed on file.

Senate File 48, by Senator Faul (Sloane and Burkman), a bill for an act to amend section five thousand two hundred twenty-eight (5228), Code, 1939, fixing the salaries of county attorneys.

Read first and second times and passed on file.

Senate file 49, by Senators Byers, Hart, Martin, Hultman, and Reilly, a bill for an act relating to the creation, establishment, and administration of highway patrolmen's retirement fund for highway patrolmen and their dependents.

Read first and second times and passed on file.

SENATE CONCURRENT RESOLUTION 4

Whereas, During the biennium ending June 30, 1944, the revenues collected by the State of Iowa exceeded estimates, and

Whereas, The revenues now being collected are abnormally high, and

Whereas, Such collections of state revenues has resulted in surpluses in certain cash balances in the State Treasury, and

Whereas, Such surpluses and cash balances are subject to appropriations or allotments by the legislature for special improvements, state aid, etc., the regular administration, operation, and maintenance of each department, institution and agency of the State of Iowa; therefore

Be It Resolved by the Senate of the State of Iowa, the House of Representatives Concurring: That the legislature make no appropriation

or allocation from any surpluses or cash balances until the appropriations are made and approved for salaries, support, maintenance, repairs or alterations of all departments, boards, commissions and agencies of the State of Iowa, except as what may pertain to appropriations or allocations incidental to capital improvements in behalf of the Board of Control and the Board of Education.

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 providing for notice of appeal to state tax commission.

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 providing that compensation due a minor employee, minor dependent or one mentally incompetent may be paid to the trustee.

Also: 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 small legacies in estates payable to minors and incompetents.

Also: 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 authorizing guardians to petition for termination of guardianships.

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 relating to the uniform narcotic drug act.

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

House File 16, a bill for an act relating to assignment of trademarks, labels and forms of advertising.

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 insurance on aircraft.

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 providing garnishment in collection of freight line and equipment car taxes.

Also: 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 permitting garnishment in collection of taxes upon freight line and equipment car companies.

A. C. GUSTAFSON, *Chief Clerk.*

REPORT OF MEMORIAL COMMITTEE

Senator Shaw submitted the following report and moved its adoption:

The committee appointed to represent the Senate at the funeral services of the Hon. B. C. Whitehill reports:

That both the committee and the honorary pallbearers appointed by the President attended the services at Marshalltown and at the burial place at State Center. That the committee expressed to the widow and the family the appreciation of this body for the long and faithful services of the deceased as a member of the Senate and expressed to them the sympathy of its members.

The widow and family expressed to the committee their appreciation of the honors and courtesies extended by the Senate to the deceased and his family and asked that this appreciation be communicated to the Senate.

Respectfully submitted,

A. J. SHAW.

JOHN P. BERG.

LEO ELTHON.

The motion prevailed and the report was adopted.

Senator Berg asked and received unanimous consent that a copy of the letter received from Mrs. B. C. Whitehill be printed in the Journal.

COMMUNICATION FROM MRS. B. C. WHITEHILL

TO THE SENATE:

For the beautiful floral piece you sent to us, I want to thank you. Its beauty was beyond words to express, and it was given the place of honor at the top of the cross, in the floral arrangement of the pulpit of our church.

But for all of the honors, respect, and kindness which you bestowed upon Ben, I have no words to express my appreciation. His life was enriched by his work in the Senate, and by the deep and intimate friendship which he felt for each and every one of its members. Those eight years were among the happiest of his happy life.

I do not regret that he made the supreme effort to be with you last Monday, and that his last conscious moments were spent there. It was where he wanted to be.

I appreciate very much the final honors you paid him on the day of the funeral. And now you are going into what may be the most important

session in Iowa history. You will make a good accounting. I shall follow your progress with great interest.

Most sincerely,
MANIE L. WHITEHILL.

COMMITTEE APPOINTMENTS

The President announces the appointment of Senators Hill and Love on the committee of the Industrial and Defense Commission.

APPOINTMENT OF PAGES

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

Don Olmstead, Polk county.

Billy Stone, Polk county.

Dale Johns, Polk county.

The foregoing pages appeared before the bar of the Senate and were duly sworn.

BILLS ASSIGNED TO COMMITTEES

President Evans announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 1	Ways and Means.
S. F. 2	Social Security.
S. F. 3	Ways and Means.
S. F. 4	Ways and Means.
S. F. 5	Military and Veterans Affairs.
S. F. 6	Military and Veterans Affairs.
S. F. 7	Military and Veterans Affairs.
S. F. 8	Judiciary 2.
S. F. 9	Military and Veterans Affairs.
S. F. 10	Governmental Affairs.
S. F. 11	Military and Veterans Affairs.
S. F. 12	Ways and Means.
S. F. 14	Judiciary 2.
S. F. 15	Cities and Towns.
S. F. 16	Compensation of Public Officers and Employees.
S. F. 17	Judiciary 1.
S. F. 18	Ways and Means.
S. F. 19	Judiciary 1.
S. F. 20	Appropriations.

- S. F. 21 Compensation of Public Officers and Employees.
S. F. 22 Insurance.
S. F. 23 Judiciary 2.
S. F. 24 Judiciary 2.
S. F. 25 Cities and Towns.
S. F. 26 Governmental Affairs.
S. F. 27 Judiciary 2.
S. F. 28 Social Security.
S. F. 29 Judiciary 1.
S. F. 30 Ways and Means.
S. F. 31 Public Health.
S. F. 32 Compensation of Public Officers and Employees.
S. F. 33 Judiciary 1.
S. F. 34 Ways and Means.
S. F. 35 Ways and Means.
S. F. 36 Mines and Mining.
H. F. 2 Ways and Means.
H. F. 3 Ways and Means.
H. F. 4 Ways and Means.
H. F. 5 Ways and Means.
H. F. 6 Judiciary 2.
H. F. 7 Ways and Means.

THIRD READING OF BILLS

Senator Hill asked and received unanimous consent that the rules be suspended and that House File 1 be taken up at this time.

On motion of Senator Pine, House File 1, 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 and postage) to aid in the sale of War Savings Bonds and Stamps and to conduct campaigns therefor, 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, 45:

Augustine
Barkley
Benson
Berg

Byers
Clem
Cromwell
Dewel

Doud
Dykhouse
Elthon
Faul

Findlay
Foster
Harvey
Hawkins

Henningsen	Leo	Miller	Sharp
Hill	Long	Mowry	Shaw
Hultman	Love	Newsome	Sjulin
Jacobson	Lucas	Pine	Vittetoe
Jones	Lynes	Reilly	Watson
Keir	Martin	Ritchie	White
Klein	Mercer	Schluter	Zastrow
Knudson			

Nays, none.

Absent or not voting, 4:

Bekman	Hart	Kirketeg	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 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.

HOUSE MESSAGES CONSIDERED

House File 9, a bill for an act to amend section six thousand nine hundred forty-three and one hundred forty-eight thousandths (6943.148), Code, 1939, as amended by chapter 209, laws of the 50th General Assembly, and providing for notice of appeal to the state tax commission.

Read first and second times and passed on file.

House File 10, a bill for an act to amend section fourteen hundred nine (1409), Code, 1939, so as to provide that compensation due a minor employee, a minor dependent or one mentally incompetent may be paid to the trustee of the county where such minor or incompetent dependent resides.

Read first and second times and passed on file.

House File 11, a bill for an act to amend section twelve thousand seventy-seven and one tenth (12077.1), Code, 1939, relating to small legacies in estates payable to minors and incompetents and distribution thereof.

Read first and second times and passed on file.

House File 12, a bill for an act to amend chapter five hundred thirty-nine (539), Code, 1939, authorizing guardians to petition for termination of guardianships whenever the assets thereof are exhausted, or where only personal property remains in the guardianship and the value of said personal property does not

exceed two hundred dollars, and authorizing guardians under order of court to pay and distribute such personal property to the parents or natural guardian of a minor or incompetent, or to the person with whom such minor or incompetent resides, and to accept the receipt of such person therefor.

Read first and second times and passed on file.

House File 15, a bill for an act to amend section three thousand one hundred sixty-nine and one hundredth (3169.01), Code, 1939, relating to the Uniform Narcotic Drug Act.

Read first and second times and passed on file.

House File 16, a bill for an act to amend chapter four hundred thirty (430), Code, 1939, relating to assignment of trademarks, labels and forms of advertising, the filing thereof and fees to be paid.

Read first and second times and passed on file.

House File 17, 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, passed on file.

House File 19, a bill for an act to amend section eleven thousand six hundred seventy-nine and one tenth (11679.1), Code, 1939, and providing garnishment when necessary in the collection of freight line and equipment car taxes.

Read first and second times, passed on file.

House File 20, a bill for an act to amend section seven thousand seventy-six (7076), Code, 1939, permitting garnishment in collection of taxes upon freight line and equipment car companies.

Read first and second times, passed on file.

AMENDMENTS FILED

Amend Senate File 19 by striking from line 150 thereof the word "beneficiary" and substituting in lieu thereof the word "beneficial".

Further amend Senate File 19 by striking all of the lines one hundred ninety-two (192) to one hundred ninety-eight (198) both inclusive.

GEORGE FAUL.

Amend Senate File 30 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. In the payment of the income tax imposed under the provisions of Division two (2) of Chapter three hundred twenty-nine and three-tenths (329.3), Code, 1939, for the year nineteen hundred forty-four (1944) and payable in the year nineteen hundred forty-five (1945), and for the year nineteen hundred forty-five (1945), and payable in the year nineteen hundred forty-six (1946), and for the year nineteen hundred forty-six (1946), and payable in the year nineteen hundred forty-seven (1947), fifty percent (50%) of the tax imposed shall be credited to the taxpayer and fifty percent (50%) of the tax imposed shall be accepted in full of the tax liability for each of said years.

Sec. 2. The fifty percent (50%) of the tax provided by section one (1) of this act to be accepted in full of the tax liability shall be payable in the same installments as provided for in Division two (2) of Chapter three hundred twenty-nine and three-tenths (329.3), Code, 1939, but in any case where the entire amount of tax due and payable for the year 1945, 1946, or 1947 is ten dollars (\$10.00) or less after the 50% reduction has been made, the tax shall be paid in full in the first installment.

Sec. 3. This chapter shall not apply to the tax imposed by Division three (3) of Chapter three hundred and twenty-nine and three-tenths (329.3), Code, 1939.

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% of the tax properly due and payable in the years 1945, 1946, and 1947 the commission shall make refunds to such taxpayers, and no applications for such refunds shall be necessary by the taxpayer. For taxes based upon 1945 and 1946 and payable in 1946 and 1947, the state tax commission shall provide in its forms, for the collection of the tax based upon a payment of 50% of the amount which would otherwise be due and payable.

Sec. 5. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Sibley Gazette-Tribune, a newspaper published at Sibley, Iowa, and in the
....., a newspaper published at, Iowa.

J. T. DYKHOUSE.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 17, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend O. T. Erickson, pastor of Bethlehem Lutheran church, Fort Dodge, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Sjulín, from residents of Fremont county, relating to compensation of county officials.

By Senator Findlay, from residents of Webster county, relating to a retirement system for county and municipal employees.

By Senator Mowry, from residents of Jasper county, relating to the revision of the school code.

By Senator Shaw, from residents of Buena Vista county, relating to the revision of the school code.

By Senator Martin, from assessors of Scott county, favoring an increase in salary.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Vrba for the day on request of Senator Reilly.

INTRODUCTION OF BILLS

Senate File 50, by Senators Martin and Pine, a bill for an act to amend section five thousand one hundred ninety-one (5191), subsection eleven (11), Code, 1939, relating to boarding prisoners.

Read first and second times and passed on file.

Senate File 51, by Senator Bekman (Aubrey and McReynolds), a bill for an act to legalize the action of the County Board of Supervisors of Wapello County, Iowa, in making expenditures and approving claims against said county for secondary road maintenance and construction, to legalize said expenditures and

said claims as valid and binding obligations of said county, and to authorize said county by its proper officials to pay said indebtedness evidenced by said claims by the issuance and exchange or sale of funding bonds as authorized by law.

Read first and second times and passed on file.

Senate File 52, by Senators Elthon, Dykhouse, Zastrow, Mowry, Mercer, Hill, Reilly and Clem (Poston, Tyrrell, Carlson, Fimmen, Sloane and Heffner), a bill for an act relating to watchmakers and watchmaking, defining the term "watchmaking", 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 and passed on file.

Senate File 53, by Senators Berg, Zastrow and Sjulín, (Davis, Miller and Walters), 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 and passed on file.

Senate File 54, by Senators Schluter and Doud, a bill for an act to amend section six thousand nine hundred forty-three and seventy-six thousandths (6943.076), and section six thousand nine hundred forty-three and one hundred and three thousandths (6943.103), Code of Iowa, 1939, and providing for the imposition of a use tax upon sales of tangible personal property by the Government of the United States or any of its agencies to ultimate consumers.

Read first and second times and passed on file.

COMMUNICATION FROM CODE EDITOR

January 10, 1945.

HONORABLE K. A. EVANS

Lieut. Governor and President of the Senate

Dear Sir:

Section 156 of the Code of 1939 provides:

"The Reporter of the Supreme Court shall be editor of the Code and his duties shall be to:

1. Submit such recommendations as he deems proper to each general assembly for the purpose of amending, revising, and codifying such portions of the law as may be conflicting, redundant, or ambiguous, and to lay said recommendations before the presiding officers of each house."

In pursuance of said provision of the statute, I submit herewith certain proposed bills which I recommend to the General Assembly as being proper for the purpose of amending, revising and codifying such portions of the existing law as to this Code Editor appear to be conflicting, redundant or ambiguous.

Each of these bills, as so prepared, shows on its face the object and reason for the enactment of the same.

Respectfully submitted,

F. F. FAVILLE,

*Code Editor and Supreme Court Reporter.*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 Fifty-first General Assembly, begs leave to submit the following report and recommendations:

1st Assistant in Law and Economics Research—Irving W. Myers, Polk county.

2nd Assistant in Law and Economics Research—Robert G. Sandler, Polk county.

Assistants in General Research and Clerk—Dorothy Stein, Dallas county; Gertrude Cabbage, Polk county; Laurene King, Linn county; Lolita Steele, Fayette county.

Stenographers and Typists for Law Library—Harriet E. Woodmansee, Polk county; Kathryn Bolton, Polk county; Kathryn Craig, Polk county.

Clerk in Code Editor's Office—Mrs. Mabel Lundberg, Polk county.

Photostat Operator—Florence Manning, Polk county.

Page to Librarian and his office—Rhea Pape, Scott county.

Post Office Mail Carrier—Frank Bryant, Jackson county.

Janitors—Sham Lipson, Polk county; Henry Dooley, Polk county; Tom Darby, Polk county; George Hamilton, Polk county; John Spitler, Polk county; Robert Brown, Polk county; Edward Butler, Polk county.

Elevator Tenders—Mrs. Iva Tiedens, Polk county; Nellie Griffin, Polk county; Mrs. Helen George, Polk county.

Clerk in Archives Department—Lecta Nichols, Polk county.

Special Police for Parking—L. W. Nixon, Polk county; E. J. Laird, Polk county.

Respectfully submitted,

LEO ELTHON.

S. A. MARTIN.

GEORGE FAUL.

J. R. HALL.

ROBERT W. HARVEY.

HARVEY J. LONG.

On the part of the Senate.

On the part of the House.

Senator Elthon asked and received unanimous consent to take up the report of the Joint Committee on Joint Legislative Employees and moved its adoption.

The motion prevailed and the report was adopted.

PRESENTATION OF VISITORS

Senator Faul asked and received unanimous consent to present a group of Cub Scouts, Pack 66 of Des Moines, who were present in the balcony.

BILLS ASSIGNED TO COMMITTEES

President Evans announced the following assignment of bills to committees:

Bill No.	Committee Assignments
S. F. 37	Governmental Affairs.
S. F. 38	Appropriations.
S. F. 39	Judiciary 1.
S. F. 40	Judiciary 2.
S. F. 41	Cities and Towns.
S. F. 42	Judiciary 1.
S. F. 43	Judiciary 2.
S. F. 45	Cities and Towns.
S. F. 46	Governmental Affairs.
S. F. 47	Compensation of Public Officers and Employees.
S. F. 48	Compensation of Public Officers and Employees.
S. F. 49	Compensation of Public Officers and Employees.
H. F. 9	Judiciary 2.
H. F. 10	Judiciary 2.
H. F. 11	Judiciary 1.
H. F. 12	Judiciary 1.
H. F. 15	Public Health.
H. F. 16	Judiciary 2.
H. F. 17	Insurance.

H. F. 19 Ways and Means.

H. F. 20 Ways and Means.

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

AFTERNOON SESSION

The Senate resumed regular session, President Evans presiding.

INTRODUCTION OF BILLS

Senate File 55, by Senators Bekman, Long, Schluter, Sjulín, and Zastrow, a bill for an act to amend section two thousand four hundred ninety-three (2493), Code of Iowa, 1939, relating to unprofessional conduct by certain licensees engaged in professions affecting the public health.

Read first and second times and passed on file.

Senate File 56, by Senators Bekman, Long, Schluter, Sjulín, and Zastrow, a bill for an act to amend section two thousand five hundred seventy-four (2574), Code of Iowa, 1939, further defining classes of persons deemed engaged in the practice of optometry.

Read first and second times and passed on file.

Senate File 57, by Senator Byers (McFarlane), a bill for an act to amend sections nine thousand three hundred twenty-nine (9329), nine thousand three hundred forty and one hundredth (9340.01) as amended by chapter two hundred forty-five (245), Acts of the Fiftieth General Assembly, nine thousand three hundred forty and eight hundredths (9340.08), nine thousand three hundred forty-seven (9347), nine thousand three hundred forty-seven and one tenth (9347.1), nine thousand three hundred fifty-three (9353), nine thousand three hundred fifty-four and one tenth (9354.1), nine thousand three hundred sixty-three (9363), and nine thousand three hundred sixty-eight (9368), Code, 1939, relating to loans, investments, powers, operation, and supervision of building and loan and savings and loan associations.

Read first and second times and passed on file.

Senate File 58, by Senator Pine, a bill for an act to make an appropriation to Muscatine county, Iowa.

Read first and second times and passed on file.

Senate File 59, by committee on judiciary 1, a bill for an act to amend chapter twelve (12), Code, 1939, by inserting therein a new section designated section one hundred fifty-one and three tenths (151.3) relating to the appointment by the attorney general of a special assistant attorney general, and prescribing his duties.

Read first and second times and placed on the calendar.

Senate File 60, by Senators Mowry and Clem (Carlson and Van Eaton), a bill for an act to amend sections fifty-four hundred thirty-five (5435) and fifty-four hundred forty (5440), Code, 1939, relating to the licensing of dogs.

Read first and second times and passed on file.

Senate File 61, by Senator Watson (Wormley of Plymouth), 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 and passed on file.

Senate File 62, by Senator Martin, 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 Smith Brothers and Burdick Company and to provide for the renewal of the charter of said company.

Read first and second times and passed on file.

Senate Joint Resolution 1, by judiciary 1, a resolution providing for the appointment by the Attorney General of a special assistant to assist, counsel with and advise the members of the legislature, when requested to do so, respecting legislation, and to assist the Attorney General during the legislative session, and authorizing the Attorney General to fix the compensation of such special assistant, and making an appropriation therefor.

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

PROOF OF PUBLICATION

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

Senate File 51, a proposed bill legalizing the Board of Supervisors of Wapello county to pay indebtedness evidenced by claims by the issuance and exchange or sale of Funding Bonds.

W. J. SCARBOROUGH, *Secretary.*

REPORT OF COMMITTEE

Senator J. T. Dykhouse submitted the following report:

MR. PRESIDENT: Your committee on ways and means, to which was referred Senate File 30, a bill for an act to provide for a credit on personal income tax imposed under provisions of division 2, chapter 329.3, Code, 1939, for the years 1944 and 1945 and payable in the years 1945 and 1946, begs leave to report it has had the same under consideration and recommends that the Dykhouse amendment filed on January 16 and found on page 81 of the Senate Journal be adopted and when so amended the bill do pass.

J. T. DYKHOUSE, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 2 by striking from line 5, section 4, thereof the word "secretarial" and inserting in lieu thereof the word "administrative".

GEORGE FAUL.

Amend Senate File 39 by inserting at the end of line thirteen (13) of section three (3) the following:

"on more than two parcels of real estate".

GEORGE FAUL.

Amend Senate File 19 by striking the first sentence of subsection thirteen (13) thereof appearing in lines one hundred fifteen (115), one hundred sixteen (116), one hundred seventeen (117), and ending with the word "year" in line one hundred eighteen (118), and by substituting in lieu thereof the following:

"Compensation payable to guardians for ordinary services shall not exceed five per cent (5%) of the income of the ward during any accounting year, provided, however, that the court may grant compensation to such guardian not to exceed Twenty-five Dollars (\$25.00) where five per cent (5%) of the income of the ward during the accounting year will not adequately compensate the guardian for services performed."

Further amend Senate File 19 by striking lines one hundred thirty (130), one hundred thirty-one (131), one hundred thirty-two (132) and one hundred thirty-three (133) on page six (6), and by substituting in lieu thereof the following:

"A guardian may without prior authority of the court invest in bonds or other interest bearing obligations of the United States, the State of Iowa, or those issued by the cities or counties of Iowa, for the payment of which the faith and credit of the issuing instrumentality of government is pledged."

Further amend Senate File 19 by adding the following:

"Nothing contained in this act shall be construed to abrogate, modify or in any manner affect pending proceedings under chapter five hundred forty-two and one-tenth (542.1), Code, 1939, and all such pending proceedings shall continue under the provisions of this act."

GEORGE FAUL.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 18, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend Johan Rodvick, pastor of the Methodist church, Diagonal, Iowa.

PETITION AND MEMORIAL

The following petition was presented and placed on file:

Senator Leo, from residents of Benton County, relating to pensions.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Vrba for the day on request of Senator Mercer.

INTRODUCTION OF BILLS

Senate File 63, by Senators Bekman, Faul, Clem and Cromwell, 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 and passed on file.

Senate File 64, by Senator Bekman, a bill for an act relating to firing blasting shots in coal mines.

Read first and second times and passed on file.

Senate File 65, by Senators Byers, Hart, Pine, Henningsen, Findlay, Zastrow and Knudson, a bill for an act to amend section five thousand six hundred ninety-four (5694), Code, 1939, to repeal section five thousand six hundred ninety-nine and one tenth (5699.1), Code, 1939, and to amend section five thousand six hundred ninety-nine (5699), Code, 1939, relating to appointment of chief of the fire department and chief of police in cities from civil service eligible lists.

Read first and second times and passed on file.

Senate File 66, by Senator Faul (Sloane and Burkman), a bill

for an act to amend section three thousand six hundred twelve (3612), Code, 1939, relating to salaries of juvenile court probation officers in counties having a population in excess of one hundred twenty-five thousand (125,000).

Read first and second times and passed on file.

Senate File 67, by Senator Hill, a bill for an act to amend section eleven thousand eight hundred ninety-one (11891), Code, 1939, pertaining to the time of granting administration in cases where the decedent died out of the state.

Read first and second times and passed on file.

Senate File 68, by Senator Faul (Sloane and Burkman), a bill for an act to amend section seven thousand two hundred three (7203), Code, 1939, relating to lien of personal taxes.

Read first and second times and passed on file.

Senate File 69, by Senator Faul (Sloane and Burkman), a bill for an act to amend section eleven thousand six hundred sixty-eight and one tenth (11668.1), Code, 1939, relating to levying executions on real estate and providing a limitation on the lien of such levy.

Read first and second times and passed on file.

Senate File 70, by Senator Faul, (Sloane and Burkman), 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 and passed on file.

Senator Sharp asked and received unanimous consent to exchange seat 21 for seat 23.

Senator Barkley asked and received unanimous consent to exchange seat 41 for seat 21.

RESIGNATION OF EMPLOYEE

MR. PRESIDENT: I hereby tender my resignation as bill clerk of the Senate effective January 17th.

ED THOMPSON.

PRESENTATION OF VISITORS

Senator Faul asked and received unanimous consent to present the class in Community Life Problems of Amos Hiatt junior high of Des Moines, which was present in the balcony.

BILLS ASSIGNED TO COMMITTEES

President Evans announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 50	Governmental Affairs.
S. F. 51	Judiciary 1.
S. F. 52	Manufacturing, Commerce and Trade.
S. F. 53	Judiciary 2.
S. F. 54	Special Tax Revision.
S. F. 55	Public Health.
S. F. 56	Public Health.
S. F. 57	Banks, Building and Loan.
S. F. 58	Appropriations.
S. F. 60	Governmental Affairs.
S. F. 61	Ways and Means.
S. F. 62	Judiciary 2.

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

AFTERNOON SESSION

The Senate resumed regular session, President pro tempore Stanley L. Hart presiding.

INTRODUCTION OF BILLS

Senate File 71, by Senator Jones, a bill for an act to amend chapter two hundred eighty-six (286), Code, 1939, relating to discontinuance of municipal corporations.

Read first and second times and passed on file.

Senate File 72, by Senator Cromwell, a bill for an act to amend section eleven thousand eight hundred ninety (11890), Code, 1939, relating to notice of appointment of executors and administrators.

Read first and second times and passed on file.

Senate File 73, by Senators Mercer, Zastrow, Augustine, Vitetoe, Elthon, Clem and Berg, a bill for an act to provide for the creation and appointment of an annuity and investment board and prescribing the powers and duties of said board and making appropriations for the administration of this act by said board; to promote efficiency and economy in the service of the State of Iowa, to stabilize state employment, reduce excessive personnel turnover and to offer suitable attraction to high-grade men and women to enter the service of the State and to make such service a life career, to provide an orderly method for the retirement of state employees who become aged or totally and permanently disabled, to provide a retirement system for state employees, to provide for the payment of annuities to retired state employees and their dependents, and to permit state employees to make financial provision for themselves and their dependents when they shall by reason of old age, disability or death terminate their employment by the State.

Read first and second times and passed on file.

Senate File 74, by Senators Doud, Foster, Long, Ritchie and Sjulín, (Kuester, Williams, Wormley and Simonsen), a bill for an act to amend section three thousand two hundred ninety-one and one tenth (3291.1), Code of Iowa, 1939, relating to the salary and compensation and maintenance of business managers of the institutions operating under the board of control.

Read first and second times and passed on file.

President Evans took the chair at 2:58 p. 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 adopted the report of the joint committee on extra help.

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 the powers and duties of the state board of social welfare.

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

House File 21, a bill for an act relating to actions of forcible entry and detention of real property.

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 computation for reimbursement of school districts for loss of taxes on publicly owned land.

Also: 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 providing for notices to local boards of review when valuations of property are increased.

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 the records required in connection with registration of motor vehicles.

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 levies authorized for payment of soldiers' bonuses to veterans of world war one.

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

House File 40, a bill for an act relating to tax refunds.

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 motor vehicles.

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 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 46, a bill for an act modifying the penalties for failure to take out sales tax permits.

Also: 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 chain store tax.

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

House File 49, a bill for an act relating to the fees for ambulances and hearses.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 18, a bill for an act to amend section three thousand six hundred sixty-one and seven thousandths (3661.007), Code, 1939, relating to the powers and duties of the state board of social welfare and providing that a corrected list of all those on old age

assistance shall be delivered to the county auditor in the month of December in each year, with a supplemental list showing all names stricken from the last preceding annual list of old age recipients.

Read first and second times and passed on file.

House File 21, a bill for an act to amend chapter three hundred three (303) of the Acts and Laws of the Forty-ninth General Assembly of the State of Iowa, with reference to actions of forcible entry and detention of real property, in order to give jurisdiction in equity to the municipal and superior courts of the state of Iowa in such cases.

Read first and second times and passed on file.

House File 22, a bill for an act to amend sections four thousand two hundred eighty-three and eleven hundredths (4283.11) and four thousand two hundred eighty-three and thirteen hundredths (4283.13), Code, 1939, relating to the computation and certificate thereof for the reimbursement of school districts for loss of taxes on publicly owned land.

Read first and second times and passed on file.

House File 37, a bill for an act to amend section seven thousand one hundred thirty-seven (7137), Code, 1939, and providing for notices to local boards of review when valuations are increased by the county board of review.

Read first and second times and passed on file.

House File 38, a bill for an act to amend section five thousand one and fifteen hundredths (5001.15), Code, 1939, relating to the records required in connection with the original and renewal of registration of motor vehicles.

Read first and second times and passed on file.

House File 39, a bill for an act amending section seven thousand seventeen and eleven one-hundredths (7017.11), Code, 1939, and repealing section seven thousand one hundred eighty-three and one tenth (7183.1), section seven thousand one hundred eighty-three and two tenths (7183.2), section seven thousand one hundred eighty-three and three tenths (7183.3) and section seven thousand one hundred eighty-three and four tenths (7183.4), Code, 1939, relating to levies authorized for payment of soldiers' bonuses to veterans of World War One.

Read first and second times and passed on file.

House File 40, a bill for an act to amend section six thousand nine hundred forty-three and ninety-seven thousandths (6943.097), Code, 1939, as amended by chapter 236, Acts of the 49th General Assembly, relating to tax refunds.

Read first and second times and passed on file.

House File 44, a bill for an act to amend section five thousand and one hundredth (5000.01) and section five thousand eight and twenty hundredths (5008.20), Code, 1939, relating to motor vehicles.

Read first and second times and passed on file.

House File 45, 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 (49th) General Assembly, relating to refunds to holders of beer permits.

Read first and second times and passed on file.

House File 46, a bill for an act amending subsection two (2) of section six thousand nine hundred forty-three and eighty-nine thousandths (6943.89), Code, 1939, modifying the penalties for failure to take out sales tax permits.

Read first and second times and passed on file.

House File 47, a bill for an act to repeal subsection two (2) of section six thousand nine hundred forty-three and one hundred twenty-nine thousandths (6943.129), Code, 1939, relating to the chain store tax.

Read first and second times and passed on file.

House File 49, a bill for an act to amend section five thousand eight and thirteen hundredths (5008.13), Code, 1939, relating to the fees for ambulances and hearses.

Read first and second times and passed on file.

REPORT OF COMMITTEE ON COMMITTEE ROOMS

MR. PRESIDENT: Your committee on assignment of committee rooms have considered the time and place for the meetings of the standing com-

mittees of the Senate and beg leave to make recommendations and report as follows:

- Aeronautics—On call of Chairman.
 - Agriculture—Monday and Wednesday, 3:00 p. m.; Room 22.
 - Appropriations—Tuesday and Thursday, 2:00 p. m.; Room 22.
 - Banks, Building and Loan—Tuesday, 1:00 p. m.; Lt. Governor's Room.
 - Board of Control—Thursday, 1:00 p. m.; Lt. Governor's Room.
 - Cities and Towns—Monday and Wednesday, 2:00 p. m.; Room 22.
 - Claims—On call of Chairman.
 - Compensation of Public Officers and Employees—On call of Chairman.
 - Conservation—Tuesday, 3:00 p. m.; Lt. Governor's Room.
 - Enrolled Bills—On call of Chairman.
 - Governmental Affairs—Thursday, 3:00 p. m.; Lt. Governor's Room.
 - Highways—Monday and Wednesday, 9:00 a. m.; Room 22.
 - Insurance—Tuesday and Thursday, 9:00 a. m.; Room 22.
 - Judiciary 1—Monday and Wednesday, 1:00 p. m.; Room 22.
 - Judiciary 2—Monday and Wednesday, 1:00 p. m.; Lt. Governor's Room.
 - Labor—Monday, 3:00 p. m.; Room 23.
 - Manufacturing, Commerce and Trade—Monday, 2:00 p. m.; Room 23.
 - Military and Veterans Affairs—Wednesday, 3:00 p. m.; Lt. Governor's Room.
 - Mines and Mining—Tuesday, 3:00 p. m.; Room 23.
 - Motor Vehicles—Tuesday, 1:00 p. m.; Room 23.
 - National Defense and Postwar—On call of Chairman.
 - Printing—On call of Chairman.
 - Private Corporations—On call of Chairman.
 - Public Health—Wednesday, 1:00 p. m.; Room 23.
 - Public Lands and Buildings—On call of Chairman.
 - Public Libraries—On call of Chairman.
 - Public Utilities—Monday, 9:00 a. m.; Lt. Governor's Room.
 - Railroads—Wednesday, 9:00 a. m.; Lt. Governor's Room.
 - Rules—On call of Chairman.
 - Schools and Educational Institutions—Tuesday and Thursday, 3:00 p. m.; Room 22.
 - Social Security—Monday and Wednesday, 2:00 p. m.; Lt. Governor's Room.
 - Special Court Procedure—On call of Chairman.
 - Special School Code—On call of Chairman.
 - Special Tax Revision—On call of Chairman.
 - Ways and Means—Tuesday and Thursday, 1:00 p. m.; Room 22.
- HERMAN M. KNUDSON.
J. G. LUCAS.
R. B. HAWKINS.

On motion of Senator Knudson, 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 File 1.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *Chairman House Committee.*

Report adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House File 1.

REPORTS OF COMMITTEES

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred Senate File 44, a bill for an act to amend section eight thousand three hundred sixty (8360), Code, 1939, relating to amendments to articles of incorporation by certain corporations, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Senator Faul submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred Senate File 17, a bill for an act to amend sections 13645, 10656, and 10669.1, Code, 1939, relating to the filing of county attorney's true informations in municipal courts, 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 judiciary 1 to which was referred Senate File 19, a bill for an act to repeal chapter 542.1, Code, 1939, and to enact a substitute therefor, relating to the guardianship of incompetent veterans and other incompetents and minor beneficiaries of the Veterans Administration and to make uniform the law relative thereto, 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 judiciary 1 to which was referred Senate File 29, a bill for an act to amend section 3659, Code, 1939, relating to the penalty for contributing to the delinquency of a minor, 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 judiciary 1 to which was referred Senate File 33, a bill for an act to amend section 11028, Code, 1939, relating to the limitations for foreclosure of ancient mortgages and other written instruments, 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 judiciary 1 to which was referred Senate File 51, a bill for an act to legalize the action of the County Board of Supervisors of Wapello County, Iowa, in making expenditures and approving claims against said county for secondary road maintenance and construction, to legalize said expenditures and said claims as valid and binding obligations of said county, and to authorize said county by its proper officials to pay said indebtedness evidenced by said claims by the issuance and exchange or sale of Funding Bonds as authorized by law, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE FAUL, *Chairman*.

Ordered passed on file.

AMENDMENT FILED

Amend Senate File 42 by striking from section 1, lines 18 through 21, inclusive.

GEORGE FAUL.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 19, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend Robert Gardner, pastor of the Horton Baptist church, Waverly, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Sharp for the day on request of Senator Pine; Senator Doud for the day on request of Senator Keir; Senator Vrba for the day on request of Senator Mercer.

INTRODUCTION OF BILLS

Senate File 75, by Senator Knudson, a bill for an act to repeal chapter fifteen (15), paragraph twelve (12) of section two hundred fifteen (215), relating to the salary list book.

Read first and second times and passed on file.

Senate File 76, by Senator Cromwell, a bill for an act to amend, revise and codify sections one hundred fifty-six (156), one hundred seventy (170) and one hundred seventy-one (171), Code of 1939, as amended by chapter 56 of the 50th General Assembly, relating to the publication of new editions of the Code of Iowa.

Read first and second times and passed on file.

Senate File 77, by committee on judiciary 1, a bill for an act to authorize the editor of the Code to edit the expression "and/or" wherever it occurs in the Statutes and Acts of the General Assembly.

Read first and second times and placed on the calendar.

Senate File 78, by committee on judiciary 1, a bill for an act to repeal chapter three hundred nine (309), Code, 1939, relating to joint municipal improvement of highways.

Read first and second times and placed on the calendar.

Senate File 79, by committee on judiciary 1, a bill for an act to

amend section one hundred fifty-six (156), Code, 1939, relating to duties of the Code editor.

Read first and second times and placed on the calendar.

Senate File 80, by committee on judiciary 1, 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 and placed on the calendar.

Senate File 81, by committee on judiciary 1, 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 and placed on the calendar.

Senate File 82, by committee on judiciary 1, a bill for an act to amend chapter ninety-four (94), Acts of the 50th General Assembly, relating to closed waters for seining fish in the Mississippi River.

Read first and second times and placed on the calendar.

Senate File 83, by committee on judiciary 1, a bill for an act to amend section one hundred fifty-two (152), Code, 1939, relating to special counsel for the Employment Security Commission.

Read first and second times and placed on the calendar.

Senate File 84, by Senator Knudson, a bill for an act to amend chapter 303.1 of the 1939 Code of Iowa, providing for the levy of a tax and the anticipation thereof by the issuance of bonds by municipalities for airport purposes.

Read first and second times and passed on file.

Senate File 85, by Senator Hill, a bill for an act to amend section seven thousand four hundred twenty and twenty-two hundredths (7420.22), Code, 1939, relating to the payment of claims against the state sinking fund for public deposits.

Read first and second times and passed on file.

Senate File 86, by Senator Faul (Sloane and Burkman), a bill for an act to amend section ten thousand four hundred eighty-one (10481), Code, 1939, relating to alimony in divorce actions and

to make judgments, orders and decrees for payment of alimony or child support money liens on real estate.

Read first and second times and passed on file.

Senate File 87, by Senators Mowry, Zastrow, Sjulín, Foster, Findlay and Elthon, 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 and passed on file.

Senate File 88, by Senators Mowry, Zastrow, Sjulín, Foster, Findlay and Elthon, 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 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 concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 6 approving certain expenditures of the Fifty-first General Assembly. A. C. GUSTAFSON, *Chief Clerk*.

THIRD READING OF BILLS

On motion of Senator Faul, Senate File 19, a bill for an act to repeal chapter five hundred forty-two and one tenth (542.1), Code, 1939, and to enact a substitute therefor, relating to the guardianship of incompetent veterans and other incompetents and minor beneficiaries of the Veterans Administration and to make uniform the law relating thereto, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Faul offered the following amendments and moved their adoption:

Amend Senate File 19 by striking the first sentence of subsection thirteen (13) thereof appearing in lines one hundred fifteen (115), one

hundred sixteen (116), one hundred seventeen (117), and ending with the word "year" in line one hundred eighteen (118), and by substituting in lieu thereof the following:

"Compensation payable to guardians for ordinary services shall not exceed five per cent (5%) of the income of the ward during any accounting year, provided, however, that the court may grant compensation to such guardian not to exceed Twenty-five Dollars (\$25.00) where five per cent (5%) of the income of the ward during the accounting year will not adequately compensate the guardian for services performed."

Further amend Senate File 19 by striking lines one hundred thirty (130), one hundred thirty-one (131), one hundred thirty-two (132) and one hundred thirty-three (133) on page six (6), and by substituting in lieu thereof the following:

"A guardian may without prior authority of the court invest in bonds or other interest bearing obligations of the United States, the State of Iowa, or those issued by the cities or counties of Iowa, for the payment of which the faith and credit of the issuing instrumentality of government is pledged."

Amend Senate File 19 by adding the following:

"Nothing contained in this act shall be construed to abrogate, modify or in any manner affect pending proceedings under chapter five hundred forty-two and one-tenth (542.1), Code, 1939, and all such pending proceedings shall continue under the provisions of this act."

Amend Senate File 19 by striking from line 150 thereof the word "beneficiary" and substituting in lieu thereof the word "beneficial".

Further amend Senate File 19 by striking all of the lines one hundred ninety-two (192) to one hundred ninety-eight (198) both inclusive.

The amendments were adopted.

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

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

Ayes, 46:

Augustine	Findlay	Klein	Newsome
Barkley	Foster	Knudson	Pine
Bekman	Hart	Leo	Reilly
Benson	Harvey	Long	Ritchie
Berg	Hawkins	Love	Schluter
Byers	Henningsen	Lucas	Shaw
Clem	Hill	Lynes	Sjulin
Cromwell	Hultman	Martin	Vittetoe
Dewel	Jacobson	Mercer	Watson
Dykhouse	Jones	Miller	White
Elthon	Keir	Mowry	Zastrow
Faul	Kirketeg		

Nays, none.

Absent or not voting, 3:

Doud	Sharp	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 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 29, a bill for an act to amend section three thousand six hundred fifty-nine (3659), Code, 1939, relating to the penalty for contributing to the delinquency of a minor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Cromwell asked and received unanimous consent that action on Senate File 29 be deferred.

On motion of Senator Bekman, Senate File 51, a bill for an act to legalize the action of the County Board of Supervisors of Wappello County, Iowa, in making expenditures and approving claims against said county for secondary road maintenance and construction, to legalize said expenditures and said claims as valid and binding obligations of said county, and to authorize said county by its proper officials to pay said indebtedness evidenced by said claims by the issuance and exchange or sale of funding bonds as authorized by law, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bekman moved that bill be read a third 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	Klein	Newsome
Barkley	Foster	Knudson	Pine
Bekman	Hart	Leo	Reilly
Benson	Harvey	Long	Ritchie
Berg	Hawkins	Love	Schluter
Byers	Henningsen	Lucas	Shaw
Clem	Hill	Lynes	Sjulin
Cromwell	Hultman	Martin	Vittetoe
Dewel	Jacobson	Mercer	Watson
Dykhouse	Jones	Miller	White
Elthon	Keir	Mowry	Zastrow
Faul	Kirketeg		

Nays, none.

Absent or not voting, 3:

Doud

Sharp

Vrba

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

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

HOUSE CONCURRENT RESOLUTION 6

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:

A. C. Gustafson, pre-session postage and supplies.....	\$53.58
Storey-Kenworthy Co., supplies, (House).....	17.99
A. C. Gustafson, postage for House Postmistress.....	25.00
Langan Paper Co., Supplies, (House).....	1.34
Radio Trade Supply Corp., microphone, (House).....	12.60
Hotel Kirkwood, preliminary expense, (House).....	50.78
Des Moines Rubber Stamp Works, (Senate).....	14.35
W. J. Scarborough, postage for Senate Postmistress.....	25.00
W. J. Scarborough, pre-session postage and supplies.....	29.60
Storey-Kenworthy Co., Furniture, (Senate).....	26.50
L. C. Smith & Corona Typewriters Inc., repair on typewriters, (House)	63.03

The state comptroller is hereby authorized and directed to issue warrants for amounts above listed and to persons and firms to whom such amounts are due.

Senator Elthon asked and received unanimous consent that the rules be suspended and that House Concurrent Resolution 6 be taken up at this time.

On motion of Senator Elthon, House Concurrent Resolution 6 was taken up and considered.

Senator Elthon moved that the reading just had be considered the third reading, which motion prevailed, and on the question, "Shall the Resolution be adopted?" the vote was:

Ayes, 44:

Augustine	Cromwell	Harvey	Kirketeg
Barkley	Dewel	Hawkins	Klein
Bekman	Dykhouse	Henningsen	Knudson
Benson	Elthon	Hill	Leo
Berg	Findlay	Hultman	Long
Byers	Foster	Jones	Love
Clem	Hart	Keir	Lucas

Lynes
Martin
Mercer
Miller

Mowry
Newsome
Pine
Reilly

Ritchie
Schluter
Shaw
Sjulin

Vittetoe
Watson
White
Zastrow

Nays, none.

Absent or not voting, 5:

Doud
Faul

Jacobson

Sharp

Vrba

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

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

APPOINTMENT OF PAGE

President Evans announced the appointment of James Hillestad of Polk county, as a page of the Senate.

PRESENTATION OF VISITOR

Senator Knudson asked and received unanimous consent to present Honorable Earl M. Dean of Cerro Gordo county, a former member of the Senate, who was present in the Senate Chamber.

BILLS ASSIGNED TO COMMITTEES

President Evans announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 63	Judiciary 2.
S. F. 64	Mines and Mining.
S. F. 65	Cities and Towns.
S. F. 66	Judiciary 1.
S. F. 67	Judiciary 1.
S. F. 68	Judiciary 2.
S. F. 69	Judiciary 2.
S. F. 70	Judiciary 2.
S. F. 71	Judiciary 2.
S. F. 72	Judiciary 2.
S. F. 73	Governmental Affairs.
S. F. 74	Board of Control.
H. F. 18	Social Security.

- H. F. 21 Judiciary 2.
- H. F. 22 Schools and Educational Institutions.
- H. F. 37 Governmental Affairs.
- H. F. 38 Motor Vehicles.
- H. F. 39 Military and Veterans Affairs.
- H. F. 40 Ways and Means.
- H. F. 44 Motor Vehicles.
- H. F. 45 Judiciary 2.
- H. F. 46 Judiciary 2.
- H. F. 47 Judiciary 2.
- H. F. 49 Judiciary 2.

REPORT OF COMMITTEE

Senator Long submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate Joint Resolution 1, a bill for an act providing for the appointment by the Attorney General of a special assistant to assist, counsel with and advise members of the legislature, when requested to do so, respecting legislation and to assist the Attorney General during the legislative session, etc., begs leave to report it has had the same under consideration and recommends the same do pass.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

AMENDMENT FILED

Amend Senate File 64 by striking all after the enacting clause, and inserting the following in lieu thereof:

Section 1. Section one thousand two hundred ninety-seven and one tenth (1297.1), Code, 1939, is hereby repealed and the following enacted in lieu thereof:

"Mine inspectors in their respective districts may permit the firing of shots in mines, while others than those firing the shots are in the mine, provided that any explosive so used shall be of the type known as 'permissible explosives', and is on the list of permissible explosives of the United States Bureau of Mines, and is approved by the mine inspector of the district wherein the mine is located.

"Firing of shots, while others than those firing the shots are in the mine, shall in no case be permitted until the operator, superintendent, and mine foreman shall have complied with the rules and regulations approved by the mine inspector of the district wherein the mine is located, and no person shall fire any such shot without said permission."

E. K. BEKMAN.

On motion of Senator Watson, the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 22, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend R. M. Bell, pastor of the Methodist church, Gladbrook, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

Senator Pine, from residents of Wapello county, favoring an increase in salaries for county officers.

Senator Foster, from residents of Washington county, favoring revision of the school code.

Senator Clem, from the Board of Directors of the Tri-State Motor Carriers Association, favoring truck legislation pertaining to uniform size and weights.

Senator Cromwell, from county officers of Louisa county, favoring an increase in salaries for county officers.

Senator Harvey, from county officers of Harrison county, favoring an increase in salaries of county officers.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Dykhouse for the day on request of Senator Ritchie; Senator Vrba for the day on request of Senator Mercer.

INTRODUCTION OF BILLS

Senate File 89, by Senator Cromwell, a bill for an act to amend section eleven thousand seven (11007) of the 1939 Code of Iowa, relating to fixing period of limitations within which action may be begun with respect to wages and repealing chapter 267 of the Acts of the 50th General Assembly.

Read first and second times and passed on file.

Senate File 90, by Senator Reilly, a bill for an act to legalize

the proceedings by the Board of Directors of the Independent School District of Dubuque, Dubuque County, Iowa, in submitting to the voters of said district at the school election in said district on March 13, 1944, the proposition of establishing a pension and annuity retirement system for the employees of said district who are under written contract to said district, the said election and the establishment of said pension and annuity retirement system.

Read first and second times and passed on file.

Senate File 91, by Senators Berg and Shaw, a bill for an act to repeal sections six thousand two hundred thirty-one (6231), six thousand two hundred thirty-two (6232), six thousand two hundred thirty-three (6233), six thousand two hundred thirty-four (6234), six thousand two hundred thirty-five (6235), six thousand two hundred thirty-six (6236), six thousand two hundred thirty-seven (6237), seven thousand one hundred twenty-five (7125), Code, 1939, relating to road poll tax and to repeal the same.

Read first and second times and passed on file.

Senate File 92, by Senator Faul, (Sloane and Burkman), a bill for an act to amend section thirteen thousand six hundred ninety-eight (13698), Code, 1939, relating to compensation of clerk of the grand jury

Read first and second times and passed on file.

Senate File 93, by Senators Faul, Berg and Henningsen, (Sloane and Burkman), a bill for an act to amend section ten thousand six hundred eighty-eight (10688), Code, 1939, relating to the salaries of the judges of the municipal court of the state of Iowa.

Read first and second times and passed on file.

Senate Joint Resolution 2, by Senator Faul, a resolution proposing an amendment to section one (1), article two (II) of the constitution of the state of Iowa, by striking out of lines two (2) and three (3) of said section and article the words "twenty-one" and by substituting in lieu thereof the word "eighteen", relating to the qualification of electors and the age at which qualified citizens shall be entitled to exercise the right of suffrage.

Read first and second times and passed on file.

THIRD READING OF BILLS

On motion of Senator Henningsen, Senate File 17, a bill for an act to amend sections thirteen thousand six hundred forty-five (13645), ten thousand six hundred fifty-six (10656), and ten thousand six hundred sixty-nine and one-tenth (10669.1), Code, 1939, relating to the filing of county attorney's true informations in municipal courts, 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, 42:

Augustine	Findlay	Knudson	Pine
Barkley	Hart	Leo	Reilly
Benson	Harvey	Long	Ritchie
Berg	Henningsen	Love	Schluter
Byers	Hill	Lucas	Sharp
Clem	Hultman	Martin	Shaw
Cromwell	Jacobson	Mercer	Sjulin
Dewel	Jones	Miller	Vittetoe
Doud	Keir	Mowry	Watson
Elthon	Kirketeg	Newsome	White
Faul	Klein		

Nays, none.

Absent or not voting, 7:

Bekman	Foster	Lynes	Zastrow
Dykhouse	Hawkins	Vrba	

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 Schluter, Senate File 33, a bill for an act to amend section eleven thousand twenty-eight (11028), Code, 1939, relating to the limitations for foreclosure of ancient mortgages and other written instruments, 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, 44:

Augustine	Faul	Kirketeg	Newsome
Barkley	Findlay	Klein	Pine
Bekman	Foster	Knudson	Reilly
Benson	Hart	Leo	Ritchie
Berg	Harvey	Long	Schluter
Byers	Henningsen	Love	Sharp
Clem	Hill	Lucas	Shaw
Cromwell	Hultman	Martin	Sjulin
Dewel	Jacobson	Mercer	Vittetoe
Doud	Jones	Miller	Watson
Elthon	Keir	Mowry	White

Nays, none.

Absent or not voting, 5:

Dykhouse	Lynes	Vrba	Zastrow
Hawkins			

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 Faul, Senate Joint Resolution 1, a resolution providing for the appointment by the Attorney General of a special assistant to assist, counsel with and advise the members of the legislature, when requested to do so, respecting legislation, and to assist the Attorney General during the legislative session, and authorizing the Attorney General to fix the compensation of such special assistant, and making an appropriation 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 section 3 of Senate Joint Resolution 1 as follows:

1. By inserting before the comma in line 3 the words "Plain Talk".
2. By inserting before the comma in line 4 the following: "Des Moines, Iowa".
3. By inserting after the word "the" in line 4 the words "Hamburg Reporter".
4. By inserting after the word "at" in line 5 the following: "Hamburg, Iowa".

The amendment was adopted.

Senator Faul moved that the resolution be read a third time

now, which motion prevailed, and the resolution was read a third time,

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

Ayes, 38:

Barkley	Hart	Knudson	Pine
Bekman	Harvey	Leo	Reilly
Benson	Henningsen	Long	Ritchie
Byers	Hill	Love	Schluter
Clem	Hultman	Lucas	Sharp
Dewel	Jacobson	Martin	Shaw
Doud	Jones	Miller	Sjulin
Elthon	Keir	Mowry	Vittetoe
• Faul	Kirketeg	Newsome	White
Foster	Klein		

Nays, 2:

Findlay	Watson
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Absent or not voting, 9:

Augustine	Dykhouse	Lynes	Vrba
Berg	Hawkins	Mercer	Zastrow
Cromwell			

The resolution 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 resolution 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 77, a bill for an act to authorize the editor of the code to edit the expression "and/or" wherever it occurs in the statutes and acts of the General Assembly, was taken up, and considered.

Senator Faul moved that the bill be read a third time now, which motion was lost.

Senator Faul moved that Senate File 77 be referred to the committee on judiciary 2.

The motion prevailed and Senate File 77 was referred to the committee on judiciary 2.

On motion of Senator Faul, Senate File 78, a bill for an act to repeal chapter three hundred nine (309), Code, 1939, relating to joint municipal improvement of highways, was taken up, and considered.

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

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

Ayes, 41:

Augustine	Findlay	Klein	Pine
Barkley	Foster	Knudson	Reilly
Bekman	Hart	Leo	Ritchie
Benson	Harvey	Long	Schluter
Berg	Hawkins	Love	Sharp
Byers	Hill	Lynes	Shaw
Clem	Jacobson	Martin	Sjulin
Cromwell	Jones	Mercer	Vittetoe
Dewel	Keir	Mowry	Watson
Elthon	Kirketeg	Newsome	White
Faul			

Nays, 2:

Henningsen Lucas

Absent or not voting, 6:

Doud	Hultman	Vrba	Zastrow
Dykhouse	Miller		

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 79, a bill for an act to amend section one hundred fifty-six (156), Code, 1939, relating to duties of the Code Editor, was taken up and considered.

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

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

Ayes, 46:

Augustine	Findlay	Knudson	Pine
Barkley	Foster	Leo	Reilly
Bekman	Hart	Long	Ritchie
Benson	Harvey	Love	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Lynes	Shaw
Clem	Hill	Martin	Sjulin
Cromwell	Jacobson	Mercer	Vittetoe
Dewel	Jones	Miller	Watson
Doud	Keir	Mowry	White
Elthon	Kirketeg	Newsome	Zastrow
Faul	Klein		

Nays, none.

Absent or not voting, 3:

Dykhouse	Hultman	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 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 80, 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, was taken up and considered.

Senator Byers asked and received unanimous consent that further action on Senate File 80 be deferred and that it retain its place on the calendar.

On motion of Senator Faul, Senate File 81, a bill for an act to amend section forty-seven (47), Code, 1939, relating to the form of bills presented to the General Assembly, 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, 43:

Augustine	Foster	Leo	Reilly
Bekman	Harvey	Long	Ritchie
Benson	Hawkins	Love	Schluter
Berg	Hill	Lucas	Sharp
Clem	Hultman	Lynes	Shaw
Cromwell	Jacobson	Martin	Sjulin
Dewel	Jones	Mercer	Vittetoe
Doud	Keir	Miller	Watson
Elthon	Kirketeg	Mowry	White
Faul	Klein	Newsome	Zastrow
Findlay	Knudson	Pine	

Nays, none.

Absent or not voting, 6:

Barkley	Dykhouse	Henningsen	Vrba
Byers	Hart		

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 82, a bill for an act to amend chapter ninety-four (94), Acts of the 50th General Assembly, relating to closed waters for seining fish in the Mississippi river, 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, 45:

Augustine	Foster	Knudson	Pine
Barkley	Hart	Leo	Reilly
Bekman	Hawkins	Long	Ritchie
Benson	Henningsen	Love	Schluter
Berg	Hill	Lucas	Sharp
Byers	Hultman	Lynes	Shaw
Clem	Jacobson	Martin	Sjulin
Dewel	Jones	Mercer	Vittetoe
Doud	Keir	Miller	Watson
Elthon	Kirketeg	Mowry	White
Faul	Klein	Newsome	Zastrow
Findlay			

Nays, none.

Absent or not voting, 4:

Cromwell	Dykhouse	Harvey	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 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 83, a bill for an act to amend section one hundred fifty-two (152), Code, 1939, relating to special counsel for the Employment Security Commission, 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, 46:

Augustine	Cromwell	Hart	Jones
Barkley	Dewel	Harvey	Keir
Bekman	Doud	Hawkins	Kirketeg
Benson	Elthon	Henningsen	Klein
Berg	Faul	Hill	Knudson
Byers	Findlay	Hultman	Leo
Clem	Foster	Jacobson	Long

Lucas	Mowry	Schulter	Vittetoe
Lynes	Newsome	Sharp	Watson
Martin	Pine	Shaw	White
Mercer	Reilly	Sjulin	Zastrow
Miller	Ritchie		

Nays, none.

Absent or not voting, 3:

Dykhouse	Love	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 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 Lynes, Senate File 44, a bill for an act to amend section eight thousand three hundred sixty (8360), Code, 1939, relating to amendments to articles of incorporation by certain corporations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lynes offered the following amendment and moved its adoption:

Amend Senate File 44 by adding after the word "in" in line 4 of sec. 2, the following: "the Waterloo Daily Courier, a newspaper published at Waterloo, Iowa, and the Charles City Daily Press, a newspaper published at Charles City, Iowa".

The amendment was adopted.

Senator Cromwell asked and received unanimous consent that further action on Senate File 44 be deferred and that it retain its place on the calendar.

BILLS ASSIGNED TO COMMITTEES

President Evans announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 75	Governmental Affairs.
S. F. 76	Judiciary 1.
S. F. 84	Ways and Means.
S. F. 85	Banks, Building and Loan.
S. F. 86	Judiciary 1.
S. F. 87	Judiciary 2.
S. F. 88	Judiciary 2.

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

AFTERNOON SESSION

The Senate resumed regular session, President Evans presiding.

INTRODUCTION OF BILLS

Senate File 94, by Senators Mowry and Hill, a bill for an act to repeal chapter 267, Laws of the Fiftieth General Assembly, 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.

Read first and second times and passed on file.

REPORTS OF COMMITTEES

Senator Hultman submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers and employees, to which was referred Senate File 21, a bill for an act relating to the annual salary of the Governor of the state of Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

O. N. HULTMAN, *Chairman*.

Ordered passed on file.

Senator Faul submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 39, a bill for an act to amend, revise, and codify chapter ninety-one and two tenths, Code, 1939, relating to the licensing and regulation of real estate brokers and salesmen and to matters properly pertaining to the orderly marketing of real estate, 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 judiciary 1, to which was referred Senate File 42, a bill for an act to repeal section four, chapter one, Code, 1939, and enact a substitute therefor, and to repeal section one, chapter forty-one, Acts of the Fiftieth General Assembly, and to amend section two, chapter forty-one, Acts of the Fiftieth General Assembly, relating to the acquisition of real estate by the United States within this state, and jurisdiction 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.

AMENDMENTS FILED

Amend Senate File 1 by striking from line four (4) of section one (1) the following: "three (3),".

Further amend Senate File 1 by striking from section one (1) all of lines eight (8), nine (9), and ten (10).
FRED CROMWELL.

Amend Senate File 70 by striking from line three (3) of section two (2) thereof the word "sheriff" and substituting therefor the word "bailiff".
GEORGE FAUL.

Amend Senate File 30 by adding a new section following section four (4) as follows:

(1) "The State Tax Commission shall as far as consistent with the provisions of the Code so draft income tax forms as to conform to the income tax forms of the Internal Revenue Department of the United States Government."

(2) Renumber the remaining section.

FRED CROMWELL.

I move to amend Senate File 2 as follows:

Amend Senate File 2 by inserting in line four (4) of section ten (10) thereof after the word "prepare" the words "sample copies of", and by striking after the word "commissions" in line seven (7) of section ten (10) the rest of said section and by inserting in lieu thereof the following:

"and this uniform system of accounting and case records shall be used by the several counties."
JOHN P. BERG.

I move to amend Senate File 41 as follows:

Amend Senate File 41 by adding the following section:

Sec. 2. Chapter two hundred one (201) of the Acts of the Forty-ninth (49th) General Assembly is hereby amended by striking from line six (6) of Sec. two (2), all following the word "be" and inserting in lieu thereof "thirty-six hundred dollars, (\$3,600.00) per year, and the compensation of two (2) deputy assessors shall be eighteen hundred dollars (\$1,800.00) per year each."

Further amend Senate File Forty-one (41) by striking the words "Sec. 2." and inserting in lieu thereof "Sec. 3".
JOHN P. BERG.

Amend Senate File 80 as follows:

1. Amend by striking from lines 2 and 3 of the title the words and figures "four thousand seven hundred fifty-six (4756)" and inserting in lieu thereof the words and figures "four thousand seven hundred sixty-five (4765)".

2. Amend by striking from lines 1 and 2 of section 2 the words and figures "four thousand seven hundred fifty-six (4756)" and inserting in lieu thereof the words and figures "four thousand seven hundred sixty-five (4765)".
GEORGE FAUL.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 23, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend Walter Martin, pastor of the First Presbyterian church, Indianola, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

Senator Lucas, from residents of Story county, favoring the revision of the school code.

Senator Knudson, from residents of Franklin county, favoring the revision of the school code.

Senator Miller, from residents of Audubon county, favoring the revision of the school code.

Senator Mercer, from residents of Johnson county, opposing the placing of chiefs of police on civil service.

Senator Shaw, from residents of Pocahontas county, relating to liquor control.

Senator Vittetoe, from residents of Keokuk county, favoring the revision of the school code.

Senator Hart, from residents of Lee county, favoring the revision of the school code.

Senator Mowry, from residents of Jasper county, favoring the revision of the school code.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Vrba for the day on request of Senator Mercer.

INTRODUCTION OF BILLS

Senate File 95, by Senator Mowry (Morrissey), a bill for an act to amend section one thousand five hundred fifty-six and eight

one-hundredths (1556.08), Code, 1939, providing for adjustment of retail cigarette license permits during a period of emergency.

Read first and second times and passed on file.

Senate File 96, by committee on compensation of public officers and employees, a bill for an act to amend section ten thousand eight hundred four (10804), Code, 1939, relating to the salary of Judges of the District Court.

Read first and second times and placed on the calendar.

Senate File 97, by Senator Martin, a bill for an act relating to the rights of owners of certain riparian lands.

Read first and second times and passed on file.

Senate File 98, by committee on judiciary 1, a bill for an act to amend section twelve thousand nine hundred fourteen (12914), Code, 1939, relating to the fixing of judgment in cases of first degree murder where the defendant has entered a plea of guilty.

Read first and second times and placed on the calendar.

Senate File 99, by Senator Faul, 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 section 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 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 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 and passed on file.

Senate File 100, by Senator Faul, a bill for an act to amend section one thousand five hundred fifty-one and ten hundredths (1551.10), Code, 1939, relating to the benefit eligibility condition of a required waiting period under the unemployment compensation law.

Read first and second times and passed on file.

Senate File 101, by Senators Sharp, Sjulín, Hart, Doud, Faul, Pine, Cromwell, Mercer, Knudson, Keir, Long, and Hultman, a bill for an act to amend the law as it appears in chapters seventy (70) and seventy-one (71), Code, 1939, and sections one thousand three hundred eighty-seven (1387), one thousand three hundred ninety (1390), one thousand three hundred ninety-one (1391), one thousand three hundred ninety-three (1393), one thousand three hundred ninety-four (1394), and one thousand four hundred fifty-seven (1457) thereof, relating to workmen's compensation, fixing the maximum amount of weekly compensation, fixing the time when compensation shall be payable, reducing the waiting period before commencement of payments, and fixing the time within which an award or settlement may be reviewed.

Read first and second times and passed on file.

Senate File 102, by Senators Sharp, Sjulín, Hart, Doud, Faul, Pine, Cromwell, Mercer, Knudson, Keir, Long, and Hultman, a bill for an act to amend the law as it appears in chapter seventy (70), Code, 1939, and also sections one thousand three hundred ninety-two (1392) and one thousand three hundred ninety-seven (1397) relating to workmen's compensation so as to provide for the payment of compensation to certain employees for certain second injuries, to provide for a Second Injury Fund and for the making of contributions thereto and providing for the administration of the act.

Read first and second times and passed on file.

Senate File 103, by Senators Sharp, Sjulín, Hart, Doud, Faul, Pine, Cromwell, Mercer, Knudson, Keir, Long, and Hultman, a bill for an act to amend the law as it appears in chapter seventy-seven and two tenths (77.2), Code of 1939, and sections one thousand five hundred fifty-one and nine hundredths (1551.09), one thousand five hundred fifty-one and ten hundredths, sub-section E

(1551.10-E) as amended, section one thousand five hundred fifty-one and thirteen hundredths, sub-section C, paragraph one (1551.13-C-1), one thousand five hundred fifty-one and twenty-five hundredths, sub-sections J and Q (1551.25-J-Q), and to repeal section one thousand five hundred fifty-one and eleven hundredths, sub-sections A and B (1551.11-A-B), and to enact a substitute therefor all in said chapter relating to unemployment compensation and the payment thereof, so as to increase the weekly benefits and to provide the method of determining the same; so as to increase individual credits and lengthen the duration of payment of benefits; so as to re-state provisions relating to eligibility and disqualifications for benefits; so as to re-define total unemployment and partial unemployment; so as to increase the maximum amount of benefits which may be charged against the account of an employer; so as to fix the method of receiving and processing of claims filed prior to the effective date of this act; and to repeal all acts or parts of acts in conflict with this act.

Read first and second times and passed on file.

Senate File 104, by Senators Sharp, Sjulín, Hart, Doud, Faul, Pine, Cromwell, Mercer, Knudson, Keir, Long, and Hultman, a bill for an act to amend section one thousand five hundred fifty-one and thirteen hundredths sub-section C, (1551.13-C), Code of 1939, relating to unemployment compensation so as to provide for the transfer of employers' accounts to successor employers.

Read first and second times and passed on file.

Senate File 105, by Senators Sharp, Sjulín, Hart, Doud, Faul, Pine, Cromwell, Mercer, Knudson, Keir, Long, and Hultman, a bill for an act to amend section one thousand five hundred fifty-one and thirteen hundredths (1551.13), Code of 1939, relating to unemployment compensation contributions so as to permit voluntary payments or contributions by employers.

Read first and second times and passed on file.

Senate File 106, by Senator Faul (Sloane and Burkman), a bill for an act to amend sections seven thousand two hundred three (7203) and seven thousand two hundred five (7205), Code, 1939, to create the lien of personal property tax on such personal property which was the basis of such tax.

Read first and second times and passed on file.

Senate File 107, by Senator Faul (Sloane and Burkman), a bill for an act to amend section ten thousand six hundred eighty-two (10682), Code, 1939, relating to the duration of liens of judgments transcribed from municipal courts to district courts.

Read first and second times and passed on file.

Senate File 108, by Senator Watson, a bill for an act to amend sections fifty-four hundred twenty (5420) and fifty-four hundred forty-six (5446), Code, 1939, relating to the licensing of dogs.

Read first and second times and passed on file.

Senate File 109, by committee on insurance, a bill for an act to amend chapters three hundred ninety-eight (398), four hundred (400), and four hundred one (401) of the Code of Iowa, 1939, relating to investments by life insurance companies and associations and the regulation of said investments, companies and associations under the supervision of the Insurance Commissioner of the State of Iowa, by amending sections eight thousand six hundred fifty-seven (8657), eight thousand six hundred fifty-eight (8658), eight thousand six hundred fifty-nine (8659), eight thousand seven hundred twenty-two (8722), eight thousand seven hundred forty-five (8745), and eight thousand seven hundred forty-six (8746), and repealing sections eight thousand six hundred fifty-five (8655), eight thousand six hundred fifty-six (8656), eight thousand six hundred sixty-four (8664), eight thousand six hundred sixty-five (8665), eight thousand six hundred ninety-eight (8698), eight thousand six hundred ninety-nine (8699), eight thousand seven hundred (8700), eight thousand seven hundred one (8701), eight thousand seven hundred thirty-five (8735), eight thousand seven hundred thirty-six (8736), eight thousand seven hundred thirty-seven (8737), eight thousand seven hundred thirty-eight (8738), eight thousand seven hundred thirty-nine (8739), eight thousand seven hundred forty (8740), eight thousand seven hundred forty-one (8741), eight thousand seven hundred forty-one and one tenth (8741.1), eight thousand seven hundred forty-two (8742), eight thousand seven hundred forty-three (8743), eight thousand seven hundred forty-four (8744), and eight thousand seven hundred forty-seven (8747) thereof, and enacting substitutes therefor.

Read first and second times and placed on calendar.

Senate File 110, by committee on insurance, a bill for an act

to repeal section nine thousand seventeen (9017) and section nine thousand eighteen (9018), Code, 1939, and to enact a substitute therefor to be known as section nine thousand seventeen (9017); to amend section eight thousand nine hundred eighty-eight (8988) nine thousand ten (9010) and nine thousand twenty-one (9021), Code, 1939; and to repeal sections eight thousand nine hundred seventy-nine (8979), eight thousand nine hundred eighty-two (8982), eight thousand nine hundred eighty-three (8983), eight thousand nine hundred eighty-six (8986), eight thousand nine hundred ninety-six (8996) and nine thousand twenty-one A one (9021-A 1) Code, 1939, all relating to standard policy provisions in fire insurance contracts.

Read first and second times and placed on calendar.

Senate File 111, by Senator Foster, a bill for an act to amend section four thousand two hundred thirty-three and four tenths (4233.4), Code, 1939, relating to transportation of school children.

Read first and second times and placed on file.

Senate File 112, by committee on judiciary 2, a bill for an act to amend section two thousand five hundred thirteen (2513), Code, 1939, relating to itinerant licenses for cosmetologists.

Read first and second times and placed on calendar.

Senate File 113, by committee on judiciary 2, a bill for an act to clarify various amendments of the 49th General Assembly to the statutes relating to old-age assistance.

Read first and second times and placed on calendar.

Senate File 114, by Senators Byers, Bekman and Clem, a bill for an act to amend sections fourteen hundred twenty-four (1424), fourteen hundred twenty-five (1425), fourteen hundred thirty-seven (1437), fourteen hundred thirty-eight (1438), fourteen hundred forty (1440), fourteen hundred forty-one (1441), fourteen hundred forty-two (1442), fourteen hundred forty-three (1443), fourteen hundred forty-four (1444), fourteen hundred forty-six (1446), fourteen hundred forty-seven (1447), fourteen hundred sixty (1460) of the 1939 Code of Iowa relating to Workmen's Compensation Law of Iowa, providing for additional deputy industrial commissioner and prescribing the powers and duties of the industrial commissioner, his deputies, and providing for pro-

cedure for hearings on application for arbitration before the deputy industrial commissioners and boards of arbitration.

Read first and second times and passed on file.

Senate File 115, by Senators Lucas and Dewel, a bill for an act to amend chapter one hundred eighty-one (181), Laws of the Forty-ninth (49th) General Assembly of the State of Iowa, relating to refund of motor vehicle fuel license fees.

Read first and second times and passed on file.

Senate File 116, by Senators Dewel, Shaw, Keir, Lucas, (Frederickson, Robb, Capesius, Peterson, Watson, Smith of Dickinson, Kuhlmann, Latchaw), a bill for an act to make an appropriation to the State Conservation Commission for the purpose of dredging and improving Five Island Lake in Palo Alto county, Iowa, for the fiscal year ending June 30, 1946, and the fiscal year ending June 30, 1947.

Read first and second times 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 Senate is asked:

House File 88, a bill for an act making an appropriation for miscellaneous expense of the General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File 88, a bill for an act making an appropriation for miscellaneous expense of the General Assembly.

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

UNFINISHED BUSINESS

Senator Faul called up Senate File 80, 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, and moved that Senate File 80 be rereferred to the committee on judiciary 1, which motion prevailed.

Senator Lynes called up Senate File 44, a bill for an act to amend section eight thousand three hundred sixty (8360), Code, 1939, relating to amendments to articles of incorporation by certain corporations, and moved that the bill be read a third 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	Klein	Newsome
Barkley	Hart	Knudson	Pine
Bekman	Harvey	Leo	Reilly
Benson	Hawkins	Long	Ritchie
Berg	Henningsen	Love	Schluter
Byers	Hill	Lucas	Shaw
Clem	Hultman	Lynes	Vittetoe
Dewel	Jacobson	Martin	Watson
Doud	Jones	Mercer	White
Elthon	Keir	Miller	Zastrow
Findlay	Kirketeg		

Nays, 2:

Faul Sjulín

Absent or not voting, 5:

Cromwell	Mowry	Sharp	Vrba
Dykhouse			

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.

THIRD READING OF BILLS

On motion of Senator Faul, Senate File 59, a bill for an act to amend chapters twelve (12), Code, 1939, by inserting therein a new section designated section one hundred fifty-one and three tenths (151.3) relating to the appointment by the attorney general of a special assistant attorney general, and prescribing his duties, was taken up and considered.

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

Rule 8 was invoked.

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

Ayes, 23:

Barkley	Doud	Keir	Mowry
Benson	Foster	Kirketeg	Schluter
Berg	Hart	Klein	Sjulin
Clem	Hill	Knudson	Vittetoe
Cromwell	Jacobson	Lucas	Zastrow
Dewel	Jones	Martin	

Nays, 23:

Augustine	Harvey	Love	Reilly
Byers	Hawkins	Lynes	Ritchie
Dykhouse	Henningsen	Mercer	Shaw
Elthon	Hultman	Miller	Watson
Faul	Leo	Newsome	White
Findlay	Long	Pine	

Absent or not voting, 3:

Bekman	Sharp	Vrba
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Faul moved to reconsider the vote by which Senate File 59 failed to pass the Senate.

Senator Shaw moved that the motion to reconsider the vote by which Senate File 59 failed to pass the Senate be laid on the table.

The motion prevailed and the motion to reconsider the vote by which Senate File 59 failed to pass the Senate was laid on the table.

On motion of Senator Berg, Senate File 21, a bill for an act relating to the annual salary of the Governor of the state of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 42:

Augustine	Faul	Kirketeg	Miller
Barkley	Findlay	Klein	Mowry
Bekman	Foster	Knudson	Newsome
Benson	Hart	Leo	Reilly
Berg	Harvey	Long	Schluter
Byers	Hawkins	Love	Shaw
Clem	Henningsen	Lucas	Sjulin
Cromwell	Hill	Lynes	Vittetoe
Dewel	Hultman	Martin	White
Doud	Jacobson	Mercer	Zastrow
Dykhouse	Keir		

Nays, 4:

Elthon	Pine	Ritchie	Watson
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Absent or not voting, 3:

Jones	Sharp	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 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, Senate File 42, a bill for an act to repeal section four (4), chapter one (1), Code, 1939, and enact a substitute therefor, and to repeal section one (1), chapter forty-one (41), Acts of the Fiftieth (50th) General Assembly, and to amend section two (2), chapter forty-one (41), Acts of the Fiftieth (50th) General Assembly, relating to acquisition of real estate by the United States within this state, and jurisdiction thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend by striking from section 1, lines 18 through 21, inclusive.

The amendment was adopted.

Senator Faul moved the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 3:

Augustine	Barkley	Zastrow
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Nays, 38:

Bekman	Foster	Knudson	Newsome
Berg	Harvey	Leo	Pine
Byers	Hawkins	Long	Ritchie
Clem	Henningsen	Love	Schluter
Cromwell	Hill	Lucas	Shaw
Dewel	Hutlman	Lynes	Sjulin
Doud	Jacobson	Mercer	Vittetoe
Elthon	Jones	Miller	Watson
Faul	Kirketeg	Mowry	White
Findlay	Klein		

Absent or not voting, 8:

Benson	Hart	Martin	Sharp
Dykhouse	Keir	Reilly	Vrba

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.

ADDITIONAL COPIES

Senator Faul asked and received unanimous consent to have 500 additional copies of Senate File 109 and Senate File 110 printed.

BILLS ASSIGNED TO COMMITTEES

President Evans announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S.J.R. 2	Governmental Affairs.
S. F. 89	Judiciary 1.
S. F. 90	Judiciary 2.
S. F. 91	Judiciary 1.
S. F. 92	Judiciary 2.
S. F. 93	Judiciary 2.
S. F. 94	Judiciary 1.

REPORTS OF COMMITTEES

Senator O. N. Hultman submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred Senate File 32, a bill for an act to amend chapter fifty-one (51), Acts of the Fiftieth 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 amended as follows, and when so amended the bill do pass:

Amend Senate File 32 by striking section one (1) thereof and substituting in lieu thereof the following:

Section 1. Amend Chapter fifty-one (51) of the acts of the Fiftieth General Assembly by striking the figure five (5) in the last line of section two (2) of said act and inserting the figure seven (7).

O. N. HULTMAN, *Chairman.*

Ordered passed on file.

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was re-

ferred House File 46, a bill for an act modifying penalties for failure to take out sales tax permits, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Also:

Your committee on judiciary 2 to which was referred House File 47, a bill for an act relating to chain store tax, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Senator J. T. Dykhouse submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File 4, a bill for an act to amend Sec. 7214, Code, 1939, relating to interest and penalty on delinquent taxes, 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 ways and means to which was referred House File 2, a bill for an act providing for the payment of refunds to persons who have overpaid Iowa chain store taxes, 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 ways and means to which was referred House File 4, a bill for an act relating to the exemption of soldiers' bonus bonds from state taxation, 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.

AMENDMENTS FILED

Amend Senate File 1 by striking the period at the end of line 13 and inserting the following:

" , Army of Occupation in Germany November 12, 1918 to July 11, 1923, American Expeditionary Forces in Siberia November 12, 1918 to April 30, 1920, Second Nicaraguan Campaign with the Navy or Marines in Nicaragua or on combatant ships 1926-1933, Second Haitian Suppressions of Insurrections 1919-1920, Navy and Marine Operations in China 1937-1939, Yangtze Service with Navy and Marines in Shanghai or in Yangtze Valley 1926-1927 and 1930-1932, and the Philippine Insurrection."

DEVERE WATSON.

Amend Senate File 3 by inserting after the word "received" in line 6 the following:

"in any one calendar year,"

DEVERE WATSON.

Amend Senate File 39 as follows:

1. In section one (1) line seven (7) strike the word "act" and insert in lieu thereof the word "chapter".

2. In section three (3) line two (2) strike the word "act" and insert in lieu thereof the word "chapter".

3. In section four (4) line one (1) strike the word "act" and insert in lieu thereof the word "chapter".

4. In section five (5) line five (5) strike the word "act" and insert in lieu thereof the word "chapter".

5. In section six (6) line twelve (12) strike the word "act" and insert in lieu thereof the word "chapter".

6. In section seven (7) line one (1) strike the word "act" and insert in lieu thereof the word "chapter".

7. In section seven (7) line ten (10) strike the word "act" and insert in lieu thereof the word "chapter".

8. In section seven (7) line eighteen (18) strike the word "act" and insert in lieu thereof the word "chapter".

9. In section eight (8) line four (4) strike the word "act" and insert in lieu thereof the word "chapter".

10. In section nine (9) line four (4) strike the word "act" and insert in lieu thereof the word "chapter".

11. In section eleven (11) line three (3) strike the word "act" and insert in lieu thereof the word "chapter".

12. In section twenty-one (21) line twelve (12) strike the word "act" and insert in lieu thereof the word "chapter".

13. In section twenty-three (23) line four (4) strike the word "act" and insert in lieu thereof the word "chapter".

14. In section twenty-four (24) line three (3) strike the word "act" and insert in lieu thereof the word "chapter".

FRED CROMWELL.

Amend Senate File 39 by striking from lines thirteen (13), fourteen (14) and fifteen (15) of section seven (7) the following: "this act be construed to include in any way the services rendered by an attorney at law" and insert in lieu thereof the following: "the provisions of this chapter apply to an attorney admitted to practice in Iowa."

FRED CROMWELL.

Amend Senate File 39 by striking all of section fourteen (14) thereof.

Further amend Senate File thirty-nine (39) by renumbering the remaining sections.

FRED CROMWELL.

Amendment 1

Amend the title to Senate File 75 by substituting the following therefor:

"An act to amend section two hundred fifteen (215), Code, 1939, relating to the duties of the superintendent of printing and the publication of the state salary list."

Amendment 2

Amend Senate File 75 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 striking therefrom subsection twelve (12)."

HERMAN M. KNUDSON.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 24, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend L. H. Athey, pastor of the Epworth Methodist Church of Council Bluffs, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

Senator Hill, from residents of Hardin county, favoring the revision of the school code.

Senator Ritchie, from residents of Ida and Plymouth counties, favoring the revision of the school code.

Senator Barkley, from residents of Davis county, favoring salary increase for county officers; also, from residents of Monroe county, relative to proposed mining legislation.

Senator Reilly, from residents of Dubuque county, favoring the revision of the school code.

Senator Harvey, from residents of Monroe county, relative to proposed mining legislation.

Senator Foster, from residents of Washington county, favoring a pension and retirement plan for municipal employees.

LEAVE OF ABSENCE

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

INTRODUCTION OF BILLS

Senate File 117, by Senator Schluter, a bill for an act to amend section six thousand nine hundred forty-three and forty-five thousandths (6943.045), Code of Iowa, 1939, relating to income tax returns.

Read first and second times and passed on file.

Senate File 118, by Senators Shaw, Sjulín, Elthon, Zastrow, and Hill, a bill for an act to amend section ten thousand one hundred fifty-nine (10159) and ten thousand one hundred sixty-one (10161), Code, 1939, relating to termination of farm tenancies.

Read first and second times and passed on file.

Senate File 119, by Senators Byers, Pine, Mowry, Watson, Bekman, Findlay, and Mercer, a bill for an act relating to wages on public works, and the payment of the general prevailing rates 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 and passed on file.

Senate File 120, by Senator Mowry (Morrissey), a bill for an act to repeal sections three thousand eight hundred twenty-eight and thirty-nine thousandths (3828.039), three thousand eight hundred twenty-eight and forty thousandths (3828.040), three thousand eight hundred twenty-eight and forty-one thousandths (3828.041), Code, 1939, relating to a tax levied to create an old age assistance fund, and to provide for a statute of limitation against the collection of said taxes and to eliminate any liens upon property.

Read first and second times and passed on file.

Senate File 121, by Senator Reilly, a bill for an act to amend chapter three hundred twenty-eight (328), Code, 1939, to permit cities over twenty-five thousand population operating under the manager plan to increase the levy for park purposes.

Read first and second times and passed on file.

Senate File 122, by committee on banks, building and loan, 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 and placed on calendar.

Senate File 123, by Senator Hawkins, a bill for an act to repeal chapter two hundred fifty-five (255), Laws of the 50th General

Assembly, and to strike a portion of section ten thousand one hundred sixty-one (10161), Code, 1939, relating to the termination of agricultural leases and tenancy.

Read first and second times and passed on file.

Senate File 124, by Senators Byers and Hart, a bill for an act to amend sections ten thousand seven hundred thirty-nine (10739), and ten thousand seven hundred forty-eight (10748), Code, 1939, relating to the salary of judges of the superior court.

Read first and second times and passed on file.

Senate File 125, by committee on motor vehicles, a bill for an act to amend section five thousand and one hundredth (5000.01), Code, 1939, paragraph forty (40), as amended by chapter one hundred fifty-five (155), Acts of the 50th General Assembly, relating to certain exemptions from the chauffeur's license requirements.

Read first and second times and placed on calendar.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted House Concurrent Resolution 8, providing for the printing of committee books and rule books of the 51st General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 8

Be It Resolved by the House, the Senate Concurring: That three thousand five hundred (3,500) copies of the committee books and one thousand five hundred (1,500) copies of the rule books shall be printed, all to be bound in paper covers.

Senator Hart asked and received unanimous consent to take up House Concurrent Resolution 8 and moved its adoption.

The motion prevailed and the resolution was adopted.

THIRD READING OF BILLS

On motion of Senator Faul, Senate File 4, a bill for an act to amend section seven thousand two hundred fourteen (7214), Code, 1939, relating to interest and penalty on 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, 46:

Augustine	Faul	Kirketeg	Reilly
Barkley	Findlay	Klein	Ritchie
Bekman	Foster	Leo	Schluter
Benson	Hart	Love	Sharp
Berg	Harvey	Lucas	Shaw
Byers	Hawkins	Lynes	Sjulin
Clem	Henningsen	Martin	Vittetoe
Cromwell	Hill	Miller	Vrba
Dewel	Hultman	Mowry	Watson
Doud	Jacobson	Newsome	White
Dykhous	Jones	Pine	Zastrow
Elthon	Keir		

Nays, none.

Absent or not voting, 3:

Knudson	Long	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.

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 Mowry, Senate File 32, a bill for an act to amend chapter fifty-one (51), Acts of the Fiftieth General Assembly, relating to compensation of county, municipal and school examiners and their assistants, 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 32 by striking section one (1) thereof and substituting in lieu the following:

Section 1. Amend chapter fifty-one (51) of the Acts of the Fiftieth General Assembly by striking the figure five (5) in the last line of section two (2) of said act and inserting the figure seven (7).

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, 47:

Augustine	Faul	Kirketeg	Reilly
Barkley	Findlay	Klein	Ritchie
Bekman	Foster	Knudson	Schluter
Benson	Hart	Leo	Sharp
Berg	Harvey	Love	Shaw
Byers	Hawkins	Lucas	Sjulin
Clem	Henningsen	Lynes	Vittetoe
Cromwell	Hill	Martin	Vrba
Dewel	Hultman	Miller	Watson
Doud	Jacobson	Mowry	White
Dykhouse	Jones	Newsome	Zastrow
Elthon	Keir	Pine	

Nays, none.

Absent or not voting, 2:

Long Mercer

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

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

On motion of Senator Faul, Senate File 98, a bill for an act to amend section twelve thousand nine hundred fourteen (12914), Code, 1939, relating to the fixing of judgment in cases of first degree murder where the defendant has entered a plea of guilty, was taken up and considered.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 98 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section twelve thousand nine hundred fourteen (12914), Code, 1939, is amended by adding the following:

If the defendant enters a plea of guilty the Supreme Court of the State of Iowa shall upon a written request of the trial judge designate two other district judges to sit as a court to hear the testimony and pass sentence accordingly. The trial judge shall be the presiding judge at the hearing and shall rule on the evidence in the determination of all issues. A majority of the Court may enter judgment against and pass sentence on the defendant. The court costs incident to such proceedings, and the reasonable expense of said judges in attending said hearings after being approved by the supreme court shall be paid as court costs by the executive council.

"Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in Plain Talk, a newspaper published at Des Moines, Iowa, and in the Harlan News-Advertiser, a newspaper published at Harlan, Iowa."

The amendment was adopted.

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

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

Ayes, 39:

Augustine	Elthon	Jacobson	Reilly
Barkley	Faul	Jones	Schluter
Bekman	Findlay	Keir	Sharp
Benson	Foster	Kirketeg	Shaw
Berg	Hart	Klein	Sjulin
Byers	Harvey	Long	Vittetoe
Cromwell	Hawkins	Love	Vrba
Dewel	Henningsen	Lucas	Watson
Doud	Hill	Mowry	White
Dykhouse	Hultman	Newsome	

Nays, 8:

Clem	Leo	Martin	Ritchie
Knudson	Lynes	Pine	Zastrow

Absent or not voting, 2:

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

Senator 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 112, a bill for an act to amend section two thousand five hundred thirteen (2513), Code, 1939, relating to itinerant licenses for cosmetologists, 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, 43:

Augustine	Faul	Kirketeg	Reilly
Barkley	Findlay	Klein	Ritchie
Benson	Hart	Knudson	Schluter
Berg	Harvey	Leo	Sharp
Byers	Hawkins	Lucas	Shaw
Clem	Henningsen	Lynes	Sjulin
Cromwell	Hill	Martin	Vrba
Dewel	Hultman	Miller	Watson
Doud	Jacobson	Mowry	White
Dykhouse	Jones	Newsome	Zastrow
Elthon	Keir	Pine	

Nays, none.

Absent or not voting, 6:

Bekman	Long	Mercer	Vittetoe
Foster	Love		

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 Dykhouse, House File 2, a bill for an act providing for the payment of refunds to persons who have overpaid Iowa chain store taxes, 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, 43:

Augustine	Foster	Klein	Ritchie
Barkley	Hart	Knudson	Schluter
Berg	Harvey	Leo	Sharp
Clem	Hawkins	Lucas	Shaw
Cromwell	Henningsen	Lynes	Sjulin
Dewel	Hill	Martin	Vittetoe
Doud	Hultman	Miller	Vrba
Dykhouse	Jacobson	Mowry	Watson
Elthon	Jones	Newsome	White
Faul	Keir	Pine	Zastrow
Findlay	Kirketeg	Reilly	

Nays, none.

Absent or not voting, 6:

Bekman	Byers	Love	Mercer
Benson	Long		

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 4, a bill for an act to repeal subsection twenty-two (22) of section six thousand nine hundred forty-four (6944), Code, 1939, relating to the exemption of soldiers' bonus bonds from state taxation, with report of com-

mittee 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, 48:

Augustine	Faul	Kirketeg	Pine
Barkley	Findlay	Klein	Reilly
Bekman	Foster	Knudson	Ritchie
Benson	Hart	Leo	Schluter
Berg	Harvey	Long	Sharp
Byers	Hawkins	Love	Shaw
Clem	Henningsen	Lucas	Sjulin
Cromwell	Hill	Lynes	Vittetoe
Dewel	Hultman	Martin	Vrba
Doud	Jacobson	Miller	Watson
Dykhouse	Jones	Mowry	White
Elthon	Keir	Newsome	Zastrow

Nays, none.

Absent or not voting, 1:

Mercer

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 Byers, House File 46, a bill for an act amending subsection two (2) of section six thousand nine hundred forty-three and eighty-nine thousandths (6943.089), Code, 1939, modifying the penalties for failure to take out sales tax permits, 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	Cromwell	Foster	Jacobson
Barkley	Dewel	Hart	Jones
Bekman	Doud	Harvey	Keir
Benson	Dykhouse	Hawkins	Kirketeg
Berg	Elthon	Henningsen	Klein
Byers	Faul	Hill	Knudson
Clem	Findlay	Hultman	Leo

Long	Miller	Ritchie	Vittetoe
Love	Mowry	Schluter	Vrba
Lucas	Newsome	Sharp	Watson
Lynes	Pine	Shaw	White
Martin	Reilly	Sjulin	Zastrow

Nays, none.

Absent or not voting, 1:

Mercer

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.

PRESENTATION OF VISITORS

Senator Jacobson asked and obtained unanimous consent to present a former senator from his district, Senator Paul P. Stewart, who was present in the Senate chamber.

Senator Mowry asked and received unanimous consent to present former Senator R. E. Stevens of Wapello county, who was present in the Senate chamber.

BILLS ASSIGNED TO COMMITTEES

President Evans announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 95	Judiciary 2.
S. F. 97	Judiciary 1.
S. F. 99	Social Security.
S. F. 100	Social Security.
S. F. 101	Social Security.
S. F. 102	Social Security.
S. F. 103	Social Security.
S. F. 104	Social Security.
S. F. 105	Social Security.
S. F. 106	Judiciary 2.
S. F. 107	Judiciary 2.
S. F. 108	Governmental Affairs.
S. F. 111	Schools and Educational Institutions
S. F. 114	Judiciary 2.
S. F. 115	Motor Vehicles.
S. F. 116	Conservation.

REPORT OF THE SUPREME COURT OF IOWA
ON RULES OF CIVIL PROCEDURE

To the Fifty-first General Assembly of Iowa:

In accordance with Chapter 311, Acts of the Forty-ninth General Assembly, the Supreme Court of Iowa has prescribed 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. They were reported by the court to the Fiftieth General Assembly and went into force and effect July 4, 1943.

After a year and a half of operation, there are a number of modifications in the Rules of Civil Procedure which appear to the court desirable. Accordingly, the court has prescribed the following Rules, in the nature of modifications and revisions in the Rules of Civil Procedure and Appendix I attached thereto, which were reported to the Fiftieth General Assembly, to wit:

RULE 54

Rule 54 has been revised to read as follows:

"Rule 54. Same; Special Cases; Appearance of Garnishee.

"(a) Any statute of Iowa which specially requires appearance by a particular defendant, or in a particular action, within a specified time, shall govern the time for appearance in such cases, rather than Rule 53.

"(b) The officer serving a writ of attachment or execution shall garnish such persons as the plaintiff may direct as supposed debtors, or having in possession property of the principal defendant, which shall be effected by a notice served in the manner and as an original notice in civil actions, forbidding his paying any debt owing such defendant, due or to become due, and requiring him to retain possession of all property of the defendant in his hands or under his control, to the end that the same may be dealt with according to law, and, unless answers are required to be taken as provided by statute, it shall cite the garnishee to appear in not less than ten (10) days after service of the notice and at a time specified when court will be in session and a judge will be present, and answer such interrogatories as may be propounded, or he will be liable to pay any judgment which the plaintiff may obtain against the defendant."

COMMENT

Section 12157 provided that the garnishee be cited to appear on the first day of the next term. Under the new procedure for commencement of actions, unreasonable delays have been experienced under Section 12157.

RULE 56

Paragraph (b) of Rule 56 has been amended by adding thereto the following sentence:

"Where the notice upon a minor is served on behalf of one who is the guardian or other fiduciary and the guardian or other fiduciary is the only person who would be available upon whom service could be made, the court or a judge shall appoint, without prior notice on the ward, a guardian ad litem upon whom service shall be made and who shall defend for the minor."

Paragraph (c) of Rule 56 has been amended by adding thereto the following sentence:

"Where the notice upon an incompetent is served on behalf of one who is the guardian or other fiduciary and the guardian or other fiduciary is the only person who would be available upon whom service could be made, the court or a judge shall appoint, without prior notice to the ward, a guardian ad litem upon whom service shall be made and who shall defend for the incompetent."

COMMENT

The foregoing amendments were made because of the fact that, under the rule as first prescribed, where the guardian or fiduciary is the only person who would be a proper person upon whom service could be made, it was either necessary for the guardian or fiduciary to resign or to serve himself as parent, etc.

RULE 60

Clause (e) of Rule 60 has been amended by changing the semi-colon at the end thereof to a comma, and adding thereto:

"or if his residence is unknown;".

Clause (k) of Rule 60 has been stricken and clauses (l) and (m) have been designated as clauses (k) and (l) respectively.

COMMENT

The change in clause (e) was made to apply to those cases in which there are unknown defendants.

The second amendment was made to avoid an apparent conflict between Rule 60 (k), which was patterned after Par. 11, Section 11081 of the Code, and Section 11935 of the Code. Section 11935 is adequate without Rule 60 (k). Section 11081, Code, 1939, is shown by Appendix I of the Rules as having been superseded in toto.

RULE 80

The first sentence of Paragraph (a) of Rule 80 has been stricken and the following inserted in lieu thereof:

"Pleadings need not be verified unless special statutes so require and, where a pleading is verified, it is not necessary that subsequent pleadings be verified unless special statutes so require."

COMMENT

The change clarifies the language.

RULE 85

The word "five" which appeared twice in the first sentence of Paragraph (a) of Rule 85, once in the first clause of Paragraph (b) thereof, and once in the second clause of Paragraph (e) thereof, has been stricken in each instance, and, in lieu thereof, the word "seven" inserted in each instance.

Paragraph (f) of Rule 85 has been amended by striking out the word "amend" in the first sentence and also by striking out the second sentence thereof and inserting, in lieu of said second sentence, the following:

"For good cause but not ex parte, and upon such terms as the court prescribes, the court may grant a party the right to file a motion, answer or reply where the time to file same has expired."

COMMENT

The first change, wherein the word "five" is stricken in four places and the word "seven" substituted therefor, was made to avoid confusion.

The change in Paragraph (f) was made to avoid miscarriage of justice by giving the court discretion in permitting the filing of motions, answers or replies, thus avoiding the loss of substantial rights through the strict application of an arbitrary rule of procedure. The reference to amendments was stricken to avoid a conflict with Rule 88.

RULE 86

Rule 86 has been revised to read as follows:

"If a party is required or permitted to plead further by an order or ruling, the clerk shall forthwith mail or deliver notice of such order or ruling to the attorneys of record. Presence of counsel when the court announces such ruling or order shall be the equivalent of such mailing or delivery. Unless otherwise provided by order or ruling, such party shall file such further pleading within seven (7) days after such mailing or delivery; and if such party fails to do so within such time, he thereby elects to stand on the record theretofore made. On such election, the ruling shall be deemed a final adjudication in the trial court without further judgment or order; reserving only such issues, if any, which remain undisposed of by such ruling and election."

COMMENT

The change was made to clarify the language.

RULE 117

Paragraph (a) of Rule 117 has been amended by striking the second sentence and inserting in lieu thereof the following:

"Unless the parties or their counsel file a written stipulation to the contrary, all motions made prior to trial on issues of fact, on file for twenty (20) days or more, must then be submitted."

COMMENT

This amendment was made to avoid a harsh situation by permitting counsel to agree to an extension of time for submitting a motion.

RULE 153

Rule 153 has been amended by adding thereto the following:

"(d) When the witness is in the military or naval service of the United States, his deposition may be taken before any commissioned officer under whose command he is serving, or any commissioned officer in the judge advocate general's department."

COMMENT

This amendment was made to facilitate the taking of depositions of those in the armed forces.

RULE 177

Rule 177 has been amended by adding thereto the following:

"(d) Notwithstanding the failure of a party to demand a jury in an action in which such demand might have been made of right, the court, in its discretion on motion and for good cause shown, but not ex parte, and upon such terms as the court prescribes, may order a trial by jury of any or all issues."

COMMENT

The federal rules give the trial court discretion in granting a jury trial where the right thereto would otherwise be lost because of failure to demand the same within the strict requirements of the rule. The amendment preserved the right to demand a jury trial and also accords the trial court discretion similar to that exercised by the federal courts which seems to be desirable for a proper administration of justice.

RULE 288

Rule 288 has been amended by striking the second sentence and inserting in lieu thereof, the following:

"No bond shall be required before the referee conveys real estate unless he is to sell personalty or take possession of real estate or is to receive a payment on the sale before conveyance, in which case, he shall give such bond as the court directs."

COMMENT

This amendment was made for the purpose of affording protection in a case where a substantial down payment is made before conveyance.

RULE 331

Rule 331 has been revised to read as follows:

"Rule 331. From Final Judgment.

"(a) All final judgments and decisions of courts of record, and any final adjudication in the trial court under Rule 86 involving the merits or materially affecting the final decision, may be appealed to the Supreme Court, except as provided in this Rule and in Rule 333.

"(b) No interlocutory ruling or decision may be appealed, except as provided in Rule 332, until after the final judgment or order. No error in such interlocutory ruling or decision is waived by pleading over, or proceeding to trial. On appeal from the final judgment, there may be assigned as error such interlocutory ruling or decision or any final adjudication in the trial court under Rule 86 from which no appeal has been taken, where such ruling, decision, or final adjudication is shown to have substantially affected the rights of the complaining party."

COMMENT

The amendment was made for the purpose of clarifying the situation where a ruling becomes a final adjudication under Rule 86 and to permit an appeal from such ruling as a matter of right but to further provide that, in the event such right to appeal is not exercised, the question presented by the ruling may be raised on appeal from the final judgment if it is shown to have substantially affected the rights of the complaining party.

RULE 332

Paragraph (a) of Rule 332 has been amended by adding thereto the following sentence:

"No such application is necessary where the appeal is, pursuant to Rule 331, from a final adjudication in the trial court under Rule 86."

COMMENT

This amendment was made for the purpose of clarifying the situation where an appeal as a matter of right exists under Rules 86 and 331.

RULE 335

Rule 335 has been amended by striking the period at the end thereof and adding the following:

“; provided however, that, where an application to the Supreme Court or any Justice thereof to grant an appeal in advance of final judgment under Rule 332 is made within thirty (30) days from the date of such ruling or decision, the Supreme Court or any Justice thereof may extend the time for filing the notice of appeal in the event the appeal is granted and the appeal, in such event, may be perfected within the time thus specified.”

COMMENT

This amendment was made to clarify the situation where an intermediate appeal is sought under Rule 332. Without this amendment, it was sometimes necessary to file the notice of appeal before the right to appeal was granted, in which case it has been contended that the filing thereof was premature. If application for leave to appeal is made within 30 days from the ruling, the Supreme Court or a Justice thereof will be accorded a reasonable time within which to determine whether or not to grant the appeal and then provide the time within which the notice of appeal should be filed.

RULE 363

Rule 363 has been revised to read as follows:

“Rule 363. Filing and Docketing.

“Unless the petition in class ‘A’ cases or the original notice in class ‘B’ cases is filed with the clerk of the court at least five days before the date set in the original notice for appearance, the defendant shall not be held to appear and answer, except that in any Municipal Court wherein class ‘B’ cases are included in rules prescribing the manner for settlement of controversies by conciliation, the original notice in such conciliation cases need not be filed until the time and the date set forth in the notice for appearance. If the petition or original notice, as the case may be, is not so filed the defendant may have the case dismissed at plaintiff’s costs, without notice, by filing a copy of the original notice with the clerk and paying the filing fees. No new action shall be commenced in any court of this state based upon the same claim or demand unless the costs in such dismissed action are fully paid by the claimant and satisfied of record.”

COMMENT

This revision was made because of the fact that Rule 363, which required the filing of an original notice in a conciliation case five days before the defendant is required to appear, unnecessarily and seriously impeded the administration of the conciliation court.

RULE 367

Paragraph (a) of Rule 367 has been revised to read as follows:

“(a) In the event of the death or disability of a Judge in the course of a proceeding at which he is presiding, or while a motion for new trial or for judgment notwithstanding the verdict, or for other relief, is pending, any other Judge of the district may hear or act upon the same, and, if in his opinion he can proceed with the matter or determine the

motion he shall do so; otherwise, he may order a continuance, declare a mistrial, order a new trial of all or any of the issues, or make such disposition of the matter as the situation warrants."

COMMENT

This revision was made because, under the rule, it was not clear what was meant by the words "may be called in".

RULE 369

Rule 369 has been revised to read as follows:

"Rule 369. Effect of Notice by Posting.

"Notice by posting shall not be recognized as having any effect, except in probate proceedings, or where expressly authorized by statute."

COMMENT

This revision was made because of the fact that, under Rule 369, some lawyers contended that notice by posting was of doubtful validity in any case, even in probate, if the court were authorized to prescribe the notice. The revision more clearly states what the original rule was intended to provide.

RULE 228

Rule 228 has been amended by making the last two words thereof read, "for cancellation."

COMMENT

This amendment was made to avoid uncertainty as to legibility of the court's report to the 50th General Assembly.

RULE 244

Clause (b) of Rule 244 has been amended by making the last two words thereof read "prevailing party;"

COMMENT

This amendment was made to avoid uncertainty as to legibility of the court's report to the 50th General Assembly.

APPENDIX I

In column 1 of Appendix I, attached to the Rules of Civil Procedure, the figures "11083" have been inserted immediately following "11081".

COMMENT

This amendment was made to avoid uncertainty as to legibility of the court's report to the 50th General Assembly.

In column 1 of Appendix I, attached to the Rules of Civil Procedure, the figures "12157" have been inserted immediately following "11671". In column 2 opposite reference to Section 12157 is inserted "54 (b)".

COMMENT

The foregoing is necessary to show that Section 12157 has been superseded by Rule 54 (b).

In column 1 of Appendix I, attached to the Rules of Civil Procedure, the figures "12312" have been inserted immediately following "12311".

COMMENT

This amendment was made to avoid uncertainty as to legibility of the court's report to the 50th General Assembly.

In column 1 of Appendix I, attached to the Rules of Civil Procedure, the figures immediately following "12873" are amended and determined to read as follows: "12874

12874

12876

12879".

COMMENT

This amendment was made to avoid uncertainty as to legibility of the court's report to the 50th General Assembly.

CERTIFICATE

I, Oscar Hale, hereby certify that I am the Chief Justice of the Supreme Court of Iowa; that the above and foregoing Rules of Civil Procedure were adopted and approved by the Supreme Court of Iowa pursuant to Chapter 311, Acts of the Forty-ninth General Assembly, as amendments, revisions and additions to the Rules of Civil Procedure heretofore reported by the Supreme Court of Iowa to the Fiftieth General Assembly.

Dated at Des Moines, Iowa, this 24th day of January, 1945.

OSCAR HALE,

*Chief Justice of the
Supreme Court of Iowa.*

(Seal)

ATTEST:

CHAS. W. BARLOW,

*Clerk of the Supreme
Court of Iowa.*

The Secretary of the Senate acknowledges receipt of the foregoing report from the Supreme Court of Iowa, in compliance with Chapter 311, Laws of the 49th General Assembly.

W. J. SCARBOROUGH.

Ordered passed on file.

REPORTS OF COMMITTEES

Senator Henningsen submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 45, 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, 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 judiciary 1, to which was referred House File 11, a bill for an act to amend section twelve thousand seventy-seven and one tenth (12077.1), Code, 1939, relating to small legacies in estates payable to minors and incompetents and distribution 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 judiciary 1, to which was referred Senate File 67, a bill for an act to amend section eleven thousand eight hundred ninety-one (11891), Code, 1939, pertaining to the time of granting administration in cases where the decedent died out of the state, 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 Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 62, 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 Smith Brothers & Burdick Co. 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.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred House File 21, a bill for an act relating to actions of forcible entry and detention of real property, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Senator Berg submitted the following report:

MR. PRESIDENT: Your committee on military and veterans' affairs, to which was referred Senate File 5, a bill for an act relating to discrimination against persons wearing the uniform, begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN P. BERG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on military and veterans' affairs, to which was referred Senate File 9, a bill for an act relating to the wearing of uniforms, begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN P. BERG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on military and veterans' affairs, to which was referred Senate File 11, a bill for an act relating to war orphans' educational aid fund, begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN P. BERG, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 29 as follows:

Add the following new section:

"Sec. 2. Add to chapter 181 of the 1939 Code a new section: 'The juvenile court shall have jurisdiction concurrent with other courts having jurisdiction of misdemeanors, in the prosecution of any offenses set forth in section three thousand six hundred fifty-eight (3658), though the defendants in said action may be adults, and the penalty shall be the same as set forth in section three thousand six hundred fifty nine (3659).'"

FRED CROMWELL.

Amend Senate File 98 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section twelve thousand nine hundred fourteen (12914), Code, 1939, is amended by adding the following:

If the defendant enters a plea of guilty the Supreme Court of the State of Iowa shall upon a written request of the trial judge designate two other district judges to sit as a court to hear the testimony and pass sentence accordingly. The trial judge shall be the presiding judge at the hearing and shall rule on the evidence in the determination of all issues. A majority of the Court may enter judgment against and pass sentence on the defendant. The court costs incident to such proceedings, and the reasonable expense of said judges in attending said hearing after being approved by the supreme court shall be paid as court costs by the executive council.

Sec. 2. This Act being deemed of immediate importance shall be in full force and effect from and after its publication in Plain Talk, a newspaper published at Des Moines, Iowa, and in the Harlan News-Advertiser, a newspaper published at Harlan, Iowa."

GEORGE FAUL.

Amendment adopted January 24.

Amend Senate File 1 by striking all of sections two (2), three (3), four (4), five (5) and six (6) of said Senate File 1.

HERMAN M. KNUDSON.

Amend Senate File 18 by striking all of lines sixteen (16) and seventeen (17) of section three (3) and by inserting in lieu thereof the following:

"be reduced to one thousand dollars (\$1000) assessed valuation and allowed the service man in addition to the homestead tax credit which is allowed him by this chapter. This limitation shall not"

Further amend Senate File 18 by adding in line twenty (20) of section three (3) after the word "the" the additional words:

"full two thousand five hundred dollars (\$2500)"

Further amend Senate File 18, section four (4) by adding after the period in line 11 the following:

"A service man who has served less than one year in the armed forces of the United States, which services have all been rendered entirely within the continental United States shall only be entitled to one half of the service man's rehabilitation tax credits. RALPH E. BENSON.

Amend Senate File 113 by striking from line 4 of section three (3) the following, "one-". A. H. JACOBSON.

Amend Senate File 39 as follows:

1. Amend section 3 by striking from line 3 the words "and corporation, foreign and domestic" and inserting in lieu thereof the words "or corporation, foreign or domestic".

2. Amend section 10 by striking from line 2 the word "such".

3. Amend section 20 by inserting after the word "denial" in line 5 the following: ", he".

4. Amend section 24 by striking from line 7 the words "certified copy thereof" and inserting "a copy thereof certified". Also by striking from line 8 "the domicile of a non-resident applicant" and inserting "his domicile".

5. Amend section 25 by inserting a comma after "individuals" in line 13. Also by striking the word "the" where it first occurs in line 14 and inserting "a".

6. Amend section 26 by striking "anme" from line 3 and inserting "name".

7. Amend section 29 by changing the comma to a period in line 7 and beginning the next word "the" with a capital.

8. Amend section 31 by inserting after the word "and" in line 4 the words "payment of".

9. Amend section 37 by striking "smy" from line 1 and inserting "may". Also by striking from line 4 the words "shall make" and inserting "makes". Also by inserting a comma after the word "state" in line 7.

10. Amend section 38 by striking from line 10 the words "of same" and "by mailing the".

11. Amend section 45 by striking from line 6 the word "license" and inserting "licensee". Also by striking from line 20 the word "just" and inserting "justice".

12. Amend section 46 by striking from line 4 the word "on" and inserting "one".

J. T. DYKHOUSE.

Amend Senate File 39, section 15, by striking from lines 6, 7, 8, and 9 the following:

"No expenditures in excess of two hundred fifty dollars shall be made by the commission without first securing the approval of the comptroller in each instance."

GEORGE FAUL.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 25, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offerel by the Reverend O. B. Anderson, pastor of the First Lutheran church, Humboldt, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

Senator Mercer, from residents of Johnson county, favoring revision of the school code.

Senator Barkley, from residents of Davis county, favoring the anti-pollution bill.

Senator Reilly, from residents of Dubuque county, favoring revision of the school code.

Senator Pine, from residents of Muscatine county, favoring the public officers' bill.

Senator Knudson, from residents of Cerro Gordo county, favoring the revision of the school code.

INTRODUCTION OF BILLS

Senate File 126, by Senator Sharp (Smith of Clayton), a bill for an act to amend section five thousand two hundred sixty-one (5261), Code, 1939, relating to expenditures by board of supervisors on property.

Read first and second times and passed on file.

Senate File 127, by Senator Hultman, a bill for an act to amend the law as it appears in section six thousand nine hundred forty-three and one hundred twenty-eight thousandths (6943.128), subparagraph three (3), Code, 1939, relating to exemptions from chain store tax so as to clarify the law as to exemptions given certain persons.

Read first and second times and passed on file.

Senate File 128, by committee on public health, a bill for an act to amend sections eight thousand eight hundred ninety-five and one hundredth (8895.01), eight thousand eight hundred ninety-five and two hundredths (8895.02), eight thousand eight hundred ninety-five and four hundredths (8895.04), eight thousand eight hundred ninety-five and five hundredths (8895.05), eight thousand eight hundred ninety-five and six hundredths (8895.06), eight thousand eight hundred ninety-five and seven hundredths (8895.07), eight thousand eight hundred ninety-five and eight hundredths (8895.08), eight thousand eight hundred ninety-five and eleven hundredths (8895.11), eight thousand eight hundred ninety-five and thirteen hundredths (8895.13), and chapter four hundred three and one tenth (403.1), Code, 1939, and chapter two hundred seventy-four (274), Laws of the Forty-ninth General Assembly, relating to nonprofit corporations furnishing hospital service, and to authorize nonprofit corporations to contract to furnish medical and surgical service to subscribers and to contract for the furnishing of such service with physicians and surgeons, osteopathic physicians or osteopathic physicians and surgeons; to provide for the regulation and supervision of such corporations; to fix their rights, powers and duties; to provide for the method of their incorporation and the personnel of their board of directors; to declare such corporations to be charitable and benevolent institutions; and to prescribe the powers and duties of the commissioner of insurance with reference to such corporations.

Read first and second times and placed on the calendar.

Senate File 129, by Senators Shaw and Elthon, a bill for an act to amend section one thousand seven hundred ninety-four and ninety-eight thousandths (1794.098), Code, 1939, relating to requirements for fish and game licenses.

Read first and second times and passed on file.

Senate File 130, by Senator Hultman, a bill for an act to provide for increases in compensation for certain public officers and employees in counties and subdivisions thereof and to authorize a levy of one-half ($\frac{1}{2}$) mill to provide funds in counties wherein the county general fund is not sufficient to pay such increases.

Read first and second times and passed on file.

Senate File 131, by committee on military and veterans' affairs,

a bill for an act to amend title thirty-two (XXXII), Code, 1939, relating to estates of missing personnel.

Read first and second times and placed on calendar.

Senate File 132, by Senator Watson, a bill for an act to amend section sixty-nine hundred forty-three and seventy-six thousandths (6943.076), Code, 1939, relating to exemption from sales tax of purchases of tax-certifying or tax-levying governmental bodies of Iowa, or any subdivision or branch thereof.

Read first and second times and passed on file.

Senate File 133, by Senator Leo, 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.

Read first and second times and passed on file.

Senate File 134, by Senators Faul and Lucas, a bill for an act to amend section eight thousand seven hundred eighty (8780), Code, 1939, relating to the exclusion from chapter four hundred two (402), Code, 1939, of fraternal orders providing sick and funeral benefits only, providing that title XX shall not apply to corporations or associations providing funeral benefits to members only, if organized prior to May 1, 1937.

Read first and second times and passed on file.

Senate File 135, by committee on judiciary 1, a bill for an act to amend sections seven thousand two hundred sixty-three (7263), seven thousand two hundred eighty-four (7284), and five thousand ten and eight hundredths (5010.08), Code, 1939, relating to fees to be charged by the county treasurer; section five thousand one hundred fifty-five (5155), Code, 1939, relating to fees to be charged by the county auditor; sections five thousand one hundred seventy-seven (5177) and ten thousand thirty-one (10031), Code, 1939, relating to fees to be charged by the county treasurer; and chapter four hundred twenty-nine and one-tenth (429.1), Code, 1939, relating to the filing of verified statements when conducting business under a trade name; to provide for a fee or increase in fees to be charged by the county treasurer, auditor and recorder.

Read first and second times and placed on the calendar.

Senate File 136, by Senator Schluter, a bill for an act to amend

chapter one hundred fifty-eight (158) of the Acts of the Forty-ninth General Assembly, as amended by chapter one hundred forty-one (141) of the Acts of the Fiftieth General Assembly, relating to provisions for publication and posting of financial statements of school districts.

Read first and second times and passed on file.

Senate File 137, by Senators Zastrow, Lucas, Reilly and Henningsen, a bill for an act to provide for the safety of the traveling public and railroad employees by providing for the erection of various warning signs adjacent to the running track; and authorizing and empowering the Iowa state commerce commission to make and enforce rules relative thereto and to provide a penalty for the violation thereof.

Read first and second times 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 Senate is asked:

House File 86, a bill for an act relating to the arrangements of names of certain candidates for office. A. C. GUSTAFSON, *Chief Clerk*.

HOUSE MESSAGE CONSIDERED

House File 86, a bill for an act to amend section five hundred fifty-seven (557), Code, 1939, relating to the arrangement and printing of the names of candidates for offices to be filled by voters of a territory smaller than a county.

Read first and second times and passed on file.

BILL WITHDRAWN FROM FURTHER CONSIDERATION

Senator Hultman asked and received unanimous consent to withdraw from the further consideration of the Senate, Senate File 130.

SENATE FILE 27 REREFERRED

The President announced that Senate File 27, originally referred to committee on judiciary 2, would be rereferred to committee on judiciary 1.

THIRD READING OF BILLS

On motion of Senator Long, Senate File 30, by Senators Long, Love and Clem, 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 and forty-four (1944) and nineteen hundred and forty-five (1945) and payable in the years nineteen hundred forty-five (1945) and nineteen hundred forty-six (1946), with report of committee recommending the adoption of the Dykhhouse amendment filed on January 16 and found on pages 81 and 82 of the Senate Journal, and passage, was taken up, considered, and the report of the committee adopted.

Senator Dykhhouse offered the following amendment and moved its adoption:

Amend Senate File 30 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. In the payment of the income tax imposed under the provisions of division two (2) of chapter three hundred twenty-nine and three-tenths (329.3), Code, 1939, for the year nineteen hundred forty-four (1944) and payable in the year nineteen hundred forty-five (1945), and for the year nineteen hundred forty-five (1945), and payable in the year nineteen hundred forty-six (1946), and for the year nineteen hundred forty-six (1946), and payable in the year nineteen hundred forty-seven (1947), fifty percent (50%) of the tax imposed shall be credited to the taxpayer and fifty percent (50%) of the tax imposed shall be accepted in full of the tax liability for each of said years.

Sec. 2. The fifty per cent (50%) of the tax provided by section one (1) of this act to be accepted in full of the tax liability shall be payable in the same installments as provided for in division two (2) of chapter three hundred twenty-nine and three-tenths (329.3), Code, 1939, but in any case where the entire amount of tax due and payable for the year 1945, 1946, or 1947 is ten dollars (\$10.00) or less after the 50% reduction has been made, the tax shall be paid in full in the first installment.

Sec. 3. This chapter shall not apply to the tax imposed by division three (3) of chapter three hundred and twenty-nine and three-tenths (329.3), Code, 1939.

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% of the tax properly due and payable in the years 1945, 1946, and 1947 the commission shall make refunds to such taxpayers, and no application for such refunds shall be necessary by the taxpayer. For taxes based upon 1945 and 1946 and payable in 1946 and 1947, the State Tax Commission shall provide in its forms, for the collection of the tax based upon a payment of 50% of the amount which would otherwise be due and payable.

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

full force and effect from and after its publication in the Sibley Gazette-Tribune, a newspaper published at Sibley, Iowa, and in the Lockridge Times, a newspaper published at Lockridge, Iowa.

The amendment was adopted.

Senator Cromwell offered the following amendment and moved its adoption:

Amend Senate File 30 by adding a new section following section four (4) as follows:

(1) "The State Tax Commission shall as far as consistent with the provisions of the Code so draft income tax forms as to conform to the income tax forms of the Internal Revenue Department of the United States Government."

(2) Renumber the remaining section.

Senator Cromwell offered the following amendment to his amendment and moved its adoption:

"After the word 'government' at the end of section one (1), insert the following words: 'after the year 1945'".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend the amendment by Senator Cromwell in the Senate Journal of January 22, 1945, to Senate File 30, by striking the word "shall" from line 1 of section 1 and substituting in lieu thereof the word "may".

The amendment was adopted.

Senator Lynes offered the following amendment and moved its adoption:

Amend the Dykhous amendment to Senate File 30 by striking beginning with the word "and" following the comma in line 4 of section 1 up to and including the figures 1947 in line 8 of section 1. Also amend the amendment by striking from line 10 of section 1 the words "each of said years" and substitute in lieu thereof "said year."

Further amend the Dykhous amendment by striking from line 6 of section 2 the following " comma (,) 1946, or 1947."

Further amend the Dykhous amendment by striking the word "years" in line 4 of section 4 of said amendment and substituting in lieu thereof the word "year" and further amend said section 4 by striking the following words and figures from line 5: "1946, and 1947."

Further amend section 4 of Dykhous amendment by striking all of the last sentence in said section 4.

J. KENDALL LYNES.
ROBERT KEIR.
RALPH ZASTROW.

Senator Lynes asked and received unanimous consent to withdraw the amendment.

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

The Senate resumed regular session.

Senator Lynes offered the following amendment and moved its adoption:

Amend Senate File 30 as amended by striking beginning with the word "and" following the comma in line 5 of section 1 up to and including the figures 1947 in line 9 of section 1. Also amend the Senate File 30 as amended by striking from lines 12 and 13 of section 1 the words "each of said years" and substitute in lieu thereof "said year."

Further amend the Senate File 30 as amended by striking from line 7 of section 2 the comma following "1945" and also by striking "1946, or 1947" in said line 7.

Further amend the Senate File 30 as amended by striking the word "years" in line 5 of section 4 and substituting in lieu thereof the word "year" and further amend said section 4 by striking the following words and figures from line 5: "1946, and 1947."

Further amend section 4 of Senate File 30 as amended by striking all of the last sentence in said section 4.

J. KENDALL LYNES.
ROBERT KEIR.
R. W. ZASTROW.
RALPH E. BENSON.
A. J. SHAW.

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

AFTERNOON SESSION

The Senate resumed regular session, President pro tempore Hart presiding.

President Evans took the chair at 1:50 p. m.

Senator Cromwell moved the previous question on the Lynes amendment, which motion prevailed.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 19:

Barkley
Benson
Findlay
Harvey
Hawkins

Jacobson
Jones
Keir
Knudson
Leo

Lynes
Miller
Newsome
Schluter
Sharp

Shaw
Vrba
White
Zastrow

Nays, 30:

Augustine	Dykhouse	Kirketeg	Mowry
Bekman	Elthon	Klein	Pine
Berg	Faul	Long	Reilly
Byers	Foster	Love	Ritchie
Clem	Hart	Lucas	Sjulin
Cromwell	Henningsen	Martin	Vittetoe
Dewel	Hill	Mercer	Watson
Doud	Hultman		

Absent or not voting, none.

The amendment was lost.

Senator Hill moved the previous question on the main bill, which motion prevailed.

Senator White moved that Senate File 30 be laid on the table.

Senator Byers raised the point of order that a motion for the previous question was not debatable as defined in Senate rule 11.

The Chair ruled the point of order well taken, and the motion by Senator White to lay Senate File 30 on the table was declared out of order. No appeal from ruling.

Senator Long 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	Dykhouse	Jacobson	Mowry
Bekman	Elthon	Kirketeg	Pine
Berg	Faul	Klein	Reilly
Byers	Foster	Long	Ritchie
Clem	Hart	Love	Sjulin
Cromwell	Henningsen	Lucas	Vittetoe
Dewel	Hill	Martin	Vrba
Doud	Hultman	Mercer	Watson

Nays, 17:

Barkley	Jones	Lynes	Sharp
Benson	Keir	Miller	Shaw
Findlay	Knudson	Newsome	White
Harvey	Leo	Schluter	Zastrow
Hawkins			

Absent or not voting, none.

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

Senator Long offered the following amendment to the title and moved its adoption:

Amend the title to Senate File 30 by striking the last three lines and inserting the following in lieu thereof, "nineteen hundred forty-four (1944), nineteen hundred forty-five (1945), and nineteen hundred forty-six (1946), payable in the years nineteen hundred forty-five (1945), nineteen hundred forty-six (1946), and nineteen hundred forty-seven (1947), and providing for the form of income tax forms."

The amendment to the title was adopted.

The title as amended 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.

INTRODUCTION OF BILLS

Senate File 138, by Senator Doud (Reed, Williams), a bill for an act to amend section four thousand six hundred forty-four and twenty-two hundredths (4644.22), Code of Iowa, 1939, relating to the construction program of secondary roads.

Read first and second times and passed on file.

Senate File 139, by Senator Byers, a bill for an act to amend section five thousand one hundred thirty (5130), Code, 1939, relative to the lease or sale of real estate owned by a county and not needed for county purposes.

Read first and second times and passed on file.

Senate File 140, by Senator Byers, a bill for an act to amend section five thousand thirteen and sixteen hundredths (5013.16), Code, 1939, relating to fee for operator's and chauffeur's licenses.

Read first and second times and passed on file.

BILLS ASSIGNED TO COMMITTEES

President Evans announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 117	Ways and Means
S. F. 118	Agriculture
S. F. 119	Labor
S. F. 120	Ways and Means
S. F. 121	Cities and Towns
S. F. 123	Agriculture
S. F. 124	Judiciary 1

REPORTS OF COMMITTEES

Senator J. T. Dykhouse submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File 1, a bill for an act to amend section 6946, Code, 1939, relating to tax exemption to soldiers, sailors, marines and nurses, and to provide for reimbursement to the counties for loss of revenues occasioned by such exemptions, begs leave to report it has had the same under consideration and returns the bill without recommendation.

J. T. DYKHOUSE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File 34, a bill for an act to amend section 6944, Code, 1939, relating to exemption of household furniture and equipment from taxation of personal property, 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 ways and means to which was referred Senate File 35, a bill for an act to amend section six thousand nine hundred forty-four (6944), Code, 1939, relating to exemption from taxation of personal property of household furniture and equipment of persons in the armed services of the United States, 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 ways and means to which was referred House File 5, a bill for an act relating to soldiers' bonus bond levies, 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 Ritchie submitted the following report:

MR. PRESIDENT: Your committee on governmental affairs to which was referred Senate File 10, a bill for an act to amend sections 1159 and 1161, Code, 1939, relating to employment of veterans, begs leave to report it has had the same under consideration and recommends the same do pass.

FRED J. RITCHIE, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on governmental affairs to which was referred Senate File 37, a bill for an act to amend chapter thirty-five (35), Code, 1939, relating to elections and officers and time of election, and limiting the number of members of the board of supervisors that may be elected from territories of the county, begs leave to report it has had the same under consideration and recommends the same do pass.

FRED J. RITCHIE, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 60, section 2, line 4, by striking out the word and figure "May 15" and inserting in lieu thereof the word and figure "July 1".

ROSS R. MOWRY.

I move to amend Senate File 96 by adding the following: "The effective date of this act shall be July 1, 1947."

HERMAN M. KNUDSON.

Amend Senate File 109 as follows:

1. In section 17, line 56, change the period to a comma and add the following:

"and the net earnings available for fixed charges for the fiscal year immediately preceding the date of acquisition shall have been not less than one and one-half ($1\frac{1}{2}$) times the fixed charges to which the corporation is subject as of the date of acquisition."

2. In section 17, line 221, strike out the words "acquired by such" and insert in lieu thereof the words "for other".

GEORGE FAUL.

Amend Senate File 110 as follows:

1. By striking therefrom all of section 2.

2. By renumbering the succeeding sections.

GEORGE FAUL.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 26, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend Frank Jacobs, pastor of the First Methodist Church, Osceola, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

Senator Berg, from residents of Black Hawk and Grundy counties, favoring revision of the school code.

Senator Ritchie, from residents of Plymouth county, favoring revision of the school code.

Senator Vrba, from county officers of Winneshiek county, favoring an increase in salary.

Senator Love, from county officers of Adair and Madison counties, favoring an increase in salary.

Senator Elthon, from residents of Winnebago county, favoring proposed liquor legislation.

Senator Mowry, from residents of Jasper county, favoring revision of the school code.

LEAVE OF ABSENCE

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

INTRODUCTION OF BILLS

Senate File 141, by Senator Hultman, a bill for an act to amend section five thousand one hundred seventy-three (5173), Code, 1939, as amended, and providing for the free recording of certain documents issued to members of the armed forces.

Read first and second times and passed on file.

Senate File 142, by Senator Findlay (Baker), a bill for an act to amend section four thousand six hundred forty-four and forty-five hundredths (4644.45), Code, 1939, relating to the grading, drainage, bridging, graveling and maintenance of secondary roads within certain cities and towns so as to include other streets within such cities and towns.

Read first and second times and passed on file.

Senate File 143, by Senator Henningsen, a bill for an act to amend section three hundred seventy-three (373), Code, 1939, relating to emergency fund levy and legalizing the city of Clinton in Clinton county to raise the allowable levy of one (1) mill to two (2) mills for the years 1945 and 1946.

Read first and second times and passed on file.

Senate File 144, by Senators Martin, Cromwell, Henningsen and Pine, 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 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 and passed on file.

Senate File 145, by Senators Henningsen and Pine, a bill for an act to amend section nine thousand seven hundred one (9701) and nine thousand seven hundred eighteen (9718), Code, 1939, relating to the warehouseman issuing receipts on his own property and for further definition of "warehouseman".

Read first and second times and passed on file.

Senate File 146, by Senator Vrba, a bill for an act to repeal section eight thousand three hundred twenty-eight (8328), Code, 1939, and to amend section eight thousand three hundred twenty-six (8326), Code, 1939, relating to the manner of construction of electric transmission lines.

Read first and second times and passed on file.

Senator Leo offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION 5

Whereas, The return to standard time will help increase food production and help win the war and mean more daylight working hours for agriculture, and,

Whereas, Daylight savings time has proven a burden, and,

Whereas, Daylight savings time has failed to save daylight or accomplish its purpose, therefore,

Be It Resolved by the Senate, the House Concurring: That the Congress of the United States is respectfully requested to immediately take the necessary steps to return the United States to standard time and abolish daylight savings time by terminating the War Act of January 20, 1942, c. 7, 56, stat. 9, said act providing that Congress had power by concurrent resolution to terminate said act.

That copies of this resolution be transmitted to the President of the United States, to the President of the United States Senate, and the Speaker of the House of Representatives of Congress and to the Iowa members of the United States Senate and the Iowa members of the House of Representatives of Congress.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 24, a bill for an act relating to the salary and duties of deputy treasurers.

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 powers of park commissioners, and authorizing park commissioners to lease parks for the playing of professional games.

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

House File 92, a bill for an act relating to notice of hearing on budgets.

Also: 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 making an appropriation to the state comptroller from motor vehicle fuel tax fund.

A. C. GUSTAFSON, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Hultman, Senate File 96, a bill for an act to amend section ten thousand eight hundred four (10804), Code, 1939, relating to the salary of judges of the district court, was taken up and considered.

Senator Knudson offered the following amendment and moved its adoption:

Amend Senate File 96 by adding the following: "The effective date of this act shall be July 1, 1947."

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

Senator Clem offered the following amendment and moved its adoption:

Amend Senate File 96 by striking from line five (5) thereof the words and figures "Six thousand (\$6,000.00)" and inserting in lieu thereof, the words and figures, "Five thousand five hundred (\$5,500.00)."

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 13:

Clem	Leo	Newsome	Ritchie
Foster	Lynes	Pine	Schluter
Jones	Miller	Reilly	Vrba
Knudson			

Nays, 31:

Barkley	Elthon	Jacobson	Mowry
Benson	Faul	Keir	Sharp
Berg	Findlay	Kirketeg	Shaw
Byers	Hart	Klein	Sjulin
Cromwell	Harvey	Love	Vittetoe
Dewel	Henningsen	Lucas	White
Doud	Hill	Martin	Zastrow
Dykhouse	Hultman	Mercer	

Absent or not voting, 5:

Augustine	Hawkins	Long	Watson
Bekman			

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.

The President announced that Senator Bekman and Senator Watson had left written requests to be recorded as voting "aye" on Senate File 96.

Senator Faul asked and received unanimous consent that Senator Bekman and Senator Watson be recorded as voting "aye" on Senate File 96.

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

Ayes, 44:

Barkley	Faul	Kirketeg	Newsome
Bekman	Findlay	Klein	Reilly
Benson	Foster	Knudson	Schluter
Berg	Hart	Leo	Sharp
Byers	Harvey	Love	Shaw
Clem	Henningsen	Lucas	Sjulin
Cromwell	Hill	Lynes	Vittetoe
Dewel	Hultman	Martin	Vrba
Doud	Jacobson	Mercer	Watson
Dykhouse	Jones	Miller	White
Elthon	Keir	Mowry	Zastrow

Nays, 2:

Pine	Ritchie
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Absent or not voting, 3:

Augustine	Hawkins	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 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 Byers, Senate File 113, a bill for an act to clarify various amendments of the 49th General Assembly to the statutes relating to old-age assistance, was taken up, and considered.

Senator Jacobson moved that the bill be read a third 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	Klein	Newsome
Benson	Hart	Knudson	Pine
Berg	Harvey	Leo	Reilly
Byers	Hawkins	Love	Ritchie
Clem	Henningsen	Lucas	Schluter
Cromwell	Hill	Lynes	Sharp
Dewel	Hultman	Martin	Shaw
Doud	Jacobson	Mercer	Sjulin
Dykhouse	Jones	Miller	Vittetoe
Elthon	Keir	Mowry	White
Findlay	Kirketeg		

Nays, none.

Absent or not voting, 7:

Barkley	Faul	Vrba	Zastrow
Bekman	Long	Watson	

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

Senator Jacobson moved that the vote by which the 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 47, a bill for an act to repeal subsection two (2) of section six thousand nine hundred forty-three and one hundred twenty-nine thousandths (6943.129), Code, 1939, relating to the chain store 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, 43:

Augustine	Foster	Knudson	Reilly
Barkley	Hart	Leo	Ritchie
Berg	Harvey	Love	Schluter
Byers	Hawkins	Lucas	Sharp
Clem	Henningsen	Lynes	Shaw
Cromwell	Hill	Martin	Sjulin
Dewel	Hultman	Mercer	Vittetoe
Doud	Jacobson	Miller	Vrba
Dykhouse	Jones	Mowry	White
Faul	Keir	Newsome	Zastrow
Findlay	Kirketeg	Pine	

Nays, none.

Absent or not voting, 6:

Bekman	Elthon	Long	Watson
Benson	Klein		

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 5, a bill for an act to amend section four hundred sixty-seven and five hundredths (467.05), Code, 1939, relating to discrimination against members of national guard or against a person wearing the uniform of the military or naval forces of the United States or of the

national guard, 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	Knudson	Reilly
Barkley	Harvey	Leo	Ritchie
Berg	Hawkins	Lucas	Schluter
Byers	Henningsen	Lynes	Sharp
Clem	Hill	Martin	Shaw
Cromwell	Hultman	Mercer	Sjulin
Dewel	Jacobson	Miller	Vittetoe
Doud	Jones	Mowry	Vrba
Dykhouse	Keir	Newsome	White
Faul	Kirketeg	Pine	Zastrow
Findlay	Klein		

Nays, none.

Absent or not voting, 7:

Bekman	Elthon	Long	Watson
Benson	Hart	Love	

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 MESSAGES CONSIDERED

House File 24, a bill for an act to amend section five thousand two hundred twenty-three (5223), Code, 1939, relating to the salary and duties of deputy treasurers.

Read first and second times and passed on file.

House File 25, a bill for an act to amend section five thousand seven hundred ninety-eight and one tenth (5798.1), Code, 1939, relating to the powers of park commissioners, and authorizing park commissioners to lease parks or portions thereof for the playing of professional baseball or other professional games.

Read first and second times and passed on file.

House File 92, a bill for an act to amend section three hundred

seventy-five (375), Code, 1939, relating to the notice of hearing on municipal budgets and the publication thereof.

Read first and second times and passed on file.

House File 144, a bill for an act to appropriate to the state comptroller from motor vehicle fuel tax fund.

Read first and second times and passed on file.

Senator Cromwell asked and received unanimous consent that his name be included as co-author with Senator Knudson on Senate File 84.

ADDITIONAL COPIES

Senator Hill asked and received unanimous consent to have 300 additional copies of Senate File 52 printed.

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 2, 4 and 46.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *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 2, 4 and 46.

The following communication was received from the State Appeal Board:

TO WM. J. SCARBOROUGH
Secretary of the Senate:

In accordance with the provisions of section 3 of chapter 61, Acts of the 49th General Assembly, I hand you herewith claims acted upon by the State Appeal Board. Each claim bears the recommendation of the Board.

List of claims as follows:

Claim No.	Claimant	Amt. Claimed	Amt. Recommended
H-42-45	C. B. McDonald.....	\$ 35.02	\$17.51
H-43-45	Urban L. Schmitz.....	20.50	rejected
H-44-45	William Koshata.....	100.00	rejected
H-45-45	Elizabeth Richmann.....	149.87	rejected
H-46-45	Fred C. Richmann.....	290.00	rejected

C. FRED PORTER, *Chairman*
State Appeal Board.

Received from C. Fred Porter, Chairman, State Appeal Board, Highway Commission claims numbered from H-42-45 to H-46-45, inclusive, January 26, 1945.

W. J. SCARBOROUGH, *Secretary of Senate.*

BILLS ASSIGNED TO COMMITTEES

President Evans announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 126	Governmental Affairs.
S. F. 127	Manufacturing, Commerce and Trade.
S. F. 129	Conservation.
S. F. 132	Ways and Means.
S. F. 133	Governmental Affairs.
S. F. 134	Insurance.
S. F. 136	Printing.
S. F. 137	Railroads.
S. F. 138	Highways.
S. F. 139	Governmental Affairs.
S. F. 140	Motor Vehicles.
H. F. 86	Governmental Affairs.

AMENDMENTS FILED

Amend Senate File 9, section 1, by striking from line 3 the word and figures "fourteen (14)" and inserting in lieu thereof the word and figures "thirteen (13)".

GEORGE FAUL.

AMENDMENT TO REPORT OF THE SUPREME COURT OF IOWA ON RULES OF CIVIL PROCEDURE

The Supreme Court of Iowa amends its report on rules heretofore filed on January 24, 1945 as follows:

RULE 349

Rule 349 has been amended by striking the figures "244 (b)" appearing therein and inserting in lieu thereof the figures "243 (b)".

COMMENT

This change was made to correct a typographical error.

APPENDIX I

In column 2 of Appendix I attached to the Rules of Civil Procedure, the figures opposite "12871" are amended to read "343

346

349".

CERTIFICATE

I, Oscar Hale, hereby certify that I am the Chief Justice of the Supreme Court of Iowa; that the above and foregoing Amendment to Report of the Supreme Court of Iowa on Rules of Civil Procedure was adopted and approved by the Supreme Court of Iowa pursuant to Chapter 311, Acts of the Forty-ninth General Assembly, as amending and revising the Rules of Civil Procedure heretofore reported by the Supreme Court of Iowa to the Fiftieth General Assembly.

Dated at Des Moines, Iowa, this 26th day of January, 1945.

OSCAR HALE,

*Chief Justice of the
Supreme Court of Iowa.*

(Seal)

Attest:

CHAS. W. BARLOW,

*Clerk of the Supreme
Court of Iowa.*

By HELEN GALVIN, *Deputy.*

On motion of Senator Faul, the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 29, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend H. C. Irvine, pastor of the Presbyterian church, Birmingham, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Hawkins for the day on request of Senator Faul.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Lynes, from members of the American Legion of Butler county, favoring proposed veteran legislation.

By Senator Berg, from residents of Black Hawk county, favoring the revision of the school code, and also local option.

By Senator Lucas, from residents of Story county, favoring the revision of the school code.

By Senator Miller, from residents of Guthrie county, favoring local option.

By Senator Findlay, from residents of Calhoun county, favoring an increase in salaries for county officers.

By Senator Cromwell, from residents of Louisa county, favoring local option.

By Senator Leo, from residents of Benton county, favoring the revision of the school code.

INTRODUCTION OF BILLS

Senate File 147, by committee on special school code, a bill for an act to create a department of public instruction of the state of Iowa; to create a board of public instruction, provide for the appointment of members thereof, and prescribe the powers and

duties of said board; to provide for the election of a superintendent of public instruction and a deputy superintendent and such assistants and employees as may be necessary; to prescribe the duties of the superintendent of public instruction and the deputy superintendent; to amend certain provisions of the Code, 1939, and repeal certain provisions of the Code, 1939, to effect the general purposes of this act.

Read first and second times and placed on the calendar.

Senate File 148, by committee on special school code, a bill for an act to amend section four thousand three hundred forty-one (4341), Code, 1939, as amended by chapter one hundred sixty-five (165), Acts of the 49th General Assembly, relating to the minimum wages of teachers in the public schools.

Read first and second times and placed on the calendar.

Senate File 149, by committee on special school code, a bill for an act to amend section four thousand two hundred twenty-nine (4229), Code, 1939, as amended by chapter 157, Acts of the 49th General Assembly, relating to teachers' contracts, their continuation and termination.

Read first and second times and placed on the calendar.

Senate File 150, by Senators Faul, Martin and Clem, a bill for an act to amend sections six thousand three hundred eighteen (6318), and six thousand three hundred twenty-six and eight hundredths (6326.08), Code, 1939, relating to the payment of pensions to survivors and dependents of firemen and policemen and to compensation paid to beneficiaries of retired firemen and policemen.

Read first and second times and passed on file.

Senate File 151, by Senators Pine, Hill, Lynes, Faul, Martin, Lucas and Clem, a bill for an act to amend section five thousand thirty-nine and two hundredths (5039.02), Code, 1939, by changing the definition of the term "place of business" contained therein; and to amend section five thousand thirty-nine and five hundredths (5039.05), Code, 1939, by increasing the license fee provided for therein from five dollars (\$5.00) to fifteen dollars (\$15.00).

Read first and second times and passed on file.

Senate File 152, by Senator Sharp (Smith of Clayton), a bill for an act to amend section five thousand one hundred thirty (5130), Code, 1939, relating to powers and duties of board of supervisors.

Read first and second times and passed on file.

SENATE CONCURRENT RESOLUTION 6

Be It Resolved by the House, the Senate Concurring: Pursuant to the provisions of section nineteen (19) of the Code, 1939, it is provided that the daily compensation of the following officers and employees of the Fifty-first General Assembly be as follows, to be paid in accordance with the rules of the Senate and House:

Officers and Employees of the Senate

Reading Clerk	\$7.00
Special Clerks	\$6.00

UNFINISHED BUSINESS

Senator Faul called up Senate File 29, a bill for an act to amend section three thousand six hundred fifty-nine (3659), Code, 1939, relating to the penalty for contributing to the delinquency of a minor.

Senator Cromwell offered the following amendment and moved its adoption:

Amend Senate Files 29 as follows:

Add the following new section:

"Sec. 2. Add to chapter 181 of the 1939 Code a new section: 'The juvenile court shall have jurisdiction concurrent with other courts having jurisdiction of misdemeanors, in the prosecution of any offenses set forth in section three thousand six hundred fifty-eight (3658), though the defendants in said action may be adults, and the penalty shall be the same as set forth in section three thousand six hundred fifty-nine (3659).'"

Senator Cromwell asked and received unanimous consent that further action on Senate File 29 be deferred and that it retain its place on the calendar.

THIRD READING OF BILLS

On motion of Senator Berg, Senate File 9, a bill for an act to amend section four hundred sixty-seven and four hundredths (467.04), Code, 1939, relating to the wearing of uniforms, 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 9, section 1, by striking from line 3 the word and figures "fourteen (14)" and inserting in lieu thereof the word and figures "thirteen (13)".

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	Findlay	Klein	Newsome
Barkley	Foster	Knudson	Pine
Bekman	Hart	Leo	Reilly
Berg	Harvey	Long	Ritchie
Byers	Henningsen	Love	Schluter
Clem	Hill	Lucas	Sharp
Cromwell	Hultman	Lynes	Shaw
Dewel	Jacobson	Martin	Vittetoe
Doud	Jones	Mercer	Vrba
Dykhous	Keir	Miller	Watson
Elthon	Kirketeg	Mowry	White
Faul			

Nays, none.

Absent or not voting, 4:

Benson	Hawkins	Sjulin	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 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 11, a bill for an act to amend section four hundred eighty-two and seven hundredths (482.07), to repeal section four hundred eighty-two and eight hundredths (482.08), to repeal section four hundred eighty-two and nine hundredths (482.09), and to amend section four hundred eighty-two and ten hundredths (482.10), Code, 1939, relating to war orphans' educational aid fund, expenditures from said fund by the state bonus board, and the amount of such aid, 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, 41:

Augustine	Faul	Leo	Pine
Barkley	Hart	Long	Reilly
Bekman	Harvey	Love	Ritchie
Berg	Henningsen	Lucas	Schluter
Byers	Hill	Lynes	Sharp
Clem	Hultman	Martin	Shaw
Cromwell	Jacobson	Mercer	Vittetoe
Dewel	Jones	Miller	Vrba
Doud	Kirketeg	Mowry	Watson
Dykhouse	Klein	Newsome	White
Elthon			

Nays, 2:

Findlay Knudson

Absent or not voting, 6:

Benson	Hawkins	Sjulin	Zastrow
Foster	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 Watson, Senate File 45, 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 offered the following amendment and moved its adoption:

Amend Senate File 45 by inserting after the comma (,) in line 2 of section 1 the following: "Code, 1939,".

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, 45:

Augustine	Berg	Cromwell	Dykhouse
Barkley	Byers	Dewel	Elthon
Bekman	Clem	Doud	Faul

Findlay	Kirketeg	Martin	Schluter
Hart	Klein	Mercer	Sharp
Harvey	Knudson	Miller	Shaw
Henningsen	Leo	Mowry	Vittetoe
Hill	Long	Newsome	Vrba
Hultman	Love	Pine	Watson
Jacobson	Lucas	Reilly	White
Jones	Lynes	Ritchie	Zastrow
Keir			

Nays, none.

Absent or not voting, 4:

Benson	Foster	Hawkins	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 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 Martin, Senate File 62, 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 Smith Brothers and Burdick 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 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	Faul	Knudson	Reilly
Barkley	Findlay	Long	Ritchie
Bekman	Foster	Love	Schluter
Berg	Hart	Lucas	Sharp
Byers	Harvey	Lynes	Shaw
Clem	Henningsen	Martin	Vittetoe
Cromwell	Hill	Mercer	Vrba
Dewel	Hultman	Miller	Watson
Doud	Jacobson	Mowry	White
Dykhous	Jones	Newsome	Zastrow
Elthon	Klein	Pine	

Nays, none.

Absent or not voting, 6:

Benson	Keir	Leo	Sjulin
Hawkins	Kirketeg		

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 125, a bill for an act to amend section five thousand and one hundredth (5000.01), Code, 1939, paragraph forty (40), as amended by chapter one hundred fifty-five (155), Acts of the 50th General Assembly, relating to certain exemptions from the chauffeur's license requirements, was taken up and considered.

Senator Pine asked and received unanimous consent that further action on Senate File 125 be deferred and that it retain its place on the calendar.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

House File 150, a bill for an act relating to standard bottles used for the sale of milk and cream.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File 150, a bill for an act to amend section three thousand two hundred forty-one (3241), Code, 1939, relating to standard bottles used for the sale of milk and cream.

Read first and second times and passed on file.

RESIGNATION OF EMPLOYEE

I hereby tender my resignation as page of the Senate effective January 31, 1945.

BILLY STONE.

Resignation accepted.

PRESENTATION OF VISITORS

Senator Faul asked and received unanimous consent to present the class in Government of the Elkhart high school which was present in the balcony.

BILLS ASSIGNED TO COMMITTEES

President Evans announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 141	Military and Veterans Affairs.
S. F. 142	Highways.
S. F. 143	Judiciary 2.
S. F. 144	Highways.
S. F. 145	Manufacturing, Commerce and Trade.
S. F. 146	Public Utilities.
H. F. 24	Compensation of Public Officers and Employees.
H. F. 25	Cities and Towns.
H. F. 92	Printing.
H. F. 144	Appropriations.

On motion of Senator Zastrow, the Senate recessed until 1:00 p. m.

AFTERNOON SESSION

The Senate resumed regular session, President Evans presiding.

The following communication was received from the Secretary of State:

STATE OF IOWA

Secretary of State

TO THE HONORABLE, THE SECRETARY OF THE SENATE:

I, WAYNE M. ROPES, Secretary of State of the State of Iowa, custodian of the files and records pertaining to elections in the state

Do HEREBY CERTIFY that ROBERT A. ROCKHILL of Marshalltown, Marshall county, Iowa, was declared by the State Canvassing Board to have been elected to the office of State Senator from the Twenty-eighth Senatorial District of Iowa at the Special Election held January 26, 1945.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol, in Des Moines, this 29th day of January, 1945, A. D.

(Seal)

WAYNE M. ROPES, *Secretary of State.*

REPORT OF THE COMMITTEE ON CREDENTIALS

MR. PRESIDENT: Your committee on credentials finds the following newly elected Senator to fill a vacancy to be entitled to a seat in the Senate:

Twenty-eighth District—Robert A. Rockhill.

F. J. PINE.
RICHARD V. LEO.
ROBERT C. REILLY.
FRANK D. MARTIN.
O. H. HENNINGSEN.

On motion of Senator Pine the report was adopted.

Senator Faul offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION 7

Whereas, The Nazi persecution and wholesale slaughter of Jews in Europe have outraged the conscience of the civilized world and have vastly aggravated the tragedy of the Jewish problem there, and

Whereas, At the end of the present war large numbers of European Jews will find themselves in desperate need for a new home where they can rebuild their lives in dignity and security, and

Whereas, After World War I, Great Britain had accepted at the instance of the allied and associated powers the mandate for Palestine and had undertaken "to facilitate the establishment of a Jewish National Home in Palestine," an undertaking subsequently approved by fifty-two nations, including the United States, and

Whereas, This policy was concurred in by a Joint Resolution unanimously adopted by both houses of the Congress of the United States on June 30, 1922, and

Whereas, The Democratic and the Republican party in their National Conventions of 1944, adopted platforms in favor of the re-establishment of Palestine as a free and democratic Jewish Commonwealth, and

Whereas, The President of the United States on October 15, 1944, expressed his approval of this aim which he stated to be "in accord with the traditional American policy and in keeping with the spirit of the Four Freedoms".

Be It Therefore Resolved by the Senate of the State of Iowa, the House of Representatives Concurring: That we of the state of Iowa express our profound sympathy with the millions of innocent victims of the enemy's ruthless extermination policy, and that we demand just punishment of all those who perpetrated these horrible crimes against humanity, and

Be It Further Resolved, That the United States should take appropriate measures to the end that Palestine should be opened for free immigration and unrestricted colonization so that the Jewish people may rebuild their ancestral homeland as a free and democratic Jewish Commonwealth, and

Be It Further Resolved, That copies of this resolution should be forwarded to the President, the Secretary of State, the Senate and the House of Representatives of the United States of America.

REPORTS OF COMMITTEES

Senator Faul submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was re-

Be It Further Resolved, That copies of this resolution should be forwarded to the President, the Secretary of State, the Senate and the House of Representatives of the United States of America.

The motion prevailed and the resolution was adopted.

Senator Hill offered the following Senate concurrent resolution:

SENATE CONCURRENT RESOLUTION 8

Whereas, American-born actress Drue Leyton Tartiere arrived in Washington, D. C., recently to tell war bond rallies how she spent three years in occupied France nursing and concealing Allied fliers and helping them to escape to friendly territory, and

Whereas, Drue Leyton Tartiere will be in the city of Des Moines on Monday, February 5th, 1945, therefore,

Be It Resolved by the Senate, the House of Representatives concurring: That the Senate and House of Representatives of the Fifty-first General Assembly meet in joint convention on Monday, February 5th, 1945, at 11:45 a. m. and that Drue Leyton Tartiere be invited to address the joint convention on her experiences in occupied France.

Senator Hill asked and received unanimous consent that the rules be suspended and that Senate Concurrent Resolution 8 be taken up at this time, and moved its adoption.

The motion prevailed and the resolution was adopted.

Senator Hill asked and received unanimous consent that Senate Concurrent Resolution 8 be immediately messaged to the House.

REPORT OF COMMITTEE ON CLERKS

Senator Watson 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 that Ardith Martin of Marshall county is competent for the position of committee clerk for Senator Rockhill.

DE VERE WATSON.
ROBT. W. HARVEY.
RICHARD V. LEO.

The report was adopted.

HOUSE MESSAGES CONSIDERED

House File 50, 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 the child or children of soldiers, sailors, marines and nurses.

Read first and second times and passed on file.

House File 169, a bill for an act to amend section five thousand one hundred ninety-one (5191), subsection eleven (11), Code, 1939, relating to boarding prisoners.

Read first and second times and passed on file.

The following communication was received from the Governor:

STATE OF IOWA
OFFICE OF THE GOVERNOR
Des Moines

January 31, 1945.

HONORABLE KENNETH A. EVANS

Lieutenant Governor

Building

Dear Governor Evans:

In view of the several pension bills which have been introduced in both houses of the legislature proposing some type of Social Security for limited groups of public employees not now covered by the Federal Social Security Act, I desire to make the following suggestions.

I suggest that a small committee from the House and Senate be appointed by the Lieutenant Governor and the Speaker of the House to study the advisability and cost of a general Retirement Act, which would cover public employees at the State, County and Municipal level.

This type of legislation is somewhat technical and the committee may require the assistance of actuaries or other experts. I am sure that the Attorney General, the Tax Commission and the Unemployment Compensation Board of the State will be glad to lend any assistance they may in this matter.

If this type of legislation is to be passed on by this legislature, it will require early consideration.

Ten or twelve states already have general Retirement Acts for public employees.

I believe this problem worthy of the careful consideration of this session of the legislature.

Sincerely yours,

ROBERT D. BLUE, *Governor*.

President pro tempore Hart took the chair at 10:50 a. m.

THIRD READING OF BILLS

On motion of Senator Clem, Senate File 122, 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 ap-

plicable, available to national banks operating in this state, was taken up and considered.

Senator Dewel offered the following amendment and moved its adoption :

Amend Senate File 122 as follows:

Amend Senate File 122, section 6 by striking lines 39, 40, 41, 42, 43, and 44.

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

Senator Pine offered the following amendment by Senators Pine and Dykhouse and moved its adoption :

Amend Senate File 122 as follows:

1. Line 2 of section 1 add after the word "bank" the words, ", banking institution, or person".

2. Line 1 of section 2 add after the word "banks" the word, ", banking institutions, or persons".

3. Line 1 of section 3 add after the word "bank" the words ", banking institution, or person".

4. Line 1 of section 6 add after the word, "banks" the words, ", banking institutions, or persons";

Also in line 17 of section 6 add after the word "bank" the words, "banking institution, or person";

Also in line 21 of section 6 after the word, "bank" add the words, ", banking institution, or person";

Also in line 39 of section 6 after the word, "bank" add the words, ", banking institution, or person";

Also in line 43 of section 6 after the word, "bank" add the words, ", banking institution, or person".

5. Line 2 of section 7 add after the word, "bank" the words, ", banking institution, or person".

6. Line 6 of section 8 add after the word, "bank" the words, ", banking institution, or person".

7. Line 2 of section 10 strike the word "Bank".

8. Strike all of section 12.

9. Strike from the first two lines of the title down to and including the word, "Iowa," and insert in lieu thereof the following, "An Act to authorize banks, banking institutions, and persons".

Senator Pine asked and received unanimous consent to withdraw the amendment.

Senator Bekman offered the following amendment by Senators Bekman and Clem, and moved its adoption :

Amend Senate File 122 by striking the period (.) at the end of section three (3) and adding thereto the following: ", provided no bank shall have outstanding in such installment loans an aggregate amount in excess of twenty percent of its total resources."

The amendment was adopted.

Senator Bekman offered the following amendment by Senators Bekman and Clem, and moved its adoption:

Amend section 6 of Senate File 122, by striking from line 7 the word "seven" and inserting in lieu thereof the word "six".

Further amend Senate File 122 by striking from line 16, of section 6 the following words "and one-tenth of one".

Further amend Senate File 122, by striking from line 4 of section 7 the words "and one-tenth of one".

Further amend Senate File 122 by striking from line 12 of section 8 the words "and one-tenth of one".

The amendment was adopted.

Senator Bekman offered the following amendment by Senators Bekman and Clem, and moved its adoption:

Amend Senate File 122, by striking from lines 2 and 3, the words "with or without security, sureties or guarantors".

Also amend Senate File 122, section 5 by striking the word "Security", in line 1, and inserting in lieu thereof the words "form of note".

The amendment was adopted.

Senator Bekman offered the following amendment by Senators Bekman and Clem, and moved its adoption:

Amend section 6 of Senate File 122, by striking all of the remainder of the section commencing with and including line 39.

Further amend Senate File 122, by adding thereto the following section as section 10:

Section 10. Advertising.

(a) No bank shall publish, disseminate, or distribute any advertising containing any false, misleading or deceptive statements concerning rates, terms and conditions for loans made under this Act. Violation of any of the provisions of this paragraph shall be punishable as provided in section thirteen thousand sixty-nine (13069) of the Code of 1939.

(b) Any statement indicating the amount of the installment or the total charge in dollars required for any loan shall also state the percentage rate per year computed on declining balances of the original principal amount to which the total charge would be equivalent if the loan were repaid according to the contract. The percentage rate stated may be closely approximate rather than exact if the statement so indicates.

Further amend Senate File 122 by renumbering sections 10, 11 and 12.

Further amend the Title to Senate File 122, by striking the period (.) following the word "state" and adding the following: "and prescribing certain requirements for advertising on the part of banks of loans to be made under this Act".

The amendment was adopted.

Senator Bekman offered the following amendment by Senators Bekman and Clem, and moved its adoption:

Amend Senate File 122 by adding thereto as a new section, following section nine (9), the following:

"The provisions of this act shall not apply to persons, firms or corporations selling goods, merchandise or property on installment credit."

Further amend Senate File 122 by renumbering subsequent sections.

Senator Bekman asked and received unanimous consent to withdraw the amendment.

President Evans took the chair at 11:45 a. m.

Senator Lynes offered the following amendment and moved its adoption:

Amend Senate File 122 by striking the figures two thousand five hundred dollars (\$2500) in line four (4) of section three (3) and substituting in lieu thereof the figures one thousand dollars (\$1000).

Further amend Senate File 122 by striking the word seven (7) in line seven (7) under option A of section six (6) and substitute in lieu thereof the word five (5).

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 8, extending an invitation to Drue Leyton Tartiere to address a joint convention of the General Assembly to be held Monday, February 5, 1945, at 11:45 a. m.

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

House Concurrent Resolution 10, requesting that the Governor return House File 47 for reconsideration. A. C. GUSTAFSON, *Chief Clerk*.

HOUSE CONCURRENT RESOLUTION 10

Be It Resolved by the House, the Senate Concurring: That the Governor be requested to return for reconsideration House File 47, a bill for an act relating to the chain store tax.

Senator Hill asked and received unanimous consent that the rules be suspended and that House Concurrent Resolution 10 be considered at this time, and moved its adoption.

The motion prevailed and the resolution was adopted.

Senator Hill asked and received unanimous consent that House

Concurrent Resolution 10 be immediately messaged to the House, which request was complied with.

SPECIAL SENATE COMMITTEE

President Evans announced the following as members of a special committee on public employees retirement plan:

Hill—Chairman Doud
Elthon*

Faul Mercer

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 rescinded the action by which it adopted the report of the committee on enrolled bills on House File 47, relating to chain store tax, and also that the House has expunged the record showing that the same was signed by the Speaker and directed me to return the bill to the Senate for further action. A. C. GUSTAFSON, *Chief Clerk*.

Senator Henningsen moved that the Senate adjourn until 10:00 a. m. Thursday.

Senator Cromwell moved, as a substitute, that the Senate recess until 1:30 p. m., which motion prevailed and the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate resumed regular session, President Evans presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Schluter indefinitely on account of the death of his father, on request of Senator Henningsen.

The Senate resumed consideration of Senate File 122.

Senator Berg moved the previous question on the first section of the amendment by Senator Lynes.

The motion was lost.

Senator Lynes moved the adoption of the first section of his amendment.

The amendment was lost.

*Ranking member.

Senator Lynes asked and received unanimous consent to withdraw the second and last section of his amendment.

Senator Bekman offered the following amendment by Senators Bekman, Pine and Clem, and moved its adoption:

Amend Senate File 122 by adding thereto as a new section, following section nine (9), the following:

"Nothing in this Act shall be construed as prohibiting any person, firm or corporation from making installment loans or from selling goods, merchandise or property on installment credit."

Further amend Senate File 122 by renumbering subsequent sections.

The amendment was adopted.

Senator Pine offered the following amendment and moved its adoption:

Amend Senate File 122 by amending section 3 as amended, by striking the word "twenty" where it appears therein and inserting in lieu thereof the word "fifteen".

The motion prevailed and the amendment was adopted.

Senator Bekman 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.

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

Ayes, 37:

Augustine	Findlay	Long	Rockhill
Barkley	Hart	Love	Sharp
Bekman	Harvey	Lucas	Shaw
Berg	Henningsen	Martin	Sjulin
Byers	Hill	Mercer	Vittetoe
Clem	Hultman	Miller	Vrba
Cromwell	Kirketeg	Newsome	Watson
Dewel	Klein	Pine	White
Dykhouse	Knudson	Reilly	Zastrow
Faul			

Nays, 11:

Benson	Foster	Keir	Mowry
Doud	Hawkins	Leo	Ritchie
Elthon	Jones	Lynes	

Absent or not voting, 2:

Jacobson	Schluter
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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.

Senator Cromwell asked and received unanimous consent that Senate File 122 be engrossed before it is messaged to the House.

UNFINISHED BUSINESS

Senator Byers asked and received unanimous consent to expunge the record of the President's signature on House File 47.

Senator Byers moved to reconsider the vote by which the report of the committee on enrolled bills on House File 47 was adopted, which motion prevailed.

Senator Byers moved that House 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 House File 47 from the table carried by a two-thirds majority.

Senator Byers moved that the vote by which House File 47 passed the Senate be reconsidered.

On the question "Shall the vote by which House File 47 passed the Senate be reconsidered?" the vote was:

Ayes, 43:

Augustine	Findlay	Klein	Pine
Barkley	Foster	Knudson	Reilly
Benson	Hart	Leo	Ritchie
Berg	Harvey	Long	Shaw
Byers	Hawkins	Love	Sjulin
Clem	Henningsen	Lucas	Vittetoe
Cromwell	Hill	Lynes	Vrba
Dewel	Hultman	Martin	Watson
Doud	Jones	Mercer	White
Dykhous	Keir	Miller	Zastrow
Faul	Kirketeg	Newsome	

Nays, none.

Absent or not voting, 7:

Bekman	Jacobson	Rockhill	Sharp
Elthon	Mowry	Schluter	

The vote by which House File 47 passed the Senate was ordered reconsidered.

Senator Byers moved that the vote by which House File 47 went to its third reading be reconsidered, which motion prevailed.

Senator Byers moved that House File 47 be referred to the committee on judiciary 1, which motion prevailed.

PRESENTATION OF VISITOR

Senator Ritchie asked and received unanimous consent to present the Honorable Winfred Mighell of Ida county, a former member of the Senate who was present in the Senate chamber.

BILLS ASSIGNED TO COMMITTEES

President Evans announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 154	Cities and Towns.
S. F. 155	Cities and Towns.
S. F. 156	Cities and Towns.
S. F. 157	Judiciary 1
S. F. 161	Judiciary 2.
S. F. 162	Governmental Affairs.
S. F. 163	Judiciary 2.
S. F. 164	Judiciary 2.
H. F. 50	Military and Veterans Affairs.
H. F. 169	Governmental Affairs.

REPORTS OF COMMITTEES

Senator Faul submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 94, a bill for an act to repeal chapter 267, Laws of the 50th General Assembly, 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, 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 Byers 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 compensation of a minor employee, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred House File 16, a bill for an act relating to assignment of trademarks, labels, etc., begs leave to report it has had the same under consideration and recommends the same do pass. FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Senator Vittetoe submitted the following report:

MR. PRESIDENT: Your committee on public health, to which was referred Senate File 31, a bill for an act to provide for the licensing, inspection, control and regulation of barber shops and barber schools, begs leave to report it has had the same under consideration and recommends that the same do pass. LUKE VITTETOE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public health, to which was referred House File 15, a bill for an act to amend section three thousand one hundred sixty-nine and one hundredth (3169.01), Code, 1939, relating to the Uniform Narcotic Drug Act, begs leave to report it has had the same under consideration and recommends that the same do pass.

LUKE VITTETOE, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 72 by striking from lines seven (7) and eight (8) the words "one notice" and inserting in lieu thereof the words "two notices". O. J. KIREKTEG.

Amend Senate File 125 by striking from section 1 all of lines 7 to 17, inclusive, and inserting in lieu thereof the following:

"Chauffeur means any driver who operates a motor vehicle or a motor truck in the transportation of persons or property for hire, including school busses, whether paid directly or indirectly in wages, commissions or otherwise, excepting when such operation is occasional and merely incidental to his principal occupation or where the vehicle is being operated as a pool car in a share the ride plan; provided further that the operator driving a panel or special delivery or pickup truck who sells and delivers merchandise directly from the manufacturer to the consumer shall not be deemed to be a chauffeur." F. J. PINE.

Amend Senate File 147 as follows: Strike all of section 10 and insert in lieu thereof the following: The state superintendent shall have the following qualifications: He shall be the graduate of an accredited college, normal school, or university, and in addition thereto, he shall be the holder of a standard master of arts or master of science degree from an accredited institution entitled to grant the same, with a major or minor in education. He shall have had not less than ten

years of experience in the public schools, five of which shall have been as a city or county superintendent of schools. C. V. FINDLAY.

Amend Senate File 152, by striking all of lines 4 and 5 of section 1, and inserting in lieu thereof the following:

"to convert the same to other county purposes or". F. E. SHARP.

Amend section 2 of Senate File 157 by striking the words "Oakland Acorn" in line 4 and substituting the words "Ida County Pioneer Record".

Further amend section 2, Senate File 157, by striking the word "Oakland" in line 5 and substituting the words "Ida Grove".

DE VERE WATSON.

Amend Senate File 31, line 23, by striking the period after the word "hearing" and by adding the following: "before the board of barber examiners."

ROBERT C. REILLY.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 1, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend U. E. Burroughs, pastor of the First Baptist church, Fredericksburg, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Augustine 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 revision of the school code.

By Senator Knudson, from county officers of Franklin county, favoring an increase in salaries.

By Senator Vrba, from residents of Winneshiek county, favoring local option.

INTRODUCTION OF BILLS

Senate File 178, by Senator Watson, a bill for an act to amend chapter two hundred ninety-three (293) of title XV, Code, 1939, relating to tax levies by park commissioners in cities and towns.

Read first and second times and passed on file.

Senate File 179, by Senators Cromwell and Long, a bill for an act to amend chapter four hundred seventy-one (471), Code, 1939, by providing for interlocutory decree, signing and filing of decree, payment of costs, for dismissal of action, and duties of court.

Read first and second times and passed on file.

Senate File 180, by Senators Lynes and Leo, a bill for an act to protect and further the public health and welfare by promot-

ing the development, expansion, economic stability, and prosperity of the dairy industry through the stimulation of an increased use and consumption of dairy products in the markets of the state, nation, and foreign countries; to provide means and methods for research, education, advertising and sales stimulation relative to the products of the dairy industry of Iowa; to provide funds for such purposes by an excise tax on dairy products, and for the collection and expenditure thereof; to create a commission with state authority to administer this act, and to define its authority, duties and powers; and to prescribe penalties for violations of this act.

Read first and second times and passed on file.

Senate File 181, by Senators Long, Zastrow, Elthon, Cromwell, Kirketeg, Klein, Doud and Faul, a bill for an act to amend section twelve thousand eight hundred sixteen and one-tenth (12816.1), Code, 1939, fixing the salaries of judges of supreme court.

Read first and second times and passed on file.

Senate File 182, by Senators Lynes, Vrba and Harvey, a bill for an act to amend section thirty hundred fifty-eight (3058), Code, 1939, relating to standards for ice cream and other food products.

Read first and second times and passed on file.

Senate File 183, by Senator Lynes, a bill for an act to amend sections three thousand one hundred and twenty-three hundredths (3100.23), three thousand one hundred and twenty-six hundredths (3100.26), three thousand one hundred and twenty-eight hundredths (3100.28), and three thousand one hundred and forty-five hundredths (3100.45), Code, 1939, relating to cream grading.

Read first and second times and passed on file.

Senate File 184, by committee on aeronautics, a bill for an act relating to aeronautics; providing for the development and regulation thereof within this state; creating a state aeronautics commission and the office of director of aeronautics; prescribing the powers and duties of such commission and director; providing for the acquisition and operation of state airports; pre-

scribing penalties, and to make uniform the law with reference to state development and regulation of aeronautics.

Read first and second times and placed on the calendar.

UNFINISHED BUSINESS

Senator Cromwell called up Senate File 29, a bill for an act to amend section three thousand six hundred fifty-nine (3659), Code, 1939, relating to the penalty for contributing to the delinquency of a minor.

Senator Cromwell offered the following amendment to the amendment filed by him on January 24 and found on page 150 of the Senate Journal, and moved its adoption:

"Strike the period and quotation at the end of the amendment and add the following:

; all proceedings hereunder shall be commenced by filing a complaint or information as employed in all cases of non-indictable misdemeanors and shall be tried summarily and without jury. Any defendant prosecuted hereunder shall have the right of appeal and trial de novo in the district court the same as in case of appeals from the justice court."

The amendment to the amendment was adopted.

Senator Cromwell offered the following amendment and moved its adoption:

Add the following new section:

"Sec. 2. Add to chapter 181 of the 1939 Code a new section: 'The juvenile court shall have jurisdiction concurrent with other courts having jurisdiction of misdemeanors, in the prosecution of any offenses set forth in section three thousand six hundred fifty-eight (3658), though the defendants in said action may be adults, and the penalty shall be the same as set forth in section three thousand six hundred fifty-nine (3659).'"

The amendment as amended 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:

Barkley	Elthon	Hill	Long
Bekman	Faul	Hultman	Love
Benson	Findlay	Jones	Lucas
Berg	Hart	Keir	Lynes
Cromwell	Harvey	Kirketeg	Mercer
Dewel	Hawkins	Klein	Miller
Dykhouse	Henningsen	Leo	Newsome

Pine
Reilly
Rockhill

Sharp
Shaw
Vittetoe

Vrba
Watson

White
Zastrow

Nays, 2:

Clem

Mowry

Absent or not voting, 10:

Augustine
Byers
Doud

Foster
Jacobson
Knudson

Martin
Ritchie

Schluter
Sjulin

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

Senator Cromwell asked and received unanimous consent to amend the title by adding after the word "minor" the following: "and granting jurisdiction in juvenile courts of such offenses"

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 Pine called up Senate File 125, a bill for an act to amend section five thousand and one hundredth (5000.01), Code, 1939, paragraph forty (40), as amended by chapter one hundred fifty-five (155), Acts of the 50th General Assembly, relating to certain exemptions from the chauffeur's license requirements.

Senator Pine offered the following amendment and moved its adoption:

Amend Senate File 125 by inserting in line four (4) of section two (2) after the word "the" the following: "Davenport Times".

Amend line five (5) of said section following the word "at" by inserting the following: "Davenport, Iowa".

Further amend said section by inserting in line six (6) preceding the comma by inserting the words "Muscatine Journal".

Further amend said section at line seven (7) by adding following the word "at" as follows: "Muscatine, Iowa".

The amendment was adopted.

Senator Pine offered the following amendment and moved its adoption:

Amend Senate File 125 by striking from section 1 all of lines 7 to 17, inclusive, and inserting in lieu thereof the following:

"Chauffeur means any driver who operates a motor vehicle or a motor truck in the transportation of persons or property for hire, including school busses, whether paid directly or indirectly in wages, commissions or otherwise, excepting when such operation is occasional and merely incidental to his principal occupation or where the vehicle is being operated as a pool car in a share the ride plan; provided further

that the operator driving a panel or special delivery or pickup truck who sells and delivers merchandise directly from the manufacturer to the consumer shall not be deemed to be a chauffeur."

The amendment was 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, 44:

Barkley	Foster	Knudson	Pine
Bekman	Hart	Leo	Reilly
Berg	Harvey	Long	Ritchie
Byers	Hawkins	Love	Rockhill
Clem	Henningsen	Lucas	Sharp
Cromwell	Hill	Lynes	Sjulin
Dewel	Hultman	Martin	Vittetoe
Dykhouse	Jones	Mercer	Vrba
Elthon	Keir	Miller	Watson
Faul	Kirketeg	Mowry	White
Findlay	Klein	Newsome	Zastrow

Nays, none.

Absent or not voting, 6:

Augustine	Doud	Schluter	Shaw
Benson	Jacobson		

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 Hart called up the following committee report and moved its adoption:

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 Forty-first General Assembly be as follows:

The rules of the Senate for the Fiftieth General Assembly shall be adopted as the rules of the Senate for the Fifty-first General Assembly except as hereinafter repealed, altered, amended or substituted.

Rule 22 of the printed rules of the Senate for the Fiftieth General Assembly is amended by striking the figures and letters "15th" in all places where same appears in said Rule 22, and by inserting in lieu thereof the figures and letters "19th", and said Rule 22 is further amended by striking from lines 12 and 13 the following: "and committee bills relating to Court Procedure Reform".

Further amend Rule 22 by striking from line 19 the following: "Committee on Public Schools" and inserting in lieu thereof "Special School Code Committee".

Further amend Rule 22 by striking from lines 20, 21, 22, and 23 the following: "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."

Further amend Rule 22 by striking the letter "s" in the word "Appropriations" in line 9 and the letter "s" in the word "Committees" in lines 9 and 10 and further amend Rule 22 by striking the "s" in the word "Appropriations" in lines 15 and 16 and the letter "s" in the word "Committees" in line 16.

Rule 33 of the printed rules of the Senate for the Fiftieth General Assembly is amended by striking from line 9 the word "thirty" and inserting in lieu thereof the words "thirty-three".

Rule 38 of the printed rules of the Senate for the Fiftieth General Assembly is amended by striking from line 2 the following figures and letters "25th" and inserting in lieu thereof the figures and letters "22nd".

Rule 45 of the printed rules of the Senate for the Fiftieth General Assembly is amended by inserting after the "comma" following the word "members" in line 3 the following: "The President,"; further amend Rule 45 by striking the "comma" after the word "arms" in line 4 and inserting in lieu thereof a "semicolon"; further amend Rule 45 by striking the "period" after the word "secrecy" in line 6 and inserting in lieu thereof the following: "at each executive session."

Roll call was demanded.

On the question "Shall the report be adopted?" the vote was:

Ayes, 31:

Barkley	Hart	Leo	Pine
Berg	Henningsen	Long	Reilly
Byers	Hill	Love	Ritchie
Clem	Hultman	Lucas	Vittetoe
Cromwell	Jones	Lynes	Vrba
Dewel	Keir	Martin	Watson
Dykhouse	Kirketeg	Mercer	White
Faul	Klein	Newsome	

Nays, 12:

Bekman	Findlay	Hawkins	Mowry
Benson	Foster	Knudson	Rockhill
Elthon	Harvey	Miller	Shaw

Absent or not voting, 7:

Augustine	Jacobson	Sharp	Zastrow
Doud	Schluter	Sjulin	

The report was adopted.

Senator Hart moved that the rules of the Senate of the Fiftieth General Assembly as amended, be made the rules of the Senate for the Fifty-first General Assembly.

Roll call was demanded.

On the question "Shall the Senate rules of the Fiftieth General

Assembly as amended be made the rules of the Senate for the Fifty-first General Assembly?" the vote was:

Ayes, 35:

Barkley	Harvey	Leo	Pine
Berg	Hill	Long	Reilly
Byers	Henningsen	Love	Ritchie
Cromwell	Hultman	Lucas	Sharp
Dewel	Jones	Lynes	Vittetoe
Dykhouse	Keir	Martin	Vrba
Faul	Kirketeg	Mercer	Watson
Hart	Klein	Miller	White
	Knudson	Newsome	

Nays, 7:

Bekman	Findlay	Mowry	Shaw
Elthon	Hawkins	Rockhill	

Absent or not voting, 8:

Augustine	Doud	Jacobson	Sjulin
Clem	Foster	Schluter	Zastrow

The motion prevailed and the report was adopted.

Senator Hart moved that the vote by which the report of the committee on rules was adopted be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

EXPLANATION OF VOTE ON THE ADOPTION OF SENATE RULES

January 31, 1945.

MR. PRESIDENT: I desire to vote NO on the motion for the adoption of the 1945 Senate Rules as recommended by the Rules Committee of the Senate and request that my vote be so recorded in the Senate Journal.

I believe that a majority vote of the Senate is all that should be required to withdraw a bill from any of the committees of the Senate to which the bill has been referred and that the rules as recommended are undemocratic and will result in preventing the passage of many measures, the passage of which would be for the best interest of the people of Iowa.

ROSS R. MOWRY.

THIRD READING OF BILLS

On motion of Senator Vittetoe, Senate File 128, a bill for an act to amend sections eight thousand eight hundred ninety-five and one hundredth (8895.01), eight thousand eight hundred ninety-five and two hundredths (8895.02), eight thousand eight hundred ninety-five and four hundredths (8895.04), eight thousand eight hundred ninety-five and five hundredths (8895.05), eight thousand eight hundred ninety-five and six hundredths (8895.06),

eight thousand eight hundred ninety-five and seven hundredths (8895.07), eight thousand eight hundred ninety-five and eight hundredths (8895.08), eight thousand eight hundred ninety-five and eleven hundredths (8895.11), eight thousand eight hundred ninety-five and thirteen hundredths (8895.13), and chapter four hundred three and one tenth (403.1), Code, 1939, and chapter two hundred seventy-four (274.), Laws of the Forty-ninth General Assembly, relating to nonprofit corporations furnishing hospital service, and to authorize nonprofit corporations to contract to furnish medical and surgical service to subscribers and to contract for the furnishing of such service with physicians and surgeons, osteopathic physicians or osteopathic physicians and surgeons; to provide for the regulation and supervision of such corporations; to fix their rights, powers and duties; to provide for the method of their incorporation and the personnel of their board of directors; to declare such corporations to be charitable and benevolent institutions; and to prescribe the powers and duties of the commissioner of insurance with reference to such corporations, was taken up and considered.

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

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

Ayes, 44:

Barkley	Findlay	Knudson	Pine
Bekman	Foster	Leo	Reilly
Berg	Hart	Long	Ritchie
Byers	Harvey	Love	Rockhill
Clem	Henningsen	Lucas	Sharp
Cromwell	Hill	Lynes	Shaw
Dewel	Hultman	Martin	Sjulin
Doud	Jones	Mercer	Vittetoe
Dykhouse	Keir	Miller	Vrba
Elthon	Kirketeg	Mowry	Watson
Faul	Klein	Newsome	White

Nays, none.

Absent or not voting, 6:

Augustine	Hawkins	Schluter	Zastrow
Benson	Jacobson		

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

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

On motion of Senator Berg, Senate File 131, a bill for an act to amend title thirty-two (XXXII), Code, 1939 relating to estates of missing personnel, was taken up and considered.

Senator Faul asked and received unanimous consent that further action on Senate File 131 be deferred and that it retain its place on the calendar.

On motion of Senator White, Senate File 135, a bill for an act to amend sections seven thousand two hundred sixty-three (7263), seven thousand two hundred eighty-four (7284), and five thousand ten and eight hundredths (5010.08), Code, 1939, relating to fees to be charged by the county treasurer; section five thousand one hundred fifty-five (5155), Code, 1939, relating to fees to be charged by the county auditor; sections five thousand one hundred seventy-seven (5177) and ten thousand thirty-one (10031), Code, 1939, relating to fees to be charged by the county treasurer; and chapter four hundred twenty-nine and one-tenth (429.1), Code, 1939, relating to the filing of verified statements when conducting business under a trade name; to provide for a fee or increase in fees to be charged by the county treasurer, auditor and recorder, was taken up and considered.

Senator White moved that the bill be read a third 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	Knudson	Rockhill
Benson	Harvey	Leo	Sharp
Byers	Hawkins	Long	Shaw
Clem	Henningsen	Love	Sjulin
Cromwell	Hill	Lucas	Vittetoe
Dewel	Hultman	Martin	Vrba
Doud	Jones	Mercer	Watson
Dykhousé	Kerr	Mowry	White
Faul	Kirketeg	Newsome	Zastrow
Findlay	Klein	Reilly	

Nays, none.

Absent or not voting, 11:

Augustine	Elthon	Lynes	Ritchie
Barkley	Hart	Miller	Schluter
Berg	Jacobson	Pine	

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

Senator White moved that the 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 Findlay asked and received unanimous consent to withdraw the amendment filed by him on January 31 to Senate File 147 and found on page 214 of the Senate Journal.

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 63, a bill for an act relating to local option for the sale of beer and malt liquors.

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

Senate Concurrent Resolution 7, memorializing Congress to take appropriate measures providing for free immigration and colonization of the Jewish people.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File 63, 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 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, House Files 11 and 21.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *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 11 and 21.

BILLS ASSIGNED TO COMMITTEES

President Evans announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. J. R. 3	Highways.
S. F. 170	Schools and Educational Institutions.
S. F. 171	Judiciary 2.
S. F. 172	Judiciary 1.
S. F. 173	Board of Control.
S. F. 174	Judiciary 1.
S. F. 175	Judiciary 1.
S. F. 176	Judiciary 2.
S. F. 177	Insurance.

REPORTS OF COMMITTEES

Senator Henningsen submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 15, a bill for an act to amend section 6517, Code, 1939, relating to and providing for the salary of the mayor and councilmen of certain cities now or hereafter organized under chapter 326, Code, 1939, relating to cities under the commission form of government, begs leave to report it has had the same under consideration and returns the bill with the following amendments without recommendation:

Amend Senate File 15, section 4, by striking from line 6 the words and figures "five thousand dollars" and substituting in lieu thereof the words and figures "four thousand five hundred dollars".

Further amend said section by striking from lines 6 and 7 the words and figures "four thousand dollars" and substituting in lieu thereof the words and figures "three thousand five hundred dollars".

O. H. HENNINGSEN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 25, a bill for an act to provide for a pension and annuity retirement system for employees of municipally owned water-works in any city having a population of 5,000 or more, and to authorize city council or board of water works trustees to formulate and establish such plan and adopt appropriate rules and regulations therefor, 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.

Senator Berg submitted the following report:

MR. PRESIDENT: Your committee on military and veterans affairs,

to which was referred Senate File 6, a bill for an act to amend section 295.1, Code, 1939, relating to veteran's newsstand in the lobby of the state capitol, begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN P. BERG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on military and veterans affairs, to which was referred Senate File 7, a bill for an act to amend section 5130.1, Code, 1939, relating to veterans' newsstands in county court houses, begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN P. BERG, *Chairman*.

Ordered passed on file.

Senator Dykhouse submitted the following report:

MR. PRESIDENT: Your committee on ways and means, to which was referred Senate File 117, a bill for an act to amend section 6943.045, relating to income tax returns, 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 Love submitted the following report:

MR. PRESIDENT: Your committee on board of control, to which was referred Senate File 74, a bill for an act to amend section three thousand two hundred ninety-one and one-tenth (3291.1), Code of Iowa, 1939, relating to the salary and compensation and maintenance of business managers of the institutions operating under the board of control, 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 74 by striking all after the enacting clause and inserting the following:

Section 1. Section three thousand two hundred and ninety-one and one-tenth (3291.1), Code of Iowa, 1939, is amended by striking from line eleven (11) the word "He", and by striking lines twelve (12), thirteen (13), fourteen (14), fifteen (15), sixteen (16), and the words "maintenance furnished" in line seventeen (17) and inserting in lieu thereof the following: "He shall receive an annual salary and compensation of two thousand four hundred dollars in cash, and, in addition six hundred dollars in value of support and maintenance furnished or a dwelling house or other appropriate quarters in lieu thereof, and from supplies furnished for the institution, the necessary household provisions for himself, wife, and minor children, as he may elect".

H. S. LOVE, *Chairman*.

Ordered passed on file.

Senator Ritchie submitted the following report:

MR. PRESIDENT: Your committee on governmental affairs, to which

was referred to Senate File 60, a bill for an act to amend sections 5435 and 5440, Code, 1939, relating to the licensing of dogs, begs leave to report it has had the same under consideration and recommends the adoption of the Mowry amendment filed January 25, 1945, found on page 163 of the Senate Journal, and when so amended the bill do pass.

FRED J. RITCHIE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on governmental affairs, to which was referred House File 169, a bill for an act to amend section five thousand one hundred ninety-one (5191), subsection eleven (11), Code, 1939, relating to boarding prisoners, begs leave to report it has had the same under consideration and recommends the same do pass.

FRED J. RITCHIE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on governmental affairs, to which was referred House File 37, a bill for an act providing for notices to local boards of review when valuations are increased by the county board of review, begs leave to report it has had the same under consideration and recommends the same do pass.

FRED J. RITCHIE, *Chairman*.

Ordered passed on file.

Senator Sharp submitted the following report:

MR. PRESIDENT: Your committee on social security, to which was referred Senate File 101, a bill for an act to amend the law as it appears in chapters 70, 71, Code, 1939, relating to workmen's compensation, fixing the maximum amount of weekly compensation, fixing the time when compensation shall be payable, begs leave to report it has had the same under consideration and recommends the same do pass.

F. E. SHARP, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on social security, to which was referred Senate File 103, a bill for an act to amend the law as it appears in chapter 77.2, Code, 1939, sections 1551.09, 1551.10-E and to repeal section 1551.11-A-B and to enact a substitute therefor, all in said chapter relating to unemployment compensation and the payment thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

F. E. SHARP, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on social security, to which was referred Senate File 105, a bill for an act to amend section one thousand, five hundred fifty-one and thirteen hundredths (1551.13), Code of 1939,

relating to unemployment compensation contributions so as to permit voluntary payments or contributions by employers, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

"Amend by striking all of section two (2)"

F. E. SHARP, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 3 by striking all after the enacting clause, and inserting in lieu thereof the following:

"Section 1. Subsection two (2) of section six thousand nine hundred forty-three and forty thousandths (6943.040), Code, 1939, is amended by adding the following subsections:

h. The first two thousand dollars (\$2,000) of compensation from the federal government each year to any person in the armed forces of the United States for services performed during the period beginning with the calendar year opening January 1, 1941 and continuing for six (6) months after the termination of World War II. There shall also be exempt from the gross income of any such person subsistence or dependency allowances made either to him or his dependents by the government of the United States as a result of his services in the armed forces, and any payments received by him in the form of pensions, disability allowances or for rehabilitation or educational purposes arising from his service. This exemption shall be in addition to the two thousand dollars (\$2,000) exempt by reason of compensation for services rendered and shall not be terminated upon his discharge from service.

i. Compensation of all kinds received by or payable to any person by reason of service in the armed forces of the United States from the period beginning January 1, 1941, who shall die while a member of the armed forces of the United States during World War II.

"Sec. 2. The State Tax Commission shall have the power to make refunds to persons affected by the provisions of subsections h. and i. of subsection two (2), section six thousand nine hundred forty-three and forty thousandths (6943.040), Code, 1939, as provided by this act, who have paid state individual income tax during the period covered by this act, which payments would be reduced or annulled through the application of these subsections. Such refunds shall be granted under such rules and regulations as the State Tax Commission may provide. Claims for such refunds shall not be barred by the provisions of section six thousand nine hundred forty-three and ninety-seven thousandths (6943.097). Claims for refunds made in behalf of any person who has died in service may be filed by the legally authorized administrator or executor of his estate.

Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in *Madrid Register-News*, a newspaper published at Madrid, Iowa, and in the *Iowa By-stander*, a newspaper published at Des Moines, Iowa."

Further amend Senate File 3 by striking the period (.) at the end of

the title and substituting therefor a comma (,) and by adding thereto the following: "and to provide for refunds to eligible persons who have paid state individual income tax during the period covered by this act."

GEORGE FAUL.

Amend Senate File 22 by striking from line 8 of section 1, "twenty-five (25)" and inserting in lieu thereof "fifteen (15)".

J. A. NEWSOME.

1. Amend Senate File 39, section one (1) by striking all of said section and inserting in lieu thereof the following:

No person shall act as a real estate broker or real estate salesman, without first obtaining a license as provided in this chapter. The word "person" as provided in said chapter shall mean and include partnership, association or corporation.

2. Further amend by striking all of section three (3) and by inserting the following in lieu thereof:

The term "real estate broker" within the meaning of this chapter shall include any person, other than a salesman and except as herein provided, who engages for all or part of his time in the following:

1. The business of selling, exchanging, purchasing or renting of real estate for another for a fee, commission, or other consideration.

2. Listing real estate of others for sale, exchange, or rental for a fee, commission, or other consideration or advertises or holds himself out as a real estate broker.

3. Further amend by striking all of section four (4) and inserting in lieu thereof the following:

Real Estate as used in this chapter shall mean real property wherever situated, and shall include any and all interest or estate therein.

4. Further amend by striking all of section seven (7) and by inserting the following in lieu thereof:

The provisions of this chapter shall not apply to the sale, exchange, purchase, rental, or advertising of any real estate in any of the following cases:

1. Owners or lessors, or to the regular employees thereof, with respect to the property owned and leased where such acts are performed in the regular course of or incident to the management of property owned and the investment therein.

2. By one acting as attorney in fact under a verified written power of attorney empowering such act.

3. Transactions of an attorney at law admitted to practice in the state of Iowa.

4. The acts of one while acting as a receiver, trustee in bankruptcy, administrator, executor, or under court order or while acting under authority of a deed of trust, trust agreement or will.

5. The acts of an auctioneer in conducting a public sale or auction.

6. An isolated real estate rental transaction by an owner's representative on behalf of said owner; such transaction not being made in the course of repeated and successive transactions of a like character.

5. Further amend by striking all of section five (5) and inserting in lieu thereof the following:

"Real estate salesman" as used in this chapter is a person employed by, or otherwise associated with, a real estate broker, as a selling, renting or listing agent or representative of said broker.

6. Further amend by striking all of section four (4) and renumbering following sections.

7. Further amend by striking section nine (9) and inserting in lieu thereof the following:

"The commission is empowered to promulgate rules and regulations to carry out and administer the provisions of this chapter and consistent therewith. Said commission may carry on a program of education of real estate practices and matters relating thereto."

8. Further amend section eleven (11) as follows:

Strike from line five (5) the words, "and fix the compensation"

Strike from line six (6) the words, "subject to the general laws of the state"

9. Further amend section sixteen (16) as follows:

Strike all the sentence beginning in line twelve (12) and ending in line seventeen (17).

10. Further amend section seventeen (17) as follows:

Strike all of lines twelve (12) to eighteen (18) inclusive. Strike the sentence beginning in line twenty-nine (29) and ending in line thirty-five (35), and insert in lieu thereof the following: "The commission shall prepare and furnish written application blanks for salesman's license, to contain request for such information as the commission may require."

11. Further amend section twenty-five (25) as follows:

Insert in line six (6) after the word "the" the words "chairman of the".

12. Further amend by striking all of section twenty-six (26) and renumbering following sections.

13. Further amend section thirty-three (33) by inserting in lines two (2) and five (5) before the words "real estate" the word "licensed".

14. Further amend section thirty-five (35) by striking from lines four (4), five (5) and six (6) the words:

"The change of business location without notification to the commission shall automatically cancel the license theretofore issued."

15. Further amend section thirty-seven (37) line twelve (12) by striking the word "deemed" and insert in lieu thereof the word "found".

16. Further amend section thirty-seven (37) by striking from lines fifty-one (51) and fifty-two (52) the words "it shall appear to the satisfaction of the commission" and insert in lieu thereof the words "the commission finds".

17. Further amend by striking all of section forty-four (44) and renumber following sections.

18. Further amend by striking all of section forty-seven (47) and insert in lieu thereof the following:

"Any person found guilty of violating a provision of this chapter in a first offense shall be punished by a fine of not to exceed one hundred dollars or by imprisonment for a term of not to exceed thirty days in jail."

E. K. BEKMAN.

Amend Senate File 89 as follows:

1. In line three (3) of section two (2), strike the word "year" and insert in lieu thereof the word "years".

2. In line two (2) of section three (3) strike the word "section" and insert in lieu thereof the word "subsection".

3. In line four (4) of section three (3), strike the word "one" and insert in lieu thereof the word "two".

4. In line six (6) of section three (3) strike the word "one" and insert in lieu thereof the word "two".

FRED CROMWELL.

Amend Senate File 110 by inserting a comma (,) following the word "caused" in line one hundred twenty-nine (129) of section one (1).

Further amend Senate File 110 by striking all of lines one hundred eighty (180) to one hundred ninety-six (196) both inclusive of section one (1) and substituting in lieu thereof the following:

"Mortgagee interests and obligations. If loss hereunder is made payable, in whole or in part, to a designated mortgagee not named herein as the insured, such interest in this policy may be cancelled by giving to such mortgagee a ten days' written notice of cancellation.

"If the insured fails to render proof of loss such mortgagee, upon notice, shall render proof of loss in the form herein specified within sixty (60) days thereafter and shall be subject to the provisions hereof relating to appraisal and time of payment and of bringing suit. If this Company shall claim that no liability existed as to the mortgagor or owner, it shall, to the extent of payment of loss to the mortgagee, be subrogated to all the mortgagee's rights of recovery, but without impairing mortgagee's right to sue; or it may pay off the mortgage debt and require an assignment thereof and of the mortgage. Other provisions relating to the interests and obligations of such mortgagee may be added hereto by agreement in writing."

Further amend Senate File 110 by striking lines two hundred seven (207) to two hundred ten (210) both inclusive of section one (1) and substituting in lieu thereof the following:

"actual cash value and amount of loss claimed; AND WITHIN SIXTY DAYS AFTER THE LOSS, UNLESS SUCH TIME IS EXTENDED IN WRITING BY THIS COMPANY, THE INSURED SHALL RENDER TO THIS COMPANY A PROOF OF LOSS, signed and sworn to by the insured, stating the"

Further amend Senate File 110 by striking the word "of" following the word "value" in line two hundred thirty-five (235) of section one (1), and by substituting in lieu thereof the word "or".

Further amend Senate File 110 by adding to section one (1) thereof, immediately following line two hundred seventy-six (276) the following:

"Fourth page of Standard Fire Policy

Standard Fire Insurance Policy

Expires	
Property	
	Total
Amount \$	Premium \$
Insured	

SEE INSIDE OF POLICY FOR PERILS COVERED

No.

It is important that the written portions of all policies covering the same property read exactly alike. If they do not, they should be made uniform at once."

GEORGE FAUL.

Amend section 1 of Senate File 121 by striking from lines 2 and 3 the words and figures as follows: "Six thousand six hundred eighty-two (6682)" and by inserting in lieu thereof the words and figures as follows: "six thousand six hundred eighty-three (6683)".

ROBERT C. REILLY.

Amend Senate File 147 as follows: Strike all of section 10 and insert in lieu thereof the following: The state superintendent shall have the following qualifications: He shall be the graduate of an accredited college, normal school, or university, and in addition thereto, he shall be the holder of a standard master of arts or master of science degree from an accredited institution entitled to grant the same, with a major or minor in education. He shall have had not less than ten years of experience in the public schools of Iowa, five of which shall have been as a city or county superintendent of schools. The deputy superintendent shall have like qualifications.

C. V. FINDLAY.

Amend Senate File 148 by striking all after the enacting clause and by inserting in lieu thereof the following:

Section 1. Section four thousand three hundred forty-one (4341), Code, 1939, as amended by chapter one hundred sixty-five (165), Acts of the forty-ninth General Assembly, is amended by striking all of said section and by inserting in lieu thereof the following:

"All teachers in the public schools of this state shall be paid for their services a minimum wage as hereinafter provided;

1. A teacher holding a limited elementary certificate who has not completed any standard college work shall be paid a minimum wage of not less than eighty (\$80) dollars per month.

2. A teacher holding a limited elementary certificate who has completed at least fifteen (15) semester hours of standard college work shall be paid a minimum wage of not less than eighty-five (\$85) dollars per month.

3. A teacher holding a limited elementary certificate who has completed at least thirty (30) semester hours of standard college work shall be paid a minimum wage of not less than ninety (\$90) dollars per month.

4. A teacher holding a limited elementary certificate who has completed at least forty-five (45) semester hours of standard college work shall be paid a minimum wage of not less than ninety-five (\$95) dollars per month.

5. A teacher holding a limited elementary certificate who has completed sixty (60) or more semester hours of standard college work shall be paid a minimum wage of not less than one hundred (\$100) dollars per month."

Provided, that nothing herein shall be construed as limiting the right of a school board to make a contract for a higher wage than herein specified as a minimum.

JOHN P. BERG.

ROBERT KEIR.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 2, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend Floyd L. Shepherd, pastor of the First Methodist church, Danville, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Doud, from residents of Van Buren county, favoring revision of the school code.

By Senator Byers, from residents of Linn county, favoring local option.

LEAVE OF ABSENCE

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

INTRODUCTION OF BILLS

Senate File 185, by Senator Faul, a bill for an act to repeal section three thousand six hundred eighty-four and three hundredths (3684.03), Code, 1939, as amended by section two (2), chapter one hundred forty-three (143), Acts of the Forty-ninth (49th) General Assembly, relating to aid to the needy blind and the amount of assistance that may be paid, and to enact a substitute therefor.

Read first and second times and passed on file.

Senate File 186, by Senator Faul (Sloane and Burkman), a bill for an act to amend section five thousand one hundred thirty (5130), Code, 1939, to authorize board of supervisors in counties with a population in excess of sixty thousand (60,000) to establish and enforce rules and regulations in platting, zoning, sanitation, fire protection and housing, in areas of a county outside cities and towns.

Read first and second times and passed on file.

Senate File 187, by Senator Faul (Sloane and Burkman), a bill for an act to amend section ten thousand six hundred eighty-five (10685), Code, 1939, relating to compensation of municipal court reporters.

Read first and second times and passed on file.

Senate File 188, by Senator Clem, a bill for an act to amend section thirty-six hundred twelve (3612), Code, 1939, relating to probation officers, and regulating their salaries.

Read first and second times and passed on file.

Senate File 189, by Senator Clem, a bill for an act to repeal section thirty-six hundred sixteen and one-tenth (3616.1), Code, 1939, and to amend section thirty-six hundred sixteen (3616), Code, 1939, both relating to salaries and expenses of officers and employees of the juvenile court.

Read first and second times and passed on file.

Senate File 190, by committee on national defense and postwar, a bill for an act to create an Iowa development commission, providing for the appointment of its members, defining its powers and duties, providing for a director and other necessary employees, providing for office space therefor, and making appropriations for its work, providing for the transfer of funds from Iowa industrial and defense commission to the use of the Iowa development commission, and extending the powers and duties of the Iowa industrial and defense commission and county defense councils for the duration of the war.

Read first and second times and placed on the calendar.

Senate File 191, by Senator Reilly, a bill for an act to amend subsection three (3) of section five thousand nine hundred and two (5902), Code, 1939, relating to leases by dock boards and to provide that sections six thousand five hundred eighty (6580), six thousand six hundred seventy-nine and one tenth (6679.1) and six thousand seven hundred eighty-one and two tenths (6781.2), Code, 1939, shall not apply to such leases.

Read first and second times and passed on file.

Senate File 192, by committee on ways and means, a bill for an act to amend section thirty-five (35) of chapter one hundred sixty-five (165), Acts of the 50th General Assembly, relating to

distribution of proceeds of motor vehicle fuel license fees and penalties.

Read first and second times and placed on the calendar.

Senate File 193, by Senators Pine, Foster and Elthon, a bill for an act to authorize cities, including cities under special charter, towns and counties to levy and collect a mulct tax against places holding United States liquor licenses.

Read first and second times and passed on file.

Senate File 194, by Senators Benson, Shaw, Harvey, Clem, Leo and Foster, 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 195, by Senator Kirketeg, a bill for an act to amend subsection four (4), 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), section nine (9), chapter one hundred forty-six (146), Acts of the Forty-ninth General Assembly, and section one (1), chapter one hundred thirty-six (136), Acts of the Fiftieth General Assembly; relating to old age assistance funeral expenses.

Read first and second times and passed on file.

Senate File 196, by Senator Bekman, a bill for an act to amend section six thousand two hundred eleven (6211), Code, 1939, relating to a levy of taxation for gas light, electric light, heat or power funds.

Read first and second times and passed on file.

Senate File 197, by Senators Leo, Foster, Benson and Lynes, a bill for an act to amend chapter one hundred fifty-two (152), Code, 1939, relating to commercial feeds and commercial feed fund.

Read first and second times and passed on file.

Senate File 198, by Senator Faul, a bill for an act to amend chapter seventy-seven and two tenths (77.2), Code, 1939, as amended, relating to the payment of unemployment compensation; to preserve the benefit rights of an individual entering the armed forces of the United States; to provide that such an individual shall not be disqualified for voluntarily leaving his employment to enter such armed forces; to provide that the time spent by such individual in such armed forces shall be excluded from the individual's base period; to provide that the benefit year of any such individual shall be extended by the time spent in such armed forces.

Read first and second times and passed on file.

Senate File 199, by Senators Hill, Hultman, Sjulín, Lynes, Zastrow, Faul, Shaw, Byers, Berg, Elthon, Rockhill, Mercer, Sharp, Knudson and Dykhouse, a bill for an act to provide facilities for qualified electors of the state of Iowa serving in the armed forces of the United States to vote at the primary and general elections in the year 1946 and each election year thereafter during the continuance of the present war and for one year thereafter, by casting absent voter's ballots and to that end to advance the dates for filing nomination papers, affidavits of candidacy, certificates of candidacies and nominations by modifying the provisions of sections five hundred thirty-seven (537), five hundred thirty-nine (539), five hundred forty-seven (547), five hundred forty-eight (548), six hundred one (601), and six hundred seventeen (617), Code, 1939, to modify the provisions of chapters 37.1 and 37.2, Code, 1939, as to time of filing nominations and candidacies, objections, withdrawals, making certifications which are provided for in sections six hundred fifty-five and four hundredths (655.04), six hundred fifty-five and nine hundredths (655.09), and six hundred fifty-five and fourteen hundredths (655.14), Code, 1939; also amending section seven hundred seventy-four (774), Code, 1939, relating to cost of printing absent voter's ballots; also amending section nine hundred thirty-seven (937), Code, 1939, relating to time when qualified voters in the armed forces may vote personally; to modify the provisions as to registration and absent voting insofar as it shall apply to voters in the armed forces of the United States by making sections nine hundred twenty-eight (928), nine hundred thirty (930), and nine hundred thirty-one

(931), Code, 1939, inapplicable to such voting, and providing the method of obtaining ballots and authorizing specially printed war ballots; creating and prescribing the duties and powers of the Iowa war ballot commission; providing for obtaining and distributing by the State Printing Board of specially required materials, and making appropriations for carrying out the provisions of this act.

Read first and second times and passed on file.

The following communication was received from the office of the attorney general:

STATE OF IOWA
DEPARTMENT OF JUSTICE
Des Moines

February 1, 1945.

HON. KENNETH A. EVANS
Lieutenant Governor
Senate Chamber
State House

My dear Governor:

You have asked this office for an opinion with respect to the salary to be paid Hon. B. C. Whitehill, now deceased, as a member of the 51st General Assembly.

Section 15 of the Code of Iowa, 1939, is as follows:

"Compensation of part-time members. When a vacancy occurs during the session of the general assembly, and by reason thereof the term of office of any member does not cover the entire session, such member shall be paid as follows:

To a member whose term of office covers fifteen session days or less, three hundred dollars. * * *

Section 1146 of the Code of Iowa, 1939, defines vacancy in office as follows:

"1146 What constitutes vacancy. Every civil office shall be vacant upon the happening of either of the following events:

1. * * *

2. * * *

3. * * *

4. The resignation or death of the incumbent, or of the officer elect before qualifying. * * *

The Journal of the Senate of the 51st General Assembly is the competent evidence to show the proceedings of that House. Koehler v. Hill, 60 Iowa 543.

The official Journal of the Senate of January 8, 1945, contains the report of the committee on credentials, which report certifies that Senator B. C. Whitehill was entitled to a seat in the Senate of the 51st General Assembly as a newly elected member. The report of this committee was adopted and the Journal further provides that the newly

elected senators appeared before the Bar of the Senate and were duly sworn and subscribed their names to the oath of office, which list includes B. C. Whitehill. The Senate further provides that on roll call, all of such members were present except Senator Sjulín and Senator Whitehill, who were granted a leave of absence for the day on request of Senator Hart. Thereafter in the proceedings of the same day appears the announcement to the Senate of the sudden and untimely death of Senator B. C. Whitehill of Marshall.

It is the opinion of this office that Senator Whitehill was a member of the Senate of the 51st General Assembly and that a vacancy occurred during the session by virtue of his death, and that since his term of office covered less than fifteen session days, he is entitled to the compensation accorded by section 15 quoted above, of \$300.00.

Yours very truly,

HAROLD NEWCOMB,

First Assistant Attorney General.

The following communication was received from the state appeal board:

To WM. J. SCARBOROUGH
Secretary of the Senate

In accordance with the provisions of section 3 of chapter 61, Acts of the 49th General Assembly, I hand you herewith claims acted upon by the State Appeal Board. Each claim bears the recommendation of the Board.

List of claims as follows:

Claim No.	Claimant	Amt. Claimed	Amt. Recommended
59	Anna M. Mickelwait.....	\$.....	\$ 4,500.00
60	Defense Plant Corporation.....	869.14	869.14
61	New Albin Consolidated School District	1,615.77	rejected
62	A. C. Hatt.....	300.00	rejected
63	Biersborn Funeral Home.....	100.00	100.00
64	This claim being held for further investigation		
65	S. E. Zink.....	10,000.00	10,000.00

C. FRED PORTER,

Chairman State Appeal Board.

Received of C. Fred Porter, Chairman State Appeal Board, claims numbered from 59 to 65, inclusive, except claim No. 64. February 2, 1945.

W. J. SCARBOROUGH, *Secretary of the Senate.*

To CLAIMS COMMITTEE
Attention
SENATOR KLEIN:

Under date of February 2, 1945, we sent you itemized list of claims in which claim No. 65, S. E. Zink, in the sum of \$10,000.00 was marked as approved. This is in error and should have been rejected. The claim

itself is marked rejected. This applies only to the receipt signed by W. J. Scarborough, Secretary of the Senate.

C. FRED PORTER, *Chairman*
State Appeal Board.

Senator Leo called up the following Senate concurrent resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 5

Whereas, The return to standard time will help increase food production and help win the war and mean more daylight working hours for agriculture, and,

Whereas, Daylight savings time has proven a burden, and

Whereas, Daylight savings time has failed to save daylight or accomplish its purpose, therefore,

Be It Resolved by the Senate, the House Concurring: That the Congress of the United States is respectfully requested to immediately take the necessary steps to return the United States to standard time and abolish daylight savings time by terminating the War Act of January 20, 1942, c. 7, 56, stat. 9, said act providing that Congress had power by concurrent resolution to terminate said act.

That copies of this resolution be transmitted to the President of the United States, to the President of the United States Senate, and the Speaker of the House of Representatives of Congress and to the Iowa members of the United States Senate and the Iowa members of the House of Representatives of Congress.

The resolution was adopted.

President pro tempore Hart took the chair at 10:25 a. m.

THIRD READING OF BILLS

On motion of Senator Dykhouse, Senate File 39, a bill for an act to amend, revise, and codify chapter ninety-one and two-tenths, Code, 1939, relating to the licensing and regulation of real estate brokers and salesmen and to matters properly pertaining to the orderly marketing of real estate, was taken up and considered.

Senator Faul offered the following amendment and moved its adoption:

Amend by inserting at the end of line thirteen (13) of section three (3) the following:

"on more than two parcels of real estate".

The amendment was lost.

Senator Cromwell offered the following amendment and moved its adoption:

Amend by striking all of section fourteen (14) thereof.

Further amend Senate File thirty-nine (39) by renumbering the remaining sections.

The amendment was adopted.

Senator Cromwell offered the following amendment and moved its adoption:

Amend Senate File 39 as follows:

1. In section one (1) line seven (7) strike the word "act" and insert in lieu thereof the word "chapter".
2. In section three (3) line two (2) strike the word "act" and insert in lieu thereof the word "chapter".
3. In section four (4) line one (1) strike the word "act" and insert in lieu thereof the word "chapter".
4. In section five (5) line five (5) strike the word "act" and insert in lieu thereof the word "chapter".
5. In section six (6) line twelve (12) strike the word "act" and insert in lieu thereof the word "chapter".
6. In section seven (7) line one (1) strike the word "act" and insert in lieu thereof the word "chapter".
7. In section seven (7) line ten (10) strike the word "act" and insert in lieu thereof the word "chapter".
8. In section seven (7) line eighteen (18) strike the word "act" and insert in lieu thereof the word "chapter".
9. In section eight (8) line four (4) strike the word "act" and insert in lieu thereof the word "chapter".
10. In section nine (9) line four (4) strike the word "act" and insert in lieu thereof the word "chapter".
11. In section eleven (11) line three (3) strike the word "act" and insert in lieu thereof the word "chapter".
12. In section twenty-one (21) line twelve (12) strike the word "act" and insert in lieu thereof the word "chapter".
13. In section twenty-three (23) line four (4) strike the word "act" and insert in lieu thereof the word "chapter".
14. In section twenty-four (24) line three (3) strike the word "act" and insert in lieu thereof the word "chapter".

The amendment was adopted.

Senator Cromwell offered the following amendment and moved its adoption:

Amend Senate File 39 by striking from lines thirteen (13), fourteen (14) and fifteen (15) of section seven (7) the following: "this act be construed to include in any way the services rendered by an attorney at law" and insert in lieu thereof the following: "the provisions of this chapter apply to an attorney admitted to practice in Iowa,".

President Evans took the chair at 11:05 a. m.

The amendment was adopted.

Senator Dykhousé offered the following amendments and moved their adoption:

Senator Dykhousé asked and received unanimous consent to withdraw section ten (10) of the amendment.

Amend Senate File 39 as follows:

1. Amend section 3 by striking from line 3 the words "and corporation, foreign and domestic" and inserting in lieu thereof the words "or corporation, foreign or domestic".

2. Amend section 10 by striking from line 2 the word "such".

3. Amend section 20 by inserting after the word "denial" in line 5 the following: ", he".

4. Amend section 24 by striking from line 7 the words "certified copy thereof" and inserting "a copy thereof certified". Also by striking from line 8 "the domicile of a non-resident applicant" and inserting "his domicile".

5. Amend section 25 by inserting a comma after "individuals" in line 13. Also by striking the word "the" where it first occurs in line 14 and inserting "a".

6. Amend section 26 by striking "anme" from line 3 and inserting "name".

7. Amend section 29 by changing the comma to a period in line 7 and beginning the next word "the" with a capital.

8. Amend section 31 by inserting after the word "and" in line 4 the words "payment of".

9. Amend section 37 by striking "smy" from line 1 and inserting "may". Also by striking from line 4 the words "shall make" and inserting "makes". Also by inserting a comma after the word "state" in line 7.

10. Amend section 38 by striking from line 10 the words "of same" and "by mailing the".

11. Amend section 45 by striking from line 6 the word "license" and inserting "licensee". Also by striking from line 20 the word "just" and inserting "justice".

12. Amend section 46 by striking from line 4 the word "on" and inserting "one".

The amendments were adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 39, section 15, by striking from lines 6, 7, 8, and 9 the following:

"No expenditures in excess of two hundred fifty dollars shall be made by the commission without first securing the approval of the comptroller in each instance."

The amendment was adopted.

Senator Bekman offered the following amendment and moved its adoption:

1. Amend Senate File 39, section one (1) by striking all of said section and inserting in lieu thereof the following:

No person shall act as a real estate broker or real estate salesman, without first obtaining a license as provided in this chapter. The word "person" as provided in said chapter shall mean and include partnership, association or corporation.

2. Further amend by striking all of section three (3) and by inserting the following in lieu thereof:

The term "real estate broker" within the meaning of this chapter shall include any person, other than a salesman and except as herein provided, who engages for all or part of his time in the following:

1. The business of selling, exchanging, purchasing or renting of real estate for another for a fee, commission, or other consideration.

2. Listing real estate of others for sale, exchange, or rental for a fee, commission, or other consideration or advertises or holds himself out as a real estate broker.

3. Further amend by striking all of section four (4) and inserting in lieu thereof the following:

Real Estate as used in this chapter shall mean real property wherever situated, and shall include any and all interest or estate therein.

4. Further amend by striking all of section seven (7) and by inserting the following in lieu thereof:

The provisions of this chapter shall not apply to the sale, exchange, purchase, rental, or advertising of any real estate in any of the following cases:

1. Owners or lessors, or to the regular employees thereof, with respect to the property owned and leased where such acts are performed in the regular course of or incident to the management of property owned and the investment therein.

2. By one acting as attorney in fact under a verified written power of attorney empowering such act.

3. Transactions of an attorney at law admitted to practice in the state of Iowa.

4. The acts of one while acting as a receiver, trustee in bankruptcy, administrator, executor, or under court order or while acting under authority of a deed of trust, trust agreement or will.

5. The acts of an auctioneer in conducting a public sale or auction.

6. An isolated real estate rental transaction by an owner's representative on behalf of said owner; such transaction not being made in the course of repeated and successive transactions of a like character.

5. Further amend by striking all of section five (5) and inserting in lieu thereof the following:

"Real estate salesman" as used in this chapter is a person employed by, or otherwise associated with, a real estate broker, as a selling, renting or listing agent or representative of said broker.

6. Further amend by striking all of section four (4) and renumbering following sections.

7. Further amend by striking section nine (9) and inserting in lieu thereof the following:

"The commission is empowered to promulgate rules and regulations

to carry out and administer the provisions of this chapter and consistent therewith. Said commission may carry on a program of education of real estate practices and matters relating thereto."

8. Further amend section eleven (11) as follows:

Strike from line five (5) the words, "and fix the compensation"

Strike from line six (6) the words, "subject to the general laws of the state"

9. Further amend section sixteen (16) as follows:

Strike all the sentence beginning in line twelve (12) and ending in line seventeen (17).

10. Further amend section seventeen (17) as follows:

Strike all of lines twelve (12) to eighteen (18) inclusive. Strike the sentence beginning in line twenty-nine (29) and ending in line thirty-five (35), and insert in lieu thereof the following: "The commission shall prepare and furnish written application blanks for salesman's license, to contain request for such information as the commission may require."

11. Further amend section twenty-five (25) as follows:

Insert in line six (6) after the word "the" the words "chairman of the".

12. Further amend by striking all of section twenty-six (26) and renumbering following sections.

13. Further amend section thirty-three (33) by inserting in lines two (2) and five (5) before the words "real estate" the word "licensed".

14. Further amend section thirty-five (35) by striking from lines four (4), five (5) and six (6) the words:

"The change of business location without notification to the commission shall automatically cancel the license theretofore issued."

15. Further amend section thirty-seven (37) line twelve (12) by striking the word "deemed" and insert in lieu thereof the word "found".

16. Further amend section thirty-seven (37) by striking from lines fifty-one (51) and fifty-two (52) the words "it shall appear to the satisfaction of the commission" and insert in lieu thereof the words "the commission finds".

17. Further amend by striking all of section forty-four (44) and renumber following sections.

18. Further amend by striking all of section forty-seven (47) and insert in lieu thereof the following:

"Any person found guilty of violating a provision of this chapter in a first offense shall be punished by a fine of not to exceed one hundred dollars or by imprisonment for a term of not to exceed thirty days in jail."

Senator Bekman offered the following amendment to his amendment and moved its adoption:

Amend section 4 of the Bekman amendment by striking all of subsection 3 and insert in lieu thereof the Cromwell amendment to section 7, preceded by the words "nor shall".

The amendment to the amendment was adopted.

Senator Bekman moved the adoption of section 1 of his amendment,

The motion prevailed and the amendment was adopted.

Senator Bekman moved the adoption of section 2 of his amendment.

The motion prevailed and the amendment was adopted.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Senate File 30, a bill for an act providing for credit on personal income tax.
A. C. GUSTAFSON, Chief Clerk.

HOUSE AMENDMENTS TO SENATE FILE 30

Amend Senate File 30 by striking from lines 6, 7 and 8, section 1, the following: "and for the year nineteen hundred forty-six (1946), and payable in the year nineteen hundred forty-seven (1947),".

Strike from line 6, section 2, the words and figures: ", 1946, or 1947" and insert in lieu thereof the words and figures "or 1946".

Strike from line 5, section 4, the words and figures ", 1946, and 1947" and insert in lieu thereof the word and figures "and 1946".

Strike from line 7, section 4, the word and figures "and 1946".

Strike from line 8, section 4, the word and figures "and 1947".

Amend the title by striking from line 5 the following: "and nineteen hundred forty-six (1946)"; and from line 7, strike the following: "and nineteen hundred forty-seven (1947),".

Further amend said title by striking the comma (,) in line four (4) and inserting in lieu thereof the word "and"; also by striking the comma (,) in line six (6) and inserting in lieu thereof the word "and".

HOUSE AMENDMENT CONSIDERED

Senator Hill called up for consideration Senate File 30, 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 and forty-four (1944) and nineteen hundred and forty-five (1945) and payable in the years nineteen hundred forty-five (1945) and nineteen hundred forty-six (1946), amended by the House.

Senator Long moved that the Senate concur in the following amendments:

Amend Senate File 30 by striking from lines 6, 7 and 8, section 1, the following: "and for the year nineteen hundred forty-six (1946), and

payable in the year nineteen hundred forty-seven (1947).”.

Strike from line 6, section 2, the words and figures: “, 1946, or 1947” and insert in lieu thereof the word and figures “or 1946”.

Strike from line 5, section 4, the words and figures: “, 1946, and 1947” and insert in lieu thereof the word and figures “and 1946”.

Strike from line 7, section 4, the word and figures “and 1946”.

Strike from line 8, section 4, the word and figures “and 1947”.

Amend the title by striking from line 5 the following: “and nineteen hundred forty-six (1946)”.; and from line 7, strike the following: “and nineteen hundred forty-seven (1947).”.

Further amend said title by striking the comma (,) in line four (4) and inserting in lieu thereof the word “and”; also by striking the comma (,) in line six (6) and inserting in lieu thereof the word “and”.

The Senate concurred in the House amendments.

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, 44:

Barkley	Faul	Kirketeg	Pine
Bekman	Findlay	Klein	Reilly
Benson	Foster	Knudson	Ritchie
Berg	Hart	Leo	Rockhill
Byers	Harvey	Long	Sharp
Clem	Hawkins	Love	Shaw
Cromwell	Henningsen	Lucas	Sjulin
Dewel	Hill	Martin	Vittetoe
Doud	Hultman	Mercer	Vrba
Dykhouse	Jones	Miller	Watson
Elthon	Keir	Mowry	White

Nays, 2:

Lynes Zastrow

Absent or not voting, 4:

Augustine Jacobson Newsome Schluter

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.

BILLS ASSIGNED TO COMMITTEES

President Evans announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 178	Cities and Towns.
S. F. 179	Judiciary 1.
S. F. 180	Agriculture.
S. F. 181	Judiciary 1.
S. F. 182	Agriculture.
S. F. 183	Agriculture.
H. F. 63	Judiciary 2.

REPORT OF COMMITTEE

Senator Sharp 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 the law as it appears in chapter seventy (70), Code, 1939, relating to workmen's compensation so as to provide for the payment of compensation to certain employees for certain second injuries, begs leave to report it has had the same under consideration and recommends the same do pass.

F. E. SHARP, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 24 by striking lines three (3) to thirteen (13), both inclusive, of section one (1), and substituting in lieu thereof the following:

"However, when expressly declared, an estate in joint tenancy shall be deemed to be effectively created whether in a grant, devise, or conveyance made from one person to himself and another or others, or from tenants in common to themselves or to themselves and another or others, or from joint tenants to themselves and another or others.

"Any grant, devise, or conveyance executed prior to July 4, 1945, wherein an intent to create an estate in joint tenancy has been expressly declared shall be deemed to have effectively created an estate in joint tenancy whether made from one person to himself and another or others, or from tenants in common to themselves or to themselves and another or others, or from joint tenants to themselves and another or others."

Further amend Senate File 24 by striking from lines three (3) and four (4) of the title the words "the tenancy created thereby." and by substituting in lieu thereof the words "to provide for joint tenancy ownership."

GEORGE FAUL.

Amend House File 40 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Chapter two hundred thirty-six (236), Acts of the Forty-ninth General Assembly, is amended by inserting after the word "refund" in line four (4) of section one (1) and after the word "refund" in line five (5) of section one (1) the words "or credit".

Sec. 2. This act being deemed of immediate importance shall be in

full force and effect from and after its passage and publication in The Cedar Rapids Gazette, a newspaper published in Cedar Rapids, Iowa, and in the Des Moines Daily Record, a newspaper published in Des Moines, Iowa."

Amend the title to House File 40 by striking all after the word "amend" in line one (1) thereof, and substituting in lieu thereof the following:

"chapter two hundred thirty-six (236), Acts of the Forty-ninth General Assembly, relating to tax refunds".

GEORGE FAUL.

Amend the Berg and Keir amendment to Senate File 148 by striking from paragraph two (2) of section one (1) the following: "All teachers in the public schools of this state shall be paid for their services a minimum wage as hereinafter provided;".

JOHN P. BERG.

ROBERT KEIR.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 5, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend Orville W. Morrow, pastor of the West Des Moines Methodist church, West Des Moines, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Harvey, from members of the United Mine Workers of America of Monroe county, in opposition to proposed mining legislation.

By Senator Knudson, from residents of Cerro Gordo county, favoring proposed veteran legislation.

By Senator Mowry, from residents of Jasper county, favoring proposed pension legislation.

By Senator Reilly, from residents of Dubuque county, favoring proposed health legislation.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Clem for the day on request of Senator Faul; Senator Augustine for the day on request of Senator Benson; Senator Long for the day on request of Senator Hultman; Senator Zastrow for the day on request of Senator Henningsen.

INTRODUCTION OF BILLS

Senate File 200, by Senators Sharp, Keir, Leo and Benson, a bill for an act to amend section twenty-five hundred ninety (2590), Code, 1939, relating to the powers and duties of the secretary of agriculture providing for the establishment of a marketing news service division in the department of agriculture, for the purpose of collecting and disseminating data and information relating to market prices and conditions of agricultural products, raised and handled in the state, and making appropriation therefor.

Read first and second times and passed on file.

Senate File 201, by Senators Lucas, Ritchie, Leo, Elthon, Dewel and Mowry, a bill for an act to appropriate funds, from the general fund of the state, to build a bridge over Squaw Creek on the Thirteenth Street Road between the City of Ames and Iowa State College, on land owned by the state of Iowa.

Read first and second times and passed on file.

Senate File 202, by Senators Vrba, Berg, Reilly and Hultman, a bill for an act to authorize county board of supervisors and cities and towns, including special charter cities and cities under the commission form of government, to appropriate money for information centers for service men and women of the armed forces, and to legalize the expenditure heretofore made.

Read first and second times and passed on file.

Senate File 203, by Senator Leo, a bill for an act to amend section eleven (11), chapter one hundred thirty (130), Acts of the Fiftieth General Assembly, and to provide that the assistance and benefits for dependent children shall be paid by the state of Iowa.

Read first and second times and passed on file.

Senate File 204, by Senators Foster and Miller, a bill for an act to require licenses for wool dealers and to provide penalties for violations of the statutes by said dealer.

Read first and second times and passed on file.

Senate File 205, by Senator Love, a bill for an act to repeal chapter forty-seven (47), Acts of the Fiftieth (50th) General Assembly, relating to the stoppage of payments on state warrants unredeemed within one (1) year or longer.

Read first and second times and passed on file.

Senate File 206, by Senator Faul (Sloane and Burkman), a bill for an act to amend section six thousand six hundred ten and fifty-eight hundredths (6610.58), Code, 1939, relating to the fee or tax to be paid by street railways or passenger carriers operating motor-driven passenger busses and trackless-trolley passenger busses in cities under the commission form of government having a population of one hundred twenty-five thousand (125,000) or more.

Read first and second times and passed on file.

Senator Reilly offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION 9

Whereas, Both Houses of the Legislature see fit to open their day's work with prayer, and it is unseemly that they should work during the time in which is commemorated the Passion and Death of the Lord to whom they dedicate their daily efforts;

Whereas, Many members will absent themselves from the legislative halls during that time to attend services in their respective churches; therefore,

Be It Resolved by the Senate, the House Concurring: That a special recess be held on Good Friday afternoon, March 30, during the hours of twelve to three o'clock, out of reverence to the Passion and Death of Our Lord.

Senator Benson asked and received unanimous consent that Senate File 184 be returned to the committee on aeronautics.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Senate File 122, a bill for an act authorizing banks to make installment loans.

A. C. GUSTAFSON, *Chief Clerk*.

HOUSE AMENDMENTS TO SENATE FILE 122

Amend Senate File 122 by adding the following as a new section immediately after section 9:

"That notwithstanding any other provision of this act, no bank as defined herein shall charge a rate of interest of more than seven (7) cents on the hundred by the year on a first mortgage on real estate."

Further amend by renumbering remaining sections of the bill.

HOUSE AMENDMENTS CONSIDERED

Senator Bekman called up for consideration, Senate File 122, 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, amended by the House, and moved that the Senate concur in the House amendment.

The motion prevailed and the Senate concurred in the House amendment.

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

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

Ayes, 35:

Barkley	Foster	Leo	Rockhill
Bekman	Hart	Love	Schluter
Berg	Harvey	Lucas	Sharp
Byers	Henningsen	Lynes	Shaw
Cromwell	Hill	Martin	Vittetoe
Dewel	Hultman	Miller	Vrba
Dykhouse	Kirketeg	Newsome	Watson
Faul	Klein	Pine	White
Findlay	Knudson	Reilly	

Nays, 4:

Benson	Elthon	Mowry	Ritchie
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Absent or not voting, 11:

Augustine	Hawkins	Keir	Sjulin
Clem	Jacobson	Long	Zastrow
Doud	Jones	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.

THIRD READING OF BILLS

On motion of Senator Hill, Senate File 85, a bill for an act to amend section seven thousand four hundred twenty and twenty-two hundredths (7420.22), Code, 1939, relating to payment of claims against the state sinking fund for public deposits, 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 Senate File 85 by striking the word "that" in line 11 of section 1.

Further amend Senate File 85 by adding in line 3 in the first blank space the following: "Daily Freeman Journal" and adding to the second blank space in line 3 "Webster City." Also by filling in the blank space in line 4 the words "Eagle Grove Eagle" and by filling in the blank space in line 5 the words "Eagle Grove".

The amendment was adopted.

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

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

Ayes, 40:

Barkley	Findlay	Knudson	Reilly
Bekman	Hart	Leo	Ritchie
Benson	Harvey	Love	Rockhill
Berg	Henningsen	Lucas	Schluter
Byers	Hill	Lynes	Sharp
Cromwell	Hultman	Martin	Shaw
Dewel	Jones	Miller	Vittetoe
Doud	Keir	Mowry	Vrba
Dykhouse	Kirketeg	Newsome	Watson
Elthon	Klein	Pine	White

Nays, none.

Absent or not voting, 10:

Augustine	Foster	Long	Sjulin
Clem	Hawkins	Mercer	Zastrow
Faul	Jacobson		

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.

BILLS ASSIGNED TO COMMITTEES

President Evans announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 185	Social Security.
S. F. 186	Cities and Towns.
S. F. 187	Judiciary 2.
S. F. 188	Judiciary 1.
S. F. 189	Judiciary 1.
S. F. 191	Cities and Towns.
S. F. 193	Cities and Towns.
S. F. 194	Governmental Affairs.
S. F. 195	Social Security.
S. F. 196	Cities and Towns.
S. F. 197	Agriculture.
S. F. 198	Social Security.
S. F. 199	Judiciary 1.

Senator Martin asked and received unanimous consent to bring up House File 169, a bill for an act to amend section five thou-

sand one hundred ninety-one (5191), subsection eleven (11), Code, 1939, relating to boarding prisoners.

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 Senate Concurrent Resolution 8, duly adopted, the joint convention was called to order, Lieutenant Governor K. A. Evans, President of the Senate, presiding.

The President of the Senate presented Mme. Drue Leyton Tartiere, American-born actress, recently returned to Washington, D. C., from France, who told of her three years' experiences in occupied France, nursing and concealing allied fliers and helping them to escape to friendly territory.

On motion of Senator Hart, the joint convention was dissolved.

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

REPORTS OF COMMITTEES

Senator Faul submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 91, a bill for an act to repeal sections 6231, 6232, 6233, 6234, 6235, 6236, 6237, 7125, Code, 1939, relating to road poll tax and to repeal the same, 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 judiciary 1, to which was referred Senate File 157, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance and delivery of storm sewer bonds of 1945 by the city of Council Bluffs, Iowa, and the provisions made for taxes for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said city, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend section 2 of Senate File 157 by striking the words "Oakland Acorn" in line 4 and substituting the words "Ida County Pioneer Record".

Further amend section 2 by striking the word "Oakland" in line 5 and substituting the words "Ida Grove. GEORGE FAUL, *Chairman*.

Ordered passed on file.

Senator Henningsen submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred House File 25, a bill for an act to amend section 5798.1, Code, 1939, relating to powers of park commissioners, and authorizing the leasing of parks or portions thereof for playing of professional baseball or other professional games, 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

Amend Senate File 131 by striking from subsection two (2) the word "The" which appears as the last word in line thirty-four (34) and by striking all of lines thirty-five (35) to thirty-seven (37) both inclusive.

Further amend Senate File 131 by striking from subsection five (5) all of lines fifty-eight (58) to sixty-four (64) both inclusive, and by substituting in lieu thereof the following:

"owing to him and pay the expenses incident to the conservation of his property as may be authorized by the court."

Further amend Senate File 131 by striking therefrom all of subsection seven (7).

Further amend Senate File 131 by striking the period (.) from the end of subsection eight (8) in line eighty-four (84) and by substituting in lieu thereof a semicolon (;) and by adding thereto the following:

"provided that all acts and transactions of any such conservator and orders of court shall be subject to all the provisions of An Act of Congress entitled the Soldiers' Civil Relief Act and no conservator shall be discharged before showing that the provisions of said Soldiers' and Sailors' Civil Relief Act have been complied with." A. L. DOUD.

Amend Senate File 147, section 8, by striking the semicolon in line 22, and substituting a comma and adding the following: provided however that no school shall be so disqualified for a period of two years following the effective date of this act. HERMAN M. KNUDSON.

Amend House File 16 by striking lines one (1) to four (4), both inclusive, of section one (1), and substituting in lieu thereof the following:

"Section 1. Section nine thousand eight hundred seventy (9870), Code, 1939, is amended by adding thereto the following:"

Further amend House File 16 by inserting after the word "thereof," in line eight (8) of section one (1) the following:

"or personal representative of such owner, in the event of the death of the record owner,"

Further amend House File 16 by striking from line one (1) of the title thereof the words "Chapter four hundred thirty (430)," and

substituting therefor the words "section nine thousand eight hundred seventy (9870),".

GEORGE FAUL.

I move to amend Senate File 31 by striking the word "equipment" in line 28 of subsection 2 of section 1, and by inserting in lieu thereof the word "sanitation".

Further amend Senate File 31 by striking lines 40 to 48 inclusive in subsection 2 of section 1, and by adding a new paragraph at the end of subsection 2 of section 1 as follows:

"The provisions of this act shall not apply to veterans of World War Two for a period of twelve months after their discharge from the Armed Services of the United States."

"Further amend Senate File 31 by adding at the end of section 2 the following:

"16. For transfer of license upon change of ownership of a barber shop or barber school, a fee of one dollar (\$1.00)."

FRANK C. BYERS.

Amend Senate File 193 as follows:

1. Strike from lines 3 and 4 of section 1 the words, "United States liquor license" and insert in lieu thereof the words, "federal retail liquor dealer stamp".

2. Strike from lines 10 and 11 of section 1 the words, "United States liquor license" and insert in lieu thereof the words, "federal retail liquor dealer stamp".

3. Strike from the last line of the title the words, "United States liquor licenses" and insert in lieu thereof the words, "federal retail liquor dealer stamps".

F. J. PINE.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 6, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend John E. Wheatley, pastor of the Presbyterian church, Carroll, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Cromwell, from residents of Poweshiek county, favoring local option.

By Senator Harvey, from county officers of Monona county, favoring increase in salaries.

By Senator Pine, from residents of Louisa county, favoring proposed farm bureau legislation.

By Senator Byers, from residents of Jefferson, Clay, Black Hawk and Cerro Gordo counties, favoring local option.

INTRODUCTION OF BILLS

Senate File 207, by Senator Faul (by request), a bill for an act to amend section twelve thousand nine hundred eleven (12911), to repeal section twelve thousand nine hundred fourteen (12914), to amend section twelve thousand nine hundred eighty-three (12983), and to repeal chapter six hundred fifty-seven (657), Code, 1939, relating to the penalty for murder in the first degree and for kidnaping for ransom, and the execution of the death penalty.

Read first and second times and passed on file.

Senate File 208, by Senator Faul, a bill for an act to amend sections three hundred eight and five tenths (308.5) and one thousand two hundred twenty-five and one hundredth (1225.01), Code, 1939, relating to compensation of state officers and employees for the use of their own motor vehicles on state business.

Read first and second times and passed on file.

Senate File 209, by Senator Martin, a bill for an act to amend section ten thousand one hundred ninety (10190), Code, 1939, relating to municipalities receiving gifts for the purpose of establishing institutions.

Read first and second times and passed on file.

Senate File 210, by Senators Martin and Kirketeg, a bill for an act to amend section thirteen thousand four hundred sixty-eight (13468), Code, 1939, relating to arrest.

Read first and second times and passed on file.

Senate File 211, by Senators Henningsen, Benson and Faul, a bill for an act relating to the license fee of coin-operated personal weighing scales.

Read first and second times and passed on file.

Senate File 212, by Senators Zastrow and Pine, a bill for an act to amend sections two thousand five hundred sixty-five (2565), two thousand five hundred sixty-six (2566), and two thousand five hundred sixty-nine (2569), Code, 1939, relating to the practice of dentistry, further defining the practice of dentistry, providing that certain persons making prosthetic dentures, bridges, artificial restorations, or other structures to be used or worn as substitutes for natural teeth, shall perform such work upon written order, prescription, or other written authorization signed by a licensed dentist regularly engaged in the practice of dentistry; and providing that unlicensed persons may perform laboratory work in dental offices.

Read first and second times and passed on file.

Senate File 213, by Senators Vrba, Lucas, Henningsen and Leo, a bill for an act to provide for the creation of a county conservation board, and prescribing the powers, duties and terms of office of said board.

Read first and second times and passed on file.

Senate File 214, by Senator Berg, a bill for an act to amend section three hundred eight and five tenths (308.5), Code, 1939, relating to motor vehicles used in state business.

Read first and second times and passed on file.

Senate File 215, by Senator Shaw, a bill for an act to amend

section nine thousand thirty (9030), Code, 1939, relating to insurance other than life to permit ceding and receiving of reinsurance by state and county associations.

Read first and second times and passed on file.

Senate File 216. by Senator Doud, a bill for an act to repeal section three thousand eight hundred forty-four (3844), Code of Iowa, 1939, and enacting a substitute therefor, relating to a payment of state and local community funds in matching federal aid.

Read first and second times and passed on file.

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 Fifty-first 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 Fiftieth General Assembly be adopted as the joint rules of the Senate and House of the Fifty-first General Assembly.

Respectfully submitted,

STANLEY L. HART, *Chairman.* EDWARD J. MORRISSEY, *Chairman.*

On the part of the Senate. *On the part of the House.*

Senator Hart offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION 10

Be It Resolved by the Senate, the House Concurring: That the joint rules of the Senate and House of the Fiftieth General Assembly of Iowa be and the same are hereby adopted as the joint rules of the House and Senate of the Fifty-first General Assembly of Iowa.

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 37, a bill for an act relating to elections and officers and time of election, and limiting the number of members of the board of supervisors that may be elected from territories of the county.

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

Senate File 51, a bill for an act to legalize the action of county board of supervisors of Wapello county.

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

Senate File 83, a bill for an act relating to special counsel for the Employment Security Commission.

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

House File 163, a bill for an act relating to the sale of adulterated food products.

A. C. GUSTAFSON, *Chief Clerk*.

HOUSE MESSAGE CONSIDERED

House File 163, a bill for an act to amend chapter one hundred forty-seven (147), Code, 1939, relating to the sale of adulterated food products.

Read first and second times and passed on file.

UNFINISHED BUSINESS

Senator Berg called up for consideration Senate File 131, a bill for an act to amend title thirty-two (XXXII), Code, 1939, relating to estates of missing personnel.

Senator Doud offered the following amendments and moved their adoption:

Amend Senate File 131 by striking from subsection two (2) the word "The" which appears as the last word in line thirty-four (34) and by striking all of lines thirty-five (35) to thirty-seven (37) both inclusive.

Further amend Senate File 131 by striking from subsection five (5) all of lines fifty-eight (58) to sixty-four (64) both inclusive, and by substituting in lieu thereof the following:

"owing to him and pay the expenses incident to the conservation of his property as may be authorized by the court."

Further amend Senate File 131 by striking therefrom all of subsection seven (7).

Further amend Senate File 131 by striking the period (.) from the end of subsection eight (8) in line eighty-four (84) and by substituting in lieu thereof a semicolon (;) and by adding thereto the following:

"provided that all acts and transactions of any such conservator and orders of court shall be subject to all the provisions of An Act of Congress entitled the Soldiers' Civil Relief Act and no conservator shall be discharged before showing that the provisions of said Soldiers' and Sailors' Civil Relief Act have been complied with."

The amendments were 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, 49:

Augustine	Findlay	Knudson	Reilly
Barkley	Foster	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Benson	Harvey	Love	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Lynes	Shaw
Clem	Hill	Martin	Sjulin
Cromwell	Hultman	Mercer	Vittetoe
Dewel	Jones	Miller	Vrba
Doud	Keir	Mowry	Watson
Dykhouse	Kirketeg	Newsome	White
Elthon	Klein	Pine	Zastrow
Faul			

Nays, none.

Absent or not voting, 1:

Jacobson

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 Dykhouse called up for consideration Senate File 39, a bill for an act to amend, revise, and codify chapter ninety-one and two tenths (91.2), Code, 1939, relating to the licensing and regulation of real estate brokers and salesmen and to matters properly pertaining to the orderly marketing of real estate.

Senator Bekman asked and received unanimous consent to make the following corrections to his amendments filed by him on February 1 and found on pages 230 and 231 of the Senate Journal:

Strike the words "interest or" in the last line of section 3.

Strike the word "and" preceding the word "consistent" in line 2 of paragraph 2 of section 7.

Withdraw sections 6 and 13.

Senator Bekman offered the following section of his amendment and moved its adoption:

3. Further amend by striking all of section four (4) and inserting in lieu thereof the following:

Real Estate as used in this chapter shall mean real property wherever situated, and shall include any and all estate therein.

The amendment was adopted.

Senator Bekman offered the following section of his amendment and moved its adoption:

4. Further amend by striking all of section seven (7) and by inserting the following in lieu thereof:

The provisions of this chapter shall not apply to the sale, exchange, purchase, rental, or advertising of any real estate in any of the following cases:

1. Owners or lessors, or to the regular employees thereof, with respect to the property owned and leased where such acts are performed in the regular course of or incident to the management of property owned and the investment therein.

2. By one acting as attorney in fact under a verified written power of attorney empowering such act.

3. Transactions of an attorney at law admitted to practice in the state of Iowa.

4. The acts of one while acting as a receiver, trustee in bankruptcy, administrator, executor, or under court order or while acting under authority of a deed of trust, trust agreement or will.

5. The acts of an auctioneer in conducting a public sale or auction.

6. An isolated real estate rental transaction by an owner's representative on behalf of said owner; such transaction not being made in the course of repeated and successive transactions of a like character.

Senator Byers offered the following amendment to the amendment, and moved its adoption:

Amend subsection 2 of section 4 of the Bekman amendment to Senate File 39 by striking all of said subsection 2 and inserting in lieu thereof the following: "By any person acting as attorney in fact under a duly executed and acknowledged power of attorney from the owner, authorizing the final consummation and execution of any contract for the sale, leasing or exchange of real estate."

The motion prevailed and the amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Bekman offered the following section of his amendment and moved its adoption:

5. Further amend by striking all of section five (5) and inserting in lieu thereof the following:

"Real estate salesman" as used in this chapter is a person employed by, or otherwise associated with, a real estate broker, as a selling, renting or listing agent or representative of said broker.

The amendment was adopted.

Senator Bekman offered the following section of his amendment and moved its adoption:

7. Further amend by striking section nine (9) and inserting in lieu thereof the following:

"The commission is empowered to promulgate rules and regulations

to carry out and administer the provisions of this chapter consistent therewith. Said commission may carry on a program of education of real estate practices and matters relating thereto."

The amendment was adopted.

Senator Bekman offered the following section of his amendment and moved its adoption:

8. Further amend section eleven (11) as follows:

Strike from line five (5) the words, "and fix the compensation"

Strike from line six (6) the words, "subject to the general laws of the state"

The amendment was adopted.

Senator Bekman offered the following section of his amendment and moved its adoption:

9. Further amend section sixteen (16) as follows:

Strike all the sentence beginning in line twelve (12) and ending in line seventeen (17).

The amendment was adopted.

Senator Bekman offered the following section of his amendment and moved its adoption:

10. Further amend section seventeen (17) as follows:

Strike all of lines twelve (12) to eighteen (18) inclusive. Strike the sentence beginning in line twenty-nine (29) and ending in line thirty-five (35), and insert in lieu thereof the following: "The commission shall prepare and furnish written application blanks for salesman's license, to contain request for such information as the commission may require."

The amendment was adopted.

Senator Bekman offered the following remaining sections of his amendment and moved their adoption:

11. Further amend section twenty-five (25) as follows:

Insert in line six (6) after the word "the" the words "chairman of the".

12. Further amend by striking all of section twenty-six (26) and re-numbering following sections.

14. Further amend section thirty-five (35) by striking from lines four (4), five (5) and six (6) the words:

"The change of business location without notification to the commission shall automatically cancel the license theretofore issued."

15. Further amend section thirty-seven (37) line twelve (12) by striking the word "deemed" and insert in lieu thereof the word "found".

16. Further amend section thirty-seven (37) by striking from lines fifty-one (51) and fifty-two (52) the words "it shall appear to the

satisfaction of the commission" and insert in lieu thereof the words "the commission finds".

17. Further amend by striking all of section forty-four (44) and renumber following sections.

18. Further amend by striking all of section forty-seven (47) and insert in lieu thereof the following:

"Any person found guilty of violating a provision of this chapter in a first offense shall be punished by a fine of not to exceed one hundred dollars or by imprisonment for a term of not to exceed thirty days in jail."

The amendments were adopted.

Senator Benson offered the following amendment and moved its adoption:

Amend Senate File 39, section 8, line 15, by adding after the comma (,) following the word "county" the following: "or any association of real estate brokers and salesmen unless the total licensed membership of such county or associations, in relation to the total number of licenses issued within the state, represents a greater ratio than one, in which circumstance the additional representation on the commission shall not be more than whatever ratio its total membership bears to the total licenses issued within the state."

The amendment was lost.

Senator Byers offered the following amendment and moved its adoption:

Amend Senate File 39 by striking section 22 thereof and by renumbering the remaining sections.

The amendment was adopted.

Senator Dykhouse asked and received unanimous consent that 800 copies of Senate File 39 as amended be printed.

PRESENTATION OF VISITORS

Senator Zastrow asked and received unanimous consent to present 17 members of the senior class of the Charles City high school who were present in the balcony.

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 30 and 122.

ROBERT C. REILLY, *Chairman Senate Committee.*
CARL A. ANDERSON, *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 30 and 122.

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 6th day of February, 1945, sent to the Governor for his approval, Senate Files 30 and 122.

ROBERT C. REILLY, *Chairman.*

Passed on file.

BILLS ASSIGNED TO COMMITTEES

President Evans announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 200	Agriculture.
S. F. 201	Highways.
S. F. 202	Governmental Affairs.
S. F. 203	Social Security.
S. F. 204	Agriculture.
S. F. 205	Ways and Means.
S. F. 206	Cities and Towns.

REPORTS OF COMMITTEES

Senator Dykhouse submitted the following report:

MR. PRESIDENT: Your committee on ways and means, to which was referred House File 3, a bill for an act providing for the issuance of temporary permits to persons engaged temporarily in the business of retail sales in Iowa, 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 ways and means, to which was referred House File 20, a bill for an act relating to the collection of taxes upon freight line and equipment car companies, 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 Long submitted the following report :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 165, a bill for an act to make appropriations to various persons, etc., begs leave to report it had had the same under consideration and returns the bill with the following amendment, without recommendation:

Amend by striking from line 4 of section 7 the words, "General Fund" and inserting in lieu thereof "Old Age Assistance Fund".

IRVING D. LONG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 166, a bill for an act to make appropriations to certain named persons to recover funds on motor vehicle registration fees, begs leave to report it has had the same under consideration and returns the bill without recommendation.

IRVING D. LONG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 167, 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 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.

IRVING D. LONG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 168, a bill for an act to make appropriations to Big Four Agricultural Society, Benton County Agricultural Association, and Lyon County Fair Association, begs leave to report it has had the same under consideration and returns the bill without recommendation.

IRVING D. LONG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 169, a bill for an act to make appropriations to certain persons and companies, begs leave to report it has had the same under consideration and returns the bill without recommendation.

IRVING D. LONG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 88, a bill for an act making an appropriation for miscellaneous expense of the 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 88 by inserting after the word "dollars" in line 3 of section 1, "or so much thereof as may be necessary,".

Further amend section 1 by striking lines 10 and 11 and inserting in lieu thereof, "comptroller."

IRVING D. LONG, *Chairman*.

Ordered passed on file.

Senator Sharp submitted the following report:

MR. PRESIDENT: Your committee on social security, to which was referred Senate File 2, a bill for an act relating to relief for honorably discharged men and women of the United States who served in the services of the United States during any war in which the United States was engaged, begs leave to report it has had the same under consideration and recommends the same do pass.

F. E. SHARP, *Chairman*.

Ordered passed on file.

Senator Pine submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles, to which was referred Senate File 140, a bill for an act to amend section five thousand thirteen and sixteen hundredths (5013.16), Code, 1939, relating to fee for operator's and chauffeur's licenses, 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.

Also:

MR. PRESIDENT: Your committee on motor vehicles, to which was referred Senate File 151, a bill for an act to amend section five thousand thirty-nine and two-hundredths (5039.02), Code, 1939, by changing the definition of the term "place of business" contained therein; and to amend section five thousand thirty-nine and five-hundredths (5039.05), Code, 1939, by increasing license provided for therein from five dollars (\$5.00) to fifteen dollars (\$15.00), begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Strike from Senate File 151, lines 17 and 18, and insert in lieu thereof the following:

"if repair, accessory, gasoline and oil, storage, parts or service departments are maintained thereat, if".

F. J. PINE, *Chairman*.

Ordered passed on file.

Senator Kirketeg submitted the following report:

MR. PRESIDENT: Your committee on mines and mining, to which was referred Senate File 64, a bill for an act to amend the law as it appears in section one thousand two hundred ninety-seven and one-tenth (1297.1), Code, 1939, relating to the firing of blasting shots in coal mines, begs leave to report it has had the same under consideration and recommends the same do pass.

O. J. KIRKETEG, *Chairman*.

Ordered passed on file.

Senator Clem submitted the following report:

MR. PRESIDENT: Your committee on banks, building and loan, to which was referred Senate File 57, a bill for an act to amend sections nine thousand three hundred twenty-nine (9329), nine thousand three hundred forty and one hundredth (9340.01) as amended by chapter two hundred forty-five (245), Acts of the Fiftieth General Assembly, nine thousand three hundred forty and eight hundredths (9340.08), nine thousand three hundred forty-seven (9347), nine thousand three hundred forty-seven and one-tenth (9347.1), nine thousand three hundred fifty-three (9353), nine thousand three hundred fifty-four and one-tenth (9354.1), nine thousand three hundred sixty-three (9363), and nine thousand three hundred sixty-eight (9368), Code, 1939, 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 57 by striking lines 42 to 51, inclusive, from section 1 thereof.

A. D. CLEM, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED

Amend S. F. 94 as follows:

1. Strike section (2).

2. Add the following new sections:

"Sec. 2. Subsection five (5) of section eleven thousand seven (11007) is amended by striking the period (.) following the word 'years' in line eight (8) and adding the following: 'except as provided by subsection nine (9).'

"Sec. 3. Section eleven thousand seven (11007) is further amended by adding a new subsection as follows:

'9. Those founded on claims for wages or for a liability or penalty for failure to pay wages, within two years, provided that an action may be commenced on any such presently existing causes of action, within two years after the effective date of this act, or within the period prescribed herein, whichever is the longer.'

"Sc. 4. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Baxter New Era, a newspaper published at Baxter, Iowa, and the Eagle Grove Eagle, a newspaper published in Eagle Grove, Iowa.

FRED CROMWELL.

Amend Senate File 110 by striking from line 200 of section 1 the words "whether collectible or not".

ROSS R. MOWRY.

RALPH W. ZASTROW.

Amend Senate File 182 by striking from lines 5 and 6 of section 3 the word "exclusive" and inserting in lieu thereof the word "exclusively".

Further amend Senate File 182 by striking from line 30 of section 3 the words "the ice cream".

Further amend Senate File 182 by striking the words Sec. 3 in line 1 on page 4, and renumbering it Sec. 4.

Further amend Senate File 182 by striking from line 18 of section 4 the word "it" and inserting in lieu thereof the word "they". ED VRBA.

Amend Senate File 196 by striking from line 4 of section 1 the following: "(1¼)".

Further amend said section by striking from line 5 the following: "(1¼)".

Further amend said section by striking from line 6 the following: "(1¼)".

Further amend said section by striking from line 8 the following: "(2¼)". E. K. BEKMAN.

Amend House File 24, section 1 as follows:

Line 7, after the word "chief" insert "deputy".

Line 8, strike the word "to" and insert "shall".

Line 11, after the word "April" insert "first".

Line 12, strike "balance" and insert "remainder".

Line 13, strike the word "to" and insert "he shall".

Line 17, strike the word "be" and insert "is".

JOHN P. BERG.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 7, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend H. E. Trimble, pastor of the First Church of Christ, Centerville, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Mercer, from members of the American Legion of Johnson county, favoring proposed veteran legislation.

By Senator Foster, from residents of Washington county, favoring revision of the school code; also from residents of Henry county, favoring local option.

By Senator Love, from residents of Madison county, favoring revision of the school code.

By Senator Doud, from residents of Jefferson county, favoring local option.

By Senator Byers, from residents of Delaware and Floyd counties, favoring local option.

By Senator Keir, from members of the Iowa Congress of Parents and Teachers, favoring revision of the school code.

By Senator Berg, from residents of Black Hawk county, favoring proposed pension and veteran legislation.

EXECUTIVE SESSION

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

The Senate arose from executive session and resumed regular session.

INTRODUCTION OF BILLS

Senate File 217, by Senators Martin and Kirketeg, a bill for

an act to amend Code, 1939, by inserting therein a chapter to be designated as chapter six hundred twelve and one tenth (612.1), a provision making it a criminal offense for any one to harbor or conceal any person for whose arrest a warrant or process has been issued, and defining the meaning of such offense and prescribing a penalty therefor.

Read first and second times and passed on file.

Senate File 218, by Senator Byers, a bill for an act to amend section thirteen thousand twenty-seven (13027), Code, 1939, and to repeal section thirteen thousand twenty-nine (13029), Code, 1939, relating to embezzlement and the penalty therefor.

Read first and second times and passed on file.

Senate File 219, by Senator Doud, a bill for an act to amend section four thousand two hundred eighty-three and one hundredth (4283.01), Code of Iowa, 1939, relating to the tuition of a child of school age when in a boarding home.

Read first and second times and passed on file.

Senate File 220, by Senators Sharp and Pine, a bill for an act to amend chapter seventy-one (71), Acts of the Fiftieth General Assembly of Iowa, relating to the rate of contributions for certain employers whose payrolls for the year 1940 have been increased one hundred per cent (100%) or more subsequent to 1942, and relating to employers who had no payrolls in 1942 and whose payrolls subsequent to 1942 were thirty thousand dollars (\$30,000.00) or more; to amend said chapter to provide that a subsequent employer of an enterprise could use the payroll of his predecessor employer in determining his liability under this act; to provide that no employer whose payroll was less than one hundred thousand dollars (\$100,000.00) in a calendar year could be covered by this act.

Read first and second times and passed on file.

Senate File 221, by committee on ways and means, a bill for an act to amend section six thousand nine hundred seventy-five (6975), Code, 1939, relating to the definition of a manufacturer in the statutes relating to listing personal property for taxation.

Read first and second times and placed on calendar.

Senate File 222, by committee on social security, a bill for an

act to amend section one thousand five hundred fifty-one and thirteen hundredths, subsection C (1551.13-C), Code of 1939, as amended, relating to unemployment compensation, and the collection of contributions so as to provide for the transfer of an employer's account to the successor owner of the enterprise; to provide for the continuation of the account in the successor employers in case of reorganization or merger of enterprises; to provide for the fixing of the effective date of this act; and for the repeal of all acts, or parts of acts, inconsistent with the provisions of this act.

Read first and second times and placed on calendar.

Senate File 223, by Senators Sharp and Harvey, a bill for an act to amend chapter seventy-seven and two tenths (772.2), Code, 1939, as amended, providing for unemployment compensation, and regulating the payment of benefits thereunder; to amend section one thousand five hundred fifty-one and twenty-five hundredths, subsection G, paragraph seven (7) (1551.25-G-7), Code, 1939, to provide for the coverage of maritime workers; and to repeal all acts, or parts of acts, inconsistent with the provisions of this act.

Read first and second times and passed on file.

Senate File 224, by committee on social security, a bill for an act to amend chapter seventy-six and one tenth (76.1), Code, 1939, relating to Iowa commission for the blind.

Read first and second times and placed on calendar.

Senate File 225, by Senator Barkley, a bill for an act to amend section one thousand five hundred fifty-six and one hundredth (1556.01) and section one thousand five hundred fifty-six and thirty hundredths (1556.30), Code, 1939, relating to the tax imposed on the sale of cigarettes and providing a designated earmarked fund for the increase in the tax rate.

Read first and second times and passed on file.

Senate File 226, by Senator Barkley, a bill for an act to amend section one thousand nine hundred twenty-one and one hundred twenty thousandths (1921.120), Code, 1939, relating to the barrel tax on beer and providing a designated earmarked fund for the increase in the tax rate.

Read first and second times and passed on file.

Senate File 227, by Senator Barkley, a bill for an act to amend chapter three hundred ninety-two and three tenths (392.3), division IV, Code, 1939, enlarging the scope of the sales tax to include rentals of private dwellings, apartments, rooming houses and hotels.

Read first and second times and passed on file.

Senate Joint Resolution 4, by Senator Newsome (Cox), a bill for an act proposing an amendment to the Constitution of the State of Iowa relating to the term of office of the governor.

Read first and second times 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 37, 51, and 83.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 37, 51, and 83.

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 February, 1945, sent to the Governor for his approval, Senate Files 37, 51, and 83.

ROBERT C. REILLY, *Chairman.*

Passed on file.

Senator Hart called up the report of the joint committee on rules, filed on February 6, and found on page 260 of the Senate Journal, and moved its adoption.

The motion prevailed and the report was adopted.

Senator Hart called up the following Senate concurrent resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 10

Be It Resolved by the Senate, the House Concurring: That the joint rules of the Senate and House of the Fiftieth General Assembly of Iowa be and the same are hereby adopted as the joint rules of the House and Senate of the Fifty-first General Assembly of Iowa.

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 34, a bill for an act authorizing an increased levy for the cemetery fund in towns.

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

House File 164, a bill for an act relating to cream grading.

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

Senate Concurrent Resolution 5, memorializing congress to abolish daylight savings time.

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

House Concurrent Resolution 11, providing for the appointment of a joint committee to investigate the advisability of abolishing justice of peace courts.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 11

Whereas, Justice of peace courts were provided under the law some 75 or 80 years ago when townships were important governmental units and courts of that type were necessary in the administration of civil and criminal procedure; and,

Whereas, The law still provides for the election of two justices and two constables in each township, making a total of 32 justices of peace and 32 constables in the average 16 township county; and,

Whereas, The nomination and election of said justices and constables add to the length of the ballot and time of counting boards at each biennial election; and,

Whereas, That type of court is no longer necessary and has been superseded in some instances by superior and municipal courts; and,

Whereas, In some localities adjacent to larger towns and cities said justice courts have been misused; and,

Whereas, Justice of peace courts and procedure are entirely outmoded and of no further practical benefit to the public;

Be It Therefore Resolved by the House, the Senate Concurring: That a committee of six be appointed, three by the President of the Senate from the Senate, and three by the Speaker of the House from the House, said committee to investigate said situation and report to this General Assembly, or the one following, making recommendations for the improvement and betterment of said conditions and making proposals to change, amend or substitute laws or procedure so as to attain practical efficiency and satisfactory administration of the law.

THIRD READING OF BILLS

On motion of Senator Bekman, Senate File 109, a bill for an act to amend chapters three hundred ninety-eight (398), four hundred (400), and four hundred one (401) of the Code of Iowa, 1939, relating to investments by life insurance companies and associations and the regulation of said investments, companies and associations under the supervision of the insurance commissioner of the state of Iowa, by amending sections eight thousand six hundred fifty-seven (8657), eight thousand six hundred fifty-eight (8658), eight thousand six hundred fifty-nine (8659), eight thousand seven hundred twenty-two (8722), eight thousand seven hundred forty-five (8745), and eight thousand seven hundred forty-six (8746), and repealing sections eight thousand six hundred fifty-five (8655), eight thousand six hundred fifty-six (8656), eight thousand six hundred sixty-four (8664), eight thousand six hundred sixty-five (8665), eight thousand six hundred ninety-eight (8698), eight thousand six hundred ninety-nine (8699), eight thousand seven hundred (8700), eight thousand seven hundred one (8701), eight thousand seven hundred thirty-five (8735), eight thousand seven hundred thirty-six (8736), eight thousand seven hundred thirty-seven (8737), eight thousand seven hundred thirty-eight (8738), eight thousand seven hundred thirty-nine (8739), eight thousand seven hundred forty (8740), eight thousand seven hundred forty-one (8741), eight thousand seven hundred forty-one and one tenth (8741.1), eight thousand seven hundred forty-two (8742), eight thousand seven hundred forty-three (8743), eight thousand seven hundred forty-four (8744), and eight thousand seven hundred forty-seven (8747) thereof, and enacting substitutes therefor, was taken up and considered.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 109 as follows:

1. In section 17, line 56, change the period to a comma and add the following:

"and the net earnings available for fixed charges for the fiscal year immediately preceding the date of acquisition shall have been not less than one and one-half (1½) times the fixed charges to which the corporation is subject as of the date of acquisition."

2. In section 17, line 221, strike out the words "acquired by such" and insert in lieu thereof the words "for other".

The amendment was adopted.

President pro tempore Hart took the chair at 11:00 a. m.

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

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

Ayes, 47:

Augustine	Findlay	Knudson	Reilly
Barkley	Foster	Leo	Ritchie
Bekman	Hart	Long	Schluter
Berg	Harvey	Love	Sharp
Byers	Hawkins	Lucas	Shaw
Clem	Henningsen	Lynes	Sjulin
Cromwell	Hill	Martin	Vittetoe
Dewel	Hultman	Mercer	Vrba
Doud	Jones	Miller	Watson
Dykhous	Keir	Mowry	White
Elthon	Kirketeg	Newsome	Zastrow
Faul	Klein	Pine	

Nays, none.

Absent or not voting, 3:

Benson	Jacobson	Rockhill
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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 Bekman, Senate File 110, a bill for an act to repeal section nine thousand seventeen (9017) and section nine thousand eighteen (9018), Code, 1939, and to enact a substitute therefor to be known as section nine thousand seventeen (9017); to amend section eight thousand nine hundred eighty-

eight (8988), nine thousand ten (9010) and nine thousand twenty-one (9021), Code, 1939; and to repeal sections eight thousand nine hundred seventy-nine (8979), eight thousand nine hundred eighty-two (8982), eight thousand nine hundred eighty-three (8983), eight thousand nine hundred eighty-six (8986), eight thousand nine hundred ninety-six (8996) and nine thousand twenty-one A one (9021-A 1), Code, 1939, all relating to standard policy provisions in fire insurance contracts, was taken up and considered.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 110 as follows:

1. By striking therefrom all of section 2.
2. By renumbering the succeeding sections.

The amendment was adopted.

Senator Bekman offered the following amendment and moved its adoption:

Section four (4), line two (2), is amended by striking the words and figures "eleven (11)," and inserting in lieu thereof the words and figures "fifteen (15)."

Section six (6), line six (6), is amended by striking the letter "A" where the same appears therein.

Senator Bekman asked and received unanimous consent to make the following correction in the second section of his amendment:

Section six (6), line six (6), is amended by striking all after the word "twenty-one" and insert the following: "and one-tenth (9021.1),"

The amendment was adopted.

Senator Faul asked and received unanimous consent to withdraw the following amendment filed by him on January 30 and found on page 200 of the Senate Journal:

Amend Senate File 110 by striking from line two (2) of section four (4) the word and figures "eleven (11)" and by substituting in lieu thereof the word and figures "fifteen (15)".

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 110 by inserting a comma (,) following the word "caused" in line one hundred twenty-nine (129) of section one (1).

The amendment was adopted.

Senator Faul offered the following amendment and moved its adoption:

Further amend Senate File 110 by striking all of lines one hundred eighty (180) to one hundred ninety-six (196) both inclusive of section one (1) and substituting in lieu thereof the following:

"Mortgagee interests and obligations. If loss hereunder is made payable, in whole or in part, to a designated mortgagee not named herein as the insured, such interest in this policy may be cancelled by giving to such mortgagee a ten days' written notice of cancellation.

"If the insured fails to render proof of loss such mortgagee, upon notice, shall render proof of loss in the form herein specified within sixty (60) days thereafter and shall be subject to the provisions hereof relating to appraisal and time of payment and of bringing suit. If this Company shall claim that no liability existed as to the mortgagor or owner, it shall, to the extent of payment of loss to the mortgagee, be subrogated to all the mortgagee's rights of recovery, but without impairing mortgagee's right to sue; or it may pay off the mortgage debt and require an assignment thereof and of the mortgage. Other provisions relating to the interests and obligations of such mortgagee may be added hereto by agreement in writing."

The amendment was adopted.

Senator Faul offered the following amendment and moved its adoption:

Further amend Senate File 110 by striking lines two hundred seven (207) to two hundred ten (210) both inclusive of section one (1) and substituting in lieu thereof the following:

"actual cash value and amount of loss claimed; AND WITHIN SIXTY DAYS AFTER THE LOSS, UNLESS SUCH TIME IS EXTENDED IN WRITING BY THIS COMPANY, THE INSURED SHALL RENDER TO THIS COMPANY A PROOF OF LOSS, signed and sworn to by the insured, stating the"

The amendment was adopted.

Senator Faul offered the following amendment and moved its adoption:

Further amend Senate File 110 by striking the word "of" following the word "value" in line two hundred thirty-five (235) of section one (1), and by substituting in lieu thereof the word "or".

Further amend Senate File 110 by adding to section one (1) thereof, immediately following line two hundred seventy-six (276) the following:

"Fourth page of Standard Fire Policy
Standard Fire Insurance Policy

Expires	
Property	
	Total
Amount \$.....	Premium \$.....
Insured	
.....	

SEE INSIDE OF POLICY FOR PERILS COVERED
No.

It is important that the written portions of all policies covering the same property read exactly alike. If they do not, they should be made uniform at once."

The amendment was adopted.

Senator Zastrow offered the following amendment by Senators Zastrow and Mowry and moved its adoption:

Amend Senate File 110 by striking from line 200 of section 1 the words "whether collectible or not".

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, 48:

Augustine	Findlay	Knudson	Reilly
Barkley	Foster	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Berg	Harvey	Love	Schluter
Byers	Hawkins	Lucas	Sharp
Clem	Henningsen	Lynes	Shaw
Cromwell	Hill	Martin	Sjulin
Dewel	Hultman	Mercer	Vittetoe
Doud	Jones	Miller	Vrba
Dykhouse	Keir	Mowry	Watson
Elthon	Kirketeg	Newsome	White
Faul	Klein	Pine	Zastrow

Nays, none.

Absent or not voting, 2:

Benson Jacobson

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 Hill asked and received unanimous consent that Senate File 67 be rereferred to the committee on judiciary 1.

On motion of Senator Shaw, Senate File 1, a bill for an act to amend section six thousand nine hundred forty-six (6946), Code, 1939, relating to tax exemption to soldiers, sailors, marines and nurses, and to provide for reimbursement to the counties for loss of revenues occasioned by such exemptions, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

PRESENTATION OF VISITORS

Senator Kirketeg asked and received unanimous consent to present to the Senate a group of residents of Taylor county who were present in the Senate chamber.

Senator Harvey asked and received unanimous consent to present, for Senator Miller, students of the Sugar Grove school of Dallas county, who were present in the balcony.

BILLS ASSIGNED TO COMMITTEES

President Evans announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 207	Judiciary 2.
S. F. 208	Compensation of Public Officers and Employees.
S. F. 209	Cities and Towns.
S. F. 210	Judiciary 1.
S. F. 211	Judiciary 2.
S. F. 212	Public Health.
S. F. 213	Conservation.
S. F. 214	Motor Vehicles.
S. F. 215	Insurance.
S. F. 216	Schools and Educational Institutions.
H. F. 163	Agriculture.

REPORTS OF COMMITTEES

Senator Harvey submitted the following report:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade, to which was referred Senate File 52, a bill for an act relating to watchmakers and watchmaking, defining the term "watchmaking", 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, begs leave to report it has had the same under consideration and recommends the same do pass.

ROBERT W. HARVEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade, to which was referred Senate File 127, a bill for an act to amend the law as it appears in section six thousand nine hundred forty-three and one hundred twenty-eight thousandths (6943.128), subparagraph three (3), Code, 1939, relating to exemptions from chain store tax so as to clarify the law as to exemptions given certain persons, begs leave to report it has had the same under consideration and recommends the same do pass.

ROBERT W. HARVEY, *Chairman*.

Ordered passed on file.

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 24, a bill for an act to amend section 10054 relating to conveyances of real estate to two or more persons and the tenancy created thereby, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 63, a bill for an act concerning the transfer of shares of stock in corporations, making uniform the law relating thereto, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 93, a bill for an act to amend section 10688, Code, 1939, relating to the salaries of the judges of the municipal court of the state of Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Senator Faul submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 66, a bill for an act to amend section 3612, Code, 1939, relating to salaries of juvenile court probation officers in counties having a population in excess of 125,000, begs leave to report it has had the

same under consideration and returns the bill without recommendation.

GEORGE FAUL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 124, a bill for an act to amend sections 10739, 10748, Code, 1939, relating to the salary of judges of the superior court, begs leave to report it has had the same under consideration and returns the bill without recommendation.

GEORGE FAUL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 172, 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, 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 Leo submitted the following report:

MR. PRESIDENT: Your committee on agriculture, to which was referred Senate File 118, a bill for an act to amend section ten thousand one hundred fifty-nine (10159) and ten thousand one hundred sixty-one (10161), Code, 1939, relating to termination of farm tenancies, 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.

Also:

MR. PRESIDENT: Your committee on agriculture, to which was referred Senate File 183, a bill for an act to amend sections three thousand one hundred and twenty-three hundredths (3100.23), three thousand one hundred and twenty-six hundredths (3100.26), three thousand one hundred and twenty-eight hundredths (3100.28), and three thousand one hundred and forty-five hundredths (3100.45), Code, 1939, relating to cream grading, 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.

Also:

MR. PRESIDENT: Your committee on agriculture, to which was referred Senate File 197, a bill for an act to amend chapter one hundred fifty-two (152), Code, 1939, relating to commercial feeds and commercial feed

fund, 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.

Senator Sharp submitted the following report:

MR. PRESIDENT: Your committee on social security, to which was referred House File 18, a bill for an act to amend section 3661.007, Code, 1939, relating to the powers and duties of the state board of social welfare, begs leave to report it has had the same under consideration and recommends the same do pass.

F. E. SHARP, *Chairman*.

Ordered passed on file.

Senator Knudson submitted the following report:

MR. PRESIDENT: Your committee on public utilities, to which was referred Senate File 146, a bill for an act to repeal section eight thousand three hundred twenty-eight (8328), Code, 1939, and to amend section eight thousand three hundred twenty-six (8326), Code, 1939, relating to the manner of construction of electric transmission lines, begs leave to report it has had the same under consideration and recommends the same do pass.

H. M. KNUDSON, *Chairman*.

Ordered passed on file.

Senator Cromwell submitted the following report:

MR. PRESIDENT: Your committee on special tax revision, to which was referred Senate File 54, a bill for an act to amend section six thousand nine hundred forty-three and seventy-six thousands (6943.076) and section six thousand nine hundred forty-three and one hundred three thousands (6943.103), and providing for the imposition of a use tax upon sales of tangible personal property by the government, begs leave to report it has had the same under consideration and recommends the same do pass.

FRED CROMWELL, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 2 as follows:

1. In line 12, of section 5, after the word "year" insert the following: "together with a list of those found to be entitled to relief and sum to be paid on each case,"

2. In line 13, of section 5, after the word "budget" insert the following: "and said list".

3. Strike section 6.

FRED CROMWELL.

Amend Senate File 136 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Chapter one hundred fifty-eight (158) of the Acts of the Forty-ninth General Assembly, as amended by chapter one hundred forty-one (141) of the Acts of the Fiftieth General Assembly, is hereby

amended by striking therefrom the period (.) following the word 'annually' in line 15 of section 2 of said chapter one hundred fifty-eight (158), and inserting in lieu thereof the following: ', and where the quarterly reports have been published as provided in this chapter only a summary of the gross receipts and expenditures together with the balance on hand need be published in the annual statement.'"

EDWIN C. SCHLUTER.

Amend the title of Senate File 202 by striking from line 1 the words "county board of supervisors" and inserting in lieu thereof the word "counties".

ED VRBA.

Amend section 4 of Senate File 39 by striking from line 2 the word "wherein" and by inserting in lieu thereof the word "wherever".

Further amend Senate File 39 by striking the word "act" where it first appears in line 9 of section 6 and by inserting in lieu thereof the word "chapter".

Further amend Senate File 39 by striking from line 3 of section 8 the period (.) after the word "governor" and inserting the words "with approval of two-thirds of the Senate in executive session."

Further amend Senate File 39 by striking from lines 6 and 7 of section 19 the following "-eight (38)" and inserting in lieu thereof, "-five (35)".

Further amend Senate File 39 by striking from line 7 of section 28 the following: "section thirty-eight (38)" and inserting in lieu thereof, "sections thirty-four (34) and thirty-five (35)."

Further amend Senate File 39 by striking from line 2 of section 31 the following: "-four (24)" and inserting in lieu thereof, "-one (21)".

Further amend Senate File 39 by striking from line 2 of section 35 the following: "twenty (20)" and inserting in lieu thereof, "nineteen (19)".

J. T. DYKHOUSE.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 8, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend Carl W. Hempstead, retired pastor of the Congregational church, Stuart, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Byers, from residents of Linn, Monona and Adair counties, favoring local option.

By Senator Hultman, from residents of Mills county, favoring revision of the school code.

By Senator Vrba, from members of the Cresco Kiwanis Club, of Howard county, favoring revision of the school code.

By Senator Knudson, from residents of Cerro Gordo and Franklin counties, favoring local option.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Bekman for the day on request of Senator Dewel.

INTRODUCTION OF BILLS

Senate File 228, by committee on motor vehicles and transportation, a bill for an act to amend section five thousand thirteen and four hundredths (5013.04), subsection two (2), Code, 1939, as amended by chapter one hundred seventy-three (173), section one (1), Acts of the 49th General Assembly, and by chapter one hundred fifty-eight (158), section sixteen (16), Acts of the 50th General Assembly, relating to the issuance of chauffeur's licenses for operating special types of motor vehicles.

Read first and second times and placed on the calendar.

Senate File 229, by Senators Lucas and Mowry, a bill for an act to amend section four thousand six hundred forty-four and eleven

hundredths (4644.11), Code, 1939, relating to secondary roads and optional maintenance levies.

Read first and second times and passed on file.

Senate File 230, by Senator Berg, a bill for an act to amend section ten thousand thirteen (10013), Code, 1939, relating to pledges or assignments of life insurance policies and the proceeds and avails thereof, as collateral security.

Read first and second times and passed on file.

Senate File 231, by Senators Martin, Henningsen, Cromwell, Mowry, Faul, Lucas and Reilly, a bill for an act to provide for the creation and operation of a retirement system for the employees, and for the beneficiaries of the employees, of cities, towns, counties and other local governmental districts in the state electing to participate thereunder.

Read first and second times and passed on file.

Senate File 232, by committee on public utilities, a bill for an act to amend chapter three hundred eighty-three (383), Code, 1939, relating to a franchise to construct, operate and maintain a transmission line for the transmission, distribution, use and sale of electric current, by amending section eight thousand three hundred twenty-two (8322).

Read first and second times and placed on the calendar.

Senate File 233, by committee on special tax revision, a bill for an act to extend the provisions of Senate File 30, Acts of the Fifty-first General Assembly, to individual income tax payers making a return on a fiscal year basis.

Read first and second times and placed on the calendar.

Senate File 234, by Senators Keir, Knudson and Zastrow, a bill for an act to amend section two thousand six hundred eleven (2611), Code, 1939, relating to the number of apple trees or other fruit trees per acre in a fruit reservation.

Read first and second times and passed on file.

Senate File 235, by Senators Dewel and Shaw, a bill for an act to amend the Cemetery Abandoned Lot Law to provide for reversion and sale of abandoned portions less than a full or half lot, and to amend sections ten thousand two hundred thirteen

and two tenths (10213.2), ten thousand two hundred thirteen and seven tenths (10213.7), and ten thousand two hundred thirteen and eight tenths (10213.8) of the Code of 1939.

Read first and second times and passed on file.

Senate File 236, by committee on cities and towns, a bill for an act to repeal section sixty-one hundred seventeen (6117), Code, 1939, and to enact a substitute in lieu thereof providing for the sale, or delivery to the contractor, of special assessment bonds.

Read first and second times and placed on the calendar.

Senate File 237, by committee on cities and towns, a bill for an act to amend section six thousand fifteen (6015), Code, 1939, relating to the cost of sewers, to eliminate the requirement that in estimating benefits from sewer improvements each lot shall be considered as wholly unimproved.

Read first and second times and placed on the calendar.

Senate File 238, by committee on cities and towns, a bill for an act to provide for the creation of a local improvement guaranty fund, by cities and towns, including cities under special charter, through taxation, for the purpose of guaranteeing the payment of special improvement bonds and interest thereon, and providing for the payment of said bonds and interest thereon out of such guaranty fund in the event there are no funds on hand in the special improvement fund to pay the bonds and interest thereon as the same become due.

Read first and second times and placed on the calendar.

Senate File 239, by Senators Keir and Vrba, a bill for an act to amend section two thousand five hundred eighty-five and one hundredth (2585.01) and section two thousand five hundred eighty-five and two hundredths (2585.02), Code, 1939, relating to the practice of embalming.

Read first and second times and passed on file.

Senate File 240, by Senator Lynes, a bill for an act to repeal section one thousand sixty-seven (1067), Code, 1939, and to enact a substitute therefor providing for payment of all premiums on official bonds of county officers, deputies and employees from county funds.

Read first and second times and passed on file.

Senate File 241, by Senators Pine, Foster, Elthon and Knudson, a bill for an act authorizing cities, including cities under special charter, towns and counties to levy and collect a mulct tax against places holding United States slot machine licenses.

Read first and second times and passed on file.

Senate File 242, by Senators Sharp, Mercer, Lucas and Doud, a bill for an act to amend section four thousand six hundred forty-four and eleven hundredths (4644.11), Code, 1939, relating to a levy by the board of supervisors for secondary road maintenance.

Read first and second times and passed on file.

Senate File 243, by Senators Sharp, Mercer, Lucas and Doud, a bill for an act to amend section four thousand six hundred forty-four and seven hundredths (4644.07), Code, 1939, relating to a levy by board of supervisors for secondary road construction.

Read first and second times and passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the governor announcing that on February 7th he had approved the following bills:

Senate File 30 relating to personal income tax.

Senate File 37 relating to elections of boards of supervisors.

Senate File 122 relating to installment loans.

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 170, a bill for an act to create a commission for the dairy industry of the state.

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

House File 211, a bill for an act making an appropriation from liquor control fund for the payment of claims of employees of the liquor control commission and to the department of public safety.

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 authorizing expenditures by the state highway commission for the primary road fund.

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

House File 213, a bill for an act making appropriation to defray expense of inaugural ceremonies.

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 appropriating funds for the payment of workmen's compensation claims.

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

Senate Joint Resolution 1, providing for the appointment by the attorney general of a special assistant during the legislative session and making an appropriation therefor.

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

House Concurrent Resolution 12, requiring certain numbers of copies of legislative proposals to committees. A. C. GUSTAFSON, *Chief Clerk*.

HOUSE CONCURRENT RESOLUTION 12

Be It Resolved by the House, the Senate Concurring: Whenever any proposal in bill form, or otherwise, is submitted to any committee of the General Assembly for the purpose of having the same introduced as a committee bill, such proposal shall be submitted in writing with sufficient number of copies so that each member of the committee may be provided therewith.

UNFINISHED BUSINESS

Senator Dykhouse called up Senate File 39, a bill for an act to amend, revise, and codify chapter ninety-one and two tenths (91.2), Code, 1939, relating to the licensing and regulation of real estate brokers and salesmen and to matters properly pertaining to the orderly marketing of real estate.

Senator Dykhouse offered the following amendments and moved their adoption:

Amend section 4 of Senate File 39 by striking from line 2 the word "wherein" and by inserting in lieu thereof the word "wherever".

Further amend Senate File 39 by striking the word "act" where it first appears in line 9 of section 6 and by inserting in lieu thereof the word "chapter".

Further amend Senate File 39 by striking from line 3 of section 8 the period (.) after the word "governor" and inserting the words "with approval of two-thirds of the Senate in executive session."

Further amend Senate File 39 by striking from lines 6 and 7 of section 19 the following "-eight (38)" and inserting in lieu thereof, "-five (35)".

Further amend Senate File 39 by striking from line 7 of section 28 the following: "section thirty-eight (38)" and inserting in lieu thereof, "sections thirty-four (34) and thirty-five (35)."

Further amend Senate File 39 by striking from line 2 of section 31 the following: "-four (24)" and inserting in lieu thereof, "-one (21)".

Further amend Senate File 39 by striking from line 2 of section 35 the following: "twenty (20)" and inserting in lieu thereof, "nineteen (19)".

The amendments were adopted.

Senator Dykhouse asked and received unanimous consent to change the word "with" to "within" in line 4 of section 42.

Senator Dykhouse 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 Bekman had left a written request at the desk to be recorded as voting "aye" on Senate File 39.

The request was granted.

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

Ayes, 37:

Augustine	Findlay	Knudson	Mowry
Bekman	Hart	Leo	Pine
Berg	Harvey	Long	Reilly
Byers	Henningsen	Love	Schluter
Clem	Hill	Lucas	Shaw
Cromwell	Hultman	Lynes	Vittetoe
Dewel	Jones	Martin	Vrba
Dykhouse	Kirketeg	Mercer	Watson
Elthon	Klein	Miller	White
Faul			

Nays, 4:

Barkley	Newsome	Ritchie	Rockhill
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Absent or not voting, 9:

Benson	Hawkins	Keir	Sjulin
Doud	Jacobson	Sharp	Zastrow
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.

Senator Shaw called up Senate File 1, a bill for an act to amend section six thousand nine hundred forty-six (6946), Code, 1939, relating to tax exemption to soldiers, sailors, marines and nurses, and to provide for reimbursement to the counties for the loss of revenues occasioned by such exemptions.

Senator Cromwell offered the following amendment and moved its adoption:

Amend Senate File 1 by striking from line four (4) of section one (1) the following: "three (3)."

Further amend Senate File 1 by striking from section one (1) all of lines eight (8), nine (9), and ten (10).

President pro tempore Hart took the chair at 11:30 a.m.

Roll call was demanded.

President Evans took the chair at 11:55 a. m.

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

AFTERNOON SESSION

The Senate resumed regular session, President Evans presiding.

The Senate resumed consideration of the Cromwell amendment to Senate File 1.

Senator Findlay moved the previous question on the Cromwell amendment, which motion prevailed.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 8:

Cromwell	Hawkins	Knudson	Miller
Foster	Keir	Lynes	Schluter

Nays, 39:

Augustine	Faul	Long	Rockhill
Barkley	Findlay	Love	Sharp
Benson	Hart	Lucas	Shaw
Berg	Harvey	Martin	Sjulin
Byers	Henningsen	Mercer	Vittetoe
Clem	Hill	Mowry	Vrba
Dewel	Hultman	Newsome	Watson
Doud	Kirketeg	Pine	White
Dykhouse	Klein	Reilly	Zastrow
Elthon	Leo	Ritchie	

Absent or not voting, 3:

Bekman	Jacobson	Jones
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The amendment was lost.

Senator Watson offered the following amendment and moved its adoption:

Amend Senate File 1, section 1, by striking the period at the end of line 13 and inserting the following:

" , Army of Occupation in Germany November 12, 1918 to July 11, 1923, American Expeditionary Forces in Siberia November 12, 1918 to April 30, 1920, Second Nicaraguan Campaign with the Navy or Marines in Nicaragua or on combatant ships 1926-1933, Second Haitian Suppressions of Insurrections 1919-1920, Navy and Marine Operations in China 1937-1939; Yangtze Service with Navy and Marines in Shanghai or in Yangtze Valley 1926-1927 and 1930-1932, and the Philippine Insurrection."

Senator Watson offered the following amendment to his amendments and moved its adoption:

Amend the Watson amendment to Senate File 1 by striking from the last two lines thereof the following: ", and the Philippine Insurrection."

Further amend the Watson amendment by inserting a period after the figures "1932" in line nine (9).

Further amend the Watson amendment by striking the comma (,) after the figures "1939" in line eight (8) and inserting in lieu thereof the word "and".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Knudson asked and received unanimous consent to withdraw the amendment to Senate File 1 filed by him on January 29 and found on page 185 of the Senate Journal.

Senator Knudson offered the following amendment and moved its adoption:

Amend Senate File 1 by striking all of sections two (2), three (3), four (4), five (5) and six (6) of said Senate File 1.

Roll call was demanded

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 9:

Cromwell	Keir	Leo	Pine
Doud	Knudson	Miller	Schluter
Foster			

Nays, 37:

Augustine	Findlay	Klein	Rockhill
Barkley	Hart	Long	Sharp
Benson	Harvey	Love	Shaw
Berg	Hawkins	Lucas	Sjulin
Byers	Henningsen	Mercer	Vittetoe
Clem	Hill	Mowry	Vrba
Dewel	Hultman	Newsome	Watson
Dykhouse	Jones	Reilly	White
Elthon	Kirketeg	Ritchie	Zastrow
Faul			

Absent or not voting, 4:

Bekman Jacobson Lynes Martin

The amendment was lost.

Senator Benson asked unanimous consent that Senate File 1 be further considered so as to increase the benefits to veterans of World War II.

Objection was raised.

Senator Benson moved that Senate File 1 be rereferred to the committee on military and veterans affairs for the further consideration of increasing the benefits of veterans of World War II.

Senator Byers raised the point of order that such a motion was out of order as the subject matter contained therein was not germane to Senate File 1.

The Chair ruled the point well taken. No appeal from ruling.

Senator Benson moved that the Senate adjourn until 10:00 a. m. Friday.

Senator Elthon moved, as a substitute, that when the Senate do adjourn, it adjourn until 10:00 a. m. Friday.

The motion prevailed and the substitution was made.

Senator Benson moved that the Senate recess until 10:00 a. m. Friday.

Senator Elthon raised the point of order that there was already a motion before the House.

The Chair ruled the point well taken.

Senator Byers moved the previous question on the main bill, which motion prevailed.

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

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

Ayes, 48:

Augustine	Dykhouse	Hill	Love
Barkley	Elthon	Hultman	Lucas
Bekman	Faul	Jones	Lynes
Benson	Findlay	Keir	Martin
Berg	Foster	Kirketeg	Mercer
Byers	Hart	Klein	Miller
Clem	Harvey	Knudson	Mowry
Dewel	Hawkins	Leo	Newsome
Doud	Henningsen	Long	Pine

Reilly
Ritchie
Rockhill

Schluter
Sharp
Shaw

Sjulin
Vittetoe
Vrba

Watson
White
Zastrow

Nays, 1:

Cromwell

Absent or not voting, 1:

Jacobson

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.

HOUSE MESSAGES CONSIDERED

House File 34, a bill for an act to amend paragraph fourteen (14) of section six thousand two hundred eleven (6211), Code, 1939, by authorizing an increased levy for the cemetery fund in towns.

Read first and second times and passed on file.

House File 164, a bill for an act to amend sections three thousand one hundred and twenty-three hundredths (3100.23), three thousand one hundred and twenty-six hundredths (3100.26), three thousand one hundred and twenty-eight hundredths (3100.28) and three thousand one hundred and forty-five hundredths (3100.45), Code, 1939, relating to cream grading.

Read first and second times and passed on file.

House File 170, a bill for an act to protect and further the public health and welfare by promoting the development, expansion, economic stability, and prosperity of the dairy industry through the stimulation of an increased use and consumption of dairy products in the markets of the state, nation and foreign countries; to provide means and methods for research, education, advertising and sales stimulation relative to the products of the dairy industry of Iowa; to provide funds for such purposes by an excise tax on dairy products, and for the collection and expenditure thereof; to create a commission with state authority to administer this act, and to define its authority, duties and powers; and to prescribe penalties for violation of this act.

Read first and second times and passed on file.

House File 211, a bill for an act to make an appropriation from 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 and passed on file.

House File 212, a bill for an act authorizing expenditures by the state highway commission from the primary road fund for the biennium beginning July 1, 1945, and ending June 30, 1947.

Read first and second times and passed on file.

House File 213, a bill for an act making an appropriation to defray the expense of the inaugural ceremonies.

Read first and second times and passed on file.

House File 214, a bill for an act to appropriate funds from 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 and passed on file.

BILLS ASSIGNED TO COMMITTEES

President Evans announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. J. R. 4	Governmental Affairs.
S. F. 217	Judiciary 1.
S. F. 218	Judiciary 1.
S. F. 219	Schools and Educational Institutions.
S. F. 220	Social Security.
S. F. 223	Social Security.
S. F. 225	Ways and Means.
S. F. 226	Ways and Means.
S. F. 227	Ways and Means.

The following communication was received from the State Appeal Board:

To WM. J. SCARBOROUGH
Secretary of the Senate:

In accordance with the provisions of section 3 of chapter 61, Acts of the 49th General Assembly, I hand you herewith claims acted upon by the State Appeal Board. Each claim bears the recommendation of the board.

List of claims as follows:

Claim No.	Claimant	Amt. Claimed	Amt. Recommended
59	Nobles County Cooperative Oil Co.	\$ 3,127.92	Referred to the claims committee of legislature without recom- mendation
Highway Claims			
H-47-45	Arthur E. Crabb.....	595.00	Rejected
H-48-45	Preferred Accident Insurance Co.	104.52	Rejected
H-49-45	Robert L. Tindall.....	380.01	\$ 380.01
H-50-45	C. E. Dorn.....	132.73	Rejected
H-51-45	Dale Maulson	94.82	94.82
H-52-45	Phillip Choquette	216.27	Rejected
H-53-45	I. B. Colson.....	20.00	20.00
H-54-45	James R. Krick.....	15.30	15.30
H-55-45	Robert D. Hoadley.....	10.92	Rejected
H-56-45	Russell Hindman	1,032.82	1,032.82
H-57-45	Doris Hindman	2,000.00	Postponed until meeting of the 52nd G. A.
H-58-45	Doris Hindman, Guardian....	21,200.00	Postponed until meeting of the 52nd G. A.

C. FRED PORTER, *Chairman,*
State Appeal Board.

Received of C. Fred Porter, Chairman, State Appeal Board, claims numbered 59; also Highway Commission claims numbered from H-47-45 to H-58-45, inc. February 8, 1945.

W. J. SCARBOROUGH,
Secretary of the Senate.

REPORT OF COMMITTEE

Senator Lucas submitted the following report:

MR. PRESIDENT: Your committee on printing, to which was referred House File 92, a bill for an act relating to notice of hearing on budgets, begs leave to report it has had the same under consideration and recommends the same do pass.

J. G. LUCAS, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate Joint Resolution 4 by striking all of section two and section three.
J. A. NEWHOUSE.

1. Amend Senate File 14 by inserting after the word "remove" in line 8 of section 1 the words "and any damage results due to his removal, abandonment or vacation".

2. Further amend by striking all of section 2 and inserting in lieu thereof the following:

"Sec. 2. "Person" shall mean a person, firm, or corporation."

O. J. KIRKETEG.

Amend the Faul amendment to Senate File 24 as follows:

1. In line 5 strike the word "devise,".

2. In line 9 strike the word "devise,".

3. Add a new section as follows: "Nothing in this Act contained shall effect any pending litigation.".

FRED CROMWELL.

Amend House File 20 as follows:

Strike the comma (,) after the word "therefor" in line 3 of section 1 and insert in lieu thereof a period (.).

FRED CROMWELL.

Amend Senate File 54 by adding to section 2 thereof, the following sentence: "Property owned by the Federal Government within the State of Iowa of a character not ordinarily readily obtainable within the state, shall not be subject to Use tax when sold, if it would not be subject to such tax if it were sold outside of the state for use in Iowa."

FRED CROMWELL.

Amend the title to Senate File 175 as follows:

Strike the entire title and substitute in lieu thereof: "An Act to legalize certain capital stock issues of Iowa Corporations."

FRED CROMWELL.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 9, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend O. H. Hove, pastor of the Northwood Lutheran church, Northwood, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Doud, from residents of Henry county, favoring local option.

By Senator Keir, from residents of Dickinson county, favoring local option.

By Senator Knudson, from residents of Cerro Gordo county, favoring revision of the school code.

By Senator Reilly, from former Senator and Mrs. Baldwin, and residents of California, pertaining to local option.

By Senator Mercer, from residents of Johnson county, favoring revision of the school code.

By Senator Lynes, from residents of Bremer county, favoring local option.

By Senator Byers, from residents of Marion, Howard, Polk and Ringgold counties, favoring local option.

INTRODUCTION OF BILLS

Senate File 244, by Senator Watson, a bill for an act to amend sections ten thousand thirty-five (10035) and ten thousand thirty-seven (10037), Code, 1939, relating to conditional sale contracts or lease of utility equipment, the filing thereof and the release and satisfaction thereof.

Read first and second times and passed on file.

Senate File 245, by Senators Jones, Vittetoe and Lynes, a bill

for an act to amend chapter one hundred nineteen (119), Acts of the 50th General Assembly, providing for a temporary milk fat standard for ice cream.

Read first and second times and passed on file.

Senate File 246, by Senators Cromwell and Kirketeg, a bill for an act to provide for district probation officers, appointed by the judges of the several judicial districts to assist them in the supervision, care, custody, aid, control and rehabilitation of persons subject to their jurisdiction, including court parolees, juvenile offenders and dependent or neglected children; to fix the compensation and duties of such officers and provide for paying their compensation and expenses, and to permit such officers to perform like duties for courts of other districts on payment of the expense thereof by the county having original jurisdiction of the person involved.

Read first and second times and passed on file.

Senate File 247, by Senators Watson, Long and Zastrow, a bill for an act to repeal sections twelve thousand seven hundred seventy-two (12772) and twelve thousand seven hundred seventy-two and one tenth (12772.1), Code, 1939, as amended, and to enact a substitute therefor, relating to the investment, reinvestment, exchange, retention, sale and management of property held in trust by fiduciaries.

Read first and second times and passed on file.

Senate File 248, by Senators Kirketeg and Sharp, a bill for an act to amend chapter seventy-seven and two tenths (77.2), Code, 1939, as amended, providing for unemployment compensation and regulating the collection of contributions and the payment of benefits thereunder; to amend section one thousand five hundred fifty-one and twenty hundredths (1551.20) relating to the rate of interest on past due contributions.

Read first and second times and passed on file.

Senate File 249, by Senator Jones, a bill for an act to amend section four thousand three hundred sixty-one (4361), Code, 1939, relating to the amount of real estate that a school district may acquire and hold for school playground, athletic field and other purposes.

Read first and second times and passed on file.

Senate File 250, By Senator Vittetoe, 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 and to provide for the spearing of rough fish in overflow waters of streams and rivers.

Read first and second times and passed on file.

Senate File 251, by Senator Faul, a bill for an act to amend sections ten thousand three hundred forty-eight (10348) and ten thousand three hundred fifty-one (10351), Code, 1939, relating to hotel keepers' lien and to extending the scope of said lien to include apartment houses, homes, rooming houses, and multiple dwelling houses.

Read first and second times and passed on file.

Senate File 252, by Senator Clem (by request), a bill for an act to amend section thirteen thousand two hundred seventeen (13217), Code, 1939, relating to roping and throwing of calves, steers, cows, or other animals, and wild cow milking.

Read first and second times and passed on file.

Senate File 253, by Senator Faul, a bill for an act relating to group life insurance on the lives of any one group of debtors of any one financial institution.

Read first and second times and passed on file.

Senate File 254, by Senator Martin (Hedin and Schwengel), a bill for an act to amend sections six thousand two hundred seventy (6270), six thousand two hundred seventy-two (6272), six thousand two hundred seventy-eight and one tenth (6278.1), six thousand two hundred eighty (6280), six thousand two hundred eighty-nine (6289), and six thousand two hundred ninety-three (6293), Code, 1939, relating to plats, and to provide for closer supervision of the platting of additions in cities and towns including cities acting under special charter and to require approval of auditor's plats in cities, cities acting under special charter, and towns having over twenty-five thousand population.

Read first and second times and passed on file.

Senate File 255, by Senator Reilly, a bill for an act to amend subdivisions one (1) and three (3) of section five thousand nine hundred and two (5902), Code, 1939, relating to the powers and

duties of dock boards; providing that sections six thousand five hundred and eighty (6580), six thousand six hundred seventy-nine and one tenth (6679.1) and six thousand seven hundred eighty-one and two tenths (6781.2), Code, 1939, do not apply to leases by dock boards; and making this act effective upon publication.

Read first and second times and passed on file.

Senator Elthon called up the following Senate concurrent resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 6

Be It Resolved by the House, the Senate Concurring: Pursuant to the provisions of section nineteen (19) of the Code, 1939, it is provided that the daily compensation of the following officers and employees of the Fifty-first General Assembly be as follows, to be paid in accordance with the rules of the Senate and House:

Officers and Employees of the Senate

Reading Clerk	\$7.00
Special Clerks	\$6.00

The resolution was adopted.

Senator Mercer called up the following House concurrent resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION 12

Be It Resolved by the House, the Senate Concurring: Whenever any proposal in bill form, or otherwise, is submitted to any committee of the General Assembly for the purpose of having the same introduced as a committee bill, such proposal shall be submitted in writing with sufficient number of copies so that each member of the committee may be provided therewith.

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 28, a bill for an act relating to compensation of judges and clerks of elections.

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

House File 182, a bill for an act relating to closed waters for seining 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 183, a bill for an act to authorize the state conservation commission to provide fire protection for state parks, forest and wildlife lands.

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

House Concurrent Resolution 13, authorizing the superintendent of printing to make arrangements and contract for the photographing of members of the Fifty-first General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 13

Be It Resolved by the House, the Senate Concurring: That the Superintendent of Printing is hereby authorized and directed to make suitable arrangements and contract for the photographing of the members of the 51st General Assembly for use by the Historical Department and in the publication of the Iowa Official Register.

UNFINISHED BUSINESS

Senator Pine called up House File 169, a bill for an act to amend section five thousand one hundred ninety-one (5191), subsection eleven (11), Code, 1939, relating to boarding prisoners, with report of committee recommending passage, and the report of the committee was 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, 48:

Augustine	Faul	Knudson	Reilly
Barkley	Findlay	Leo	Ritchie
Bekman	Foster	Long	Rockhill
Benson	Hart	Love	Schluter
Berg	Harvey	Lucas	Sharp
Byers	Hawkins	Lynes	Shaw
Clem	Henningsen	Martin	Sjulin
Cromwell	Hill	Mercer	Vittetoe
Dewel	Jones	Miller	Vrba
Doud	Keir	Mowry	Watson
Dykhouse	Kirketeg	Newsome	White
Elthon	Klein	Pine	Zastrow

Nays, none.

Absent or not voting, 2:

Hultman Jacobson

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.

BILL WITHDRAWN FROM FURTHER CONSIDERATION

Senator Pine asked and received unanimous consent to withdraw from further consideration of the Senate, Senate File 50.

THIRD READING OF BILLS

On motion of Senator Dykhousé, House File 5, a bill for an act to repeal section six thousand nine hundred eighty-seven (6987), Code, 1939, relating to soldiers' bonus bond levies, 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	Ritchie
Bekman	Hart	Love	Rockhill
Benson	Harvey	Lucas	Schluter
Berg	Hawkins	Lynes	Sharp
Byers	Henningsen	Martin	Shaw
Clem	Hill	Mercer	Sjulin
Cromwell	Hultman	Miller	Vittetoe
Dewel	Jones	Mowry	Vrba
Doud	Keir	Newsome	Watson
Dykhousé	Klein	Pine	White
Faul	Knudson	Reilly	Zastrow
Findlay	Leo		

Nays, none.

Absent or not voting, 4:

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

Senator 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 Faul, Senate File 23, a bill for an act to

amend section three thousand eight hundred twenty-eight and ninety-two thousandths (3828.092), Code, 1939, relating to the warning by the authorities preventing persons from acquiring a settlement, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Cromwell took the chair at 10:45 a. m.

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	Findlay	Leo	Ritchie
Barkley	Hart	Long	Rockhill
Bekman	Harvey	Love	Schluter
Benson	Hawkins	Lucas	Sharp
Berg	Henningsen	Lynes	Shaw
Byers	Hill	Martin	Sjulin
Clem	Hultman	Mercer	Vittetoe
Cromwell	Jones	Miller	Vrba
Dewel	Keir	Mowry	Watson
Doud	Kirketeg	Newsome	White
Dykhous	Klein	Pine	Zastrow
Faul	Knudson	Reilly	

Nays, none.

Absent or not voting, 3:

Elthon	Foster	Jacobson
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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 Jones, Senate File 71, a bill for an act to amend chapter two hundred eighty-six (286), Code, 1939, relating to discontinuance of municipal corporations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Jones moved that the bill be read a third 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	Benson	Clem	Dykhous
Barkley	Berg	Cromwell	Findlay
Bekman	Byers	Dewel	Foster

Hart	Klein	Miller	Sharp
Harvey	Leo	Mowry	Shaw
Hawkins	Long	Newsome	Sjulin
Henningsen	Love	Pine	Vittetoe
Hill	Lucas	Reilly	Vrba
Hultman	Lynes	Ritchie	Watson
Jones	Martin	Rockhill	White
Keir	Mercer	Schluter	Zastrow
Kirketeg			

Nays, none.

Absent or not voting, 5:

Doud	Faul	Jacobson	Knudson
Elthon			

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

Senator Jones moved that the vote by which the 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 9, a bill for an act to amend section six thousand nine hundred forty-three and one hundred forty-eight thousandths (6943.148), Code, 1939, as amended by chapter 209, Laws of the 50th General Assembly, and providing for notice of appeal to the state tax commission, 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 striking from line five (5) thereof the words "county auditor", and inserting in lieu thereof the word "appellant" and by striking from lines eight (8) and nine (9) the words "with him" and inserting a period after the word "appeal" in line eight (8).

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	Foster	Leo	Ritchie
Barkley	Hart	Long	Rockhill
Bekman	Harvey	Love	Schluter
Benson	Hawkins	Lynes	Sharp
Berg	Henningsen	Martin	Shaw
Byers	Hill	Mercer	Sjulin
Clem	Hultman	Miller	Vittetoe
Cromwell	Jones	Mowry	Vrba
Dewel	Keir	Newsome	Watson
Doud	Kirketeg	Pine	White
Dykhouse	Klein	Reilly	Zastrow
Findlay	Knudson		

Nays, none.

Absent or not voting, 4:

Elthon	Faul	Jacobson	Lucas
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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 Zastrow, House File 12, a bill for an act to amend chapter five hundred thirty-nine (539), Code, 1939, authorizing guardians to petition for termination of guardianships whenever the assets thereof are exhausted, or where only personal property remains in the guardianship and the value of said personal property does not exceed two hundred dollars, and authorizing guardians under order of court to pay and distribute such personal property to the parents or natural guardian of a minor or incompetent, or to the person with whom such minor or incompetent resides, and to accept the receipt of such person therefor, 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	Foster	Leo	Ritchie
Barkley	Hart	Long	Rockhill
Bekman	Harvey	Love	Schluter
Benson	Hawkins	Lynes	Sharp
Berg	Henningsen	Martin	Shaw
Byers	Hill	Mercer	Sjulin
Clem	Hultman	Miller	Vittetoe
Cromwell	Jones	Mowry	Vrba
Dewel	Keir	Newsome	Watson
Doud	Kirketeg	Pine	White
Dykhouse	Knudson	Reilly	Zastrow
Findlay			

Nays, none.

Absent or not voting, 5:

Elthon	Jacobson	Klein	Lucas
Faul			

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 Bekman, House File 17, 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, 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, 48:

Augustine	Findlay	Knudson	Reilly
Barkley	Foster	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Benson	Harvey	Love	Sharp
Berg	Hawkins	Lucas	Schluter
Byers	Henningsen	Lynes	Shaw
Clem	Hill	Martin	Sjulin
Cromwell	Hultman	Mercer	Vittetoe
Dewel	Jones	Miller	Vrba
Doud	Keir	Mowry	Watson
Dykhouse	Kirketeg	Newsome	White
Elthon	Klein	Pine	Zastrow

Nays, none.

Absent or not voting, 2:

Faul Jacobson

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 10, a bill for an act to amend section fourteen hundred nine (1409), Code, 1939, so as to provide that compensation due a minor employee, a minor dependent or one mentally incompetent may be paid to the trustee of the county where such minor or incompetent resides, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 48:

Augustine	Faul	Klein	Reilly
Barkley	Findlay	Knudson	Ritchie
Bekman	Foster	Leo	Rockhill
Benson	Hart	Long	Schluter
Berg	Harvey	Love	Sharp
Byers	Hawkins	Lynes	Shaw
Clem	Henningsen	Martin	Sjulin
Cromwell	Hill	Mercer	Vittetoe
Dewel	Hultman	Miller	Vrba
Doud	Jones	Mowry	Watson
Dykhousé	Keir	Newsome	White
Elthon	Kirketeg	Pine	Zastrow

Nays, none.

Absent or not voting, 2:

Jacobson Lucas

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

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

On motion of Senator Berg, Senate File 6, a bill for an act to amend section two hundred ninety-five and one tenth (295.1), Code, 1939, relating to veteran's newsstand in the lobby of the state capitol, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 46:

Augustine	Faul	Knudson	Ritchie
Barkley	Findlay	Leo	Rockhill
Bekman	Foster	Long	Schluter
Benson	Hart	Love	Sharp
Berg	Harvey	Lynes	Shaw
Byers	Hawkins	Martin	Sjulin
Clem	Henningsen	Mercer	Vittetoe
Cromwell	Hill	Miller	Vrba
Dewel	Hultman	Mowry	Watson
Doud	Jones	Newsome	White
Dykhousé	Kirketeg	Pine	Zastrow
Elthon	Klein	Reilly	

Nays, none.

Absent or not voting, 3:

Jacobson

Keir

Lucas

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

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

On motion of Senator Berg, Senate File 7, a bill for an act to amend section five thousand one hundred thirty and one tenth (5130.1), Code, 1939, relating to veterans' newsstands in county court houses, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 46:

Augustine
Barkley
Bekman
Benson
Berg
Byers
Clem
Cromwell
Dewel
Doud
Dykhous
Elthon

Faul
Findlay
Foster
Hart
Harvey
Hawkins
Henningsen
Hill
Hultman
Jones
Kirketeg
Klein

Knudson
Leo
Long
Love
Lynes
Martin
Mercer
Miller
Mowry
Newsome
Pine

Reilly
Rockhill
Schluter
Sharp
Shaw
Sjulin
Vittetoe
Vrba
Watson
White
Zastrow

Nays, none.**Absent or not voting, 4:**

Jacobson

Keir

Lucas

Ritchie

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 Shaw, Senate File 91, a bill for an act to repeal sections six thousand two hundred thirty-one (6231), six thousand two hundred thirty-two (6232), six thousand two hundred thirty-three (6233), six thousand two hundred thirty-

four (6234), six thousand two hundred thirty-five (6235), six thousand two hundred thirty-six (6236), six thousand two hundred thirty-seven (6237), seven thousand one hundred twenty-five (7125), Code, 1939, relating to road poll tax and to repeal the same, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kirketeg asked and received unanimous consent that further action on Senate File 91 be deferred and that it retain its place on the calendar.

On motion of Senator Ritchie, House File 37, a bill for an act to amend section seven thousand one hundred thirty-seven (7137), Code, 1939, and providing for notices to local boards of review when valuations are increased by the county board of review, 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 37 by adding thereto the following:

Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in Cherokee Times, a newspaper published at Cherokee, Iowa, and in Greenfield Free Press, a newspaper published at Greenfield, Iowa.

The amendment was adopted.

Senator Hill moved that the bill be read third 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	Knudson	Ritchie
Barkley	Foster	Leo	Rockhill
Bekman	Hart	Long	Schluter
Benson	Harvey	Love	Sharp
Berg	Hawkins	Lynes	Shaw
Byers	Henningsen	Martin	Sjulin
Clem	Hill	Mercer	Vittetoe
Cromwell	Hultman	Miller	Vrba
Dewel	Jones	Mowry	Watson
Doud	Keir	Newsome	White
Dykhouse	Kirketeg	Pine	Zastrow
Faul	Klein	Reilly	

Nays, none.

Absent or not voting, 3:

Elthon	Jacobson	Lucas
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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.

On motion of Senator Watson, Senate File 157, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance and delivery of storm sewer bonds of 1945 by the city of Council Bluffs, Iowa, and the provisions made for taxes for the payment of said bonds and declaring said bond issued pursuant to said proceedings to be enforceable obligations of said city, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

President Evans took the chair at 11:34 a. m.

The following committee amendment was considered:

Amend section 2 of Senate File 157 by striking the words "Oakland Acorn" in line 4 and substituting the words "Ida County Pioneer Record".

Further amend section 2 by striking the word "Oakland" in line 5 and substituting the words "Ida Grove".

The amendment was adopted.

Senator Watson asked and received unanimous consent to withdraw the amendment to Senate File 157 filed by him on January 31 and found on page 214 of the Senate Journal.

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, 45:

Augustine	Findlay	Leo	Ritchie
Barkley	Hart	Long	Rockhill
Bekman	Harvey	Love	Schluter
Benson	Hawkins	Lynes	Sharp
Berg	Henningsen	Martin	Shaw
Byers	Hill	Mercer	Sjulin
Clem	Hultman	Miller	Vittetoe
Cromwell	Jones	Mowry	Vrba
Dewel	Kirketeg	Newsome	Watson
Doud	Klein	Pine	White
Dykhouse	Knudson	Reilly	Zastrow
Faul			

Nays, none.

Absent or not voting, 5:

Elthon	Jacobson	Keir	Lucas
Foster			

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 Klein, Senate File 168, a bill for an act to make appropriations to Big Four Agricultural Society, Benton County Agricultural Association, and Lyon County Fair Association, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Klein moved that the bill be read a third 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	Knudson	Ritchie
Barkley	Foster	Leo	Rockhill
Bekman	Hart	Long	Schluter
Benson	Harvey	Love	Sharp
Berg	Hawkins	Lynes	Shaw
Byers	Henningsen	Martin	Sjulin
Clem	Hill	Mercer	Vittetoe
Cromwell	Hultman	Mowry	Vrba
Dewel	Jones	Newsome	Watson
Dykhous	Kirketeg	Pine	White
Elthon	Klein	Reilly	Zastrow
Faul			

Nays, none.

Absent or not voting, 5:

Doud	Keir	Lucas	Miller
Jacobson			

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

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

On motion of Senator Klein, Senate File 165, a bill for an act to make appropriations to M. D. Munshower, R. K. Crane, Giles Funeral Home, and Pursel Funeral Home, Dunshee Funeral

Home, and Tyler Funeral Home, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

Amend by striking from line 4 of section 7 the words, "General Fund" and inserting in lieu thereof "Old Age Assistance Fund".

The amendment was adopted.

Senator Klein moved that the bill be read a third 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	Knudson	Reilly
Barkley	Foster	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Benson	Harvey	Love	Schluter
Berg	Hawkins	Lynes	Sharp
Byers	Henningsen	Martin	Shaw
Clem	Hill	Mercer	Sjulin
Cromwell	Hultman	Miller	Vittetoe
Dewel	Jones	Mowry	Vrba
Dykhouse	Keir	Newsome	Watson
Elthon	Kirketeg	Pine	White
Faul	Klein		

Nays, none.

Absent or not voting, 4:

Doud	Jacobson	Lucas	Zastrow
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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.

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

On motion of Senator Klein, Senate File 166, a bill for an act to make appropriations to certain named persons to recover funds on motor vehicle registration fees, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Klein moved that the bill be read a third 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
Barkley	Hart	Long	Ritchie
Bekman	Harvey	Love	Rockhill
Benson	Henningsen	Lynes	Schluter
Berg	Hill	Martin	Sharp
Byers	Hultman	Mercer	Shaw
Clem	Jones	Miller	Sjulin
Cromwell	Keir	Mowry	Vittetoe
Dewel	Kirketeg	Newsome	Vrba
Dykhousé	Klein	Pine	White
Faul	Knudson		

Nays, none.

Absent or not voting, 8:

Doud	Findlay	Jacobson	Watson
Elthon	Hawkins	Lucas	Zastrow

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

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

On motion of Senator Klein, Senate File 167, a bill for an act to make appropriations to certain named persons in settlement of damages sustained by them on account of accidents on primary roads, or on account of collisions with state highway equipment, or on account of acts of commission or omission by the State Highway Commission or its employees, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Klein moved that the bill be read a third 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	Knudson	Pine
Barkley	Foster	Leo	Reilly
Bekman	Hart	Long	Ritchie
Benson	Harvey	Love	Rockhill
Berg	Henningsen	Lucas	Schluter
Byers	Hill	Lynes	Sharp
Clem	Hultman	Martin	Shaw
Cromwell	Jones	Mercer	Sjulin
Dewel	Keir	Miller	Vittetoe
Dykhousé	Kirketeg	Mowry	Vrba
Elthon	Klein	Newsome	White
Faul			

Nays, none.

Absent or not voting, 5:

Doud	Jacobson	Watson	Zastrow
Hawkins			

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

Senator Klein moved that the vote by which the 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 88, a bill for an act making an appropriation for miscellaneous expense of the 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 88 by inserting after the word "dollars" in line 3 of section 1, "or so much thereof as may be necessary,".

Further amend section 1 by striking lines 10 and 11 and inserting in lieu thereof, "comptroller."

Senator Long asked and received unanimous consent to strike the word "dollars" in the amendment and insert in lieu thereof the word "annually".

Senator Long asked and received unanimous consent to withdraw the second paragraph of the amendment.

The amendment was 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	Knudson	Pine
Barkley	Foster	Leo	Reilly
Bekman	Hart	Long	Rockhill
Benson	Harvey	Love	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Lynes	Shaw
Clem	Hill	Martin	Sjulin
Cromwell	Hultman	Mercer	Vittetoe
Dewel	Jones	Miller	Vrba
Dykhouse	Kirketeg	Mowry	White
Elthon	Klein	Newsome	

Nays, none.

Absent or not voting, 7:**Doud
Faul****Jacobson
Keir****Ritchie
Watson****Zastrow**

The bill having received a constitutional and two-thirds 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 Sharp, House File 18, a bill for an act to amend section three thousand six hundred sixty-one and seven thousandths (3661.007), Code, 1939, relating to the powers and duties of the state board of social welfare and providing that a corrected list of all those on old age assistance shall be delivered to the county auditor in the month of December in each year, with a supplemental list showing all names stricken from the last preceding annual list of old age recipients, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Sharp asked and received unanimous consent that further action on House File 18 be deferred and that it retain its place on the calendar.

Senator Bekman moved that the President appoint a committee to arrange for a suitable program in honor of Abraham Lincoln to be held at 11:30 a. m. Monday, February 12.

The motion prevailed and the President appointed as such committee, Senators Bekman, Kirketeg and Vrba.

HOUSE MESSAGES CONSIDERED

House File 183, a bill for an act to amend section one thousand seven hundred three and fifty hundredths (1703.50), Code, 1939, to authorize the state conservation commission to provide fire protection for state parks, forest and wildlife lands.

Read first and second times and passed on file.

House File 182, a bill for an act to amend chapter ninety-four (94), Acts of the 50th General Assembly, and section one thousand seven hundred ninety-four and thirty-six thousandths (1794.036), Code, 1939, relating to closed waters for seining fish in the Mississippi river.

Read first and second times and passed on file.

House File 28, a bill for an act to amend sections five hundred sixty (560) and seven hundred thirty-eight (738), Code, 1939, relating to compensation of judges and clerks of elections.

Read first and second times 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 Joint Resolution 1.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *Chairman House Committee.*

Report adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Joint Resolution 1.

BILL SENT TO THE GOVERNOR

Senator 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 9th day of February, 1945, sent to the governor for his approval, Senate Joint Resolution 1.

ROBERT C. REILLY, *Chairman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the governor announcing that on February 9th he had approved the following bills:

Senate File 51, relating to secondary road maintenance of Wapello county.

Senate File 83, relating to the employment security commission.

BILLS ASSIGNED TO COMMITTEES

President Evans announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 229	Ways and Means.
S. F. 230	Judiciary 2.
S. F. 231	Public Employees' Retirement Plan.
S. F. 234	Agriculture.
S. F. 235	Judiciary 2.
S. F. 239	Public Health.
S. F. 240	Governmental Affairs.
H. F. 34	Cities and Towns.
H. F. 164	Agriculture.
H. F. 170	Agriculture.
H. F. 211	Appropriations.
H. F. 212	Appropriations.
H. F. 213	Appropriations.
H. F. 214	Appropriations.

REPORTS OF COMMITTEES

Senator Ritchie submitted the following report:

MR. PRESIDENT: Your committee on governmental affairs, to which was referred Senate File 126, a bill for an act to amend section five thousand two hundred sixty-one (5261), Code, 1939, relating to expenditures by board of supervisors, begs leave to report it has had the same under consideration and recommends the same do pass.

FRED J. RITCHIE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on governmental affairs, to which was referred Senate File 133, 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, begs leave to report it has had the same under consideration and recommends the same do pass.

FRED J. RITCHIE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on governmental affairs, to which was referred Senate File 152, a bill for an act to amend section five thousand one hundred thirty (5130), Code, 1939, relating to powers and duties of board of supervisors, begs leave to report it has had the same under consideration and recommends the same do pass.

FRED J. RITCHIE, *Chairman*.

Ordered passed on file.

Senator O. N. Hultman submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers and employees, to which was referred House File 24, a bill for an act relating to the salary and duties of deputy treasurers, begs leave to report it has had the same under consideration and recommends the same do pass.

O. N. HULTMAN, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 64, by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section one thousand two hundred ninety-seven and one-tenth (1297.1), Code, 1939, is amended by striking the period (.) at the end of said section and substituting therefor a comma (,) and adding thereto the following:

'except that the mine inspectors of the state of Iowa have authority to permit the firing of shots while others than those firing the shots are in the mine, provided:

1. Any explosive so used shall be of the type known as "permissible explosives" and shall be on the approved list of permissible explosives of the United States Bureau of Mines and subject to the approval of the mine inspectors of the state of Iowa.

2. Firing of shots while others than those firing the shots are in the mine shall in no case be permitted until the operator shall have complied with the rules and regulations approved by the mine inspectors of the state of Iowa as shall be required to reasonably secure the safety or health of the employees of the mine.'

Sec. 2. This Act being deemed of immediate importance, shall be in full force and effect from and after its publication in the Ottumwa Daily Courier, a newspaper published at Ottumwa, Iowa, and the Plain Talk, a newspaper published at Des Moines, Iowa."

GEORGE FAUL

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 12, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend E. R. Mitchell, pastor of the Central Presbyterian church, Columbus Junction, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Ritchie, from residents of Cherokee county, favoring revision of the school code.

By Senator Foster, from residents of Washington county, favoring local option.

By Senator Miller, from residents of Dallas county, relative to transportation and safety legislation.

By Senator Hill, from residents of Hamilton county, favoring proposed pension legislation.

By Senator Bekman, from residents of Wapello county, favoring revision of the school code.

By Senator Berg, from residents of Black Hawk county, favoring proposed pension legislation.

By Senator Byers, from residents of Story, Polk and Warren counties, favoring local option.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Augustine for the day on request of Senator Mercer; Senator Hultman for the day on request of Senator Dykhouse.

INTRODUCTION OF BILLS

Senate File 256, by Senator Faul, a bill for an act to amend section seven thousand two hundred fourteen (7214), Code, 1939, relating to interest on delinquent taxes, to provide that no tax

appeal or other pending litigation shall extend the time when the tax involved shall become due and delinquent.

Read first and second times and passed on file.

Senate File 257, by Senators Shaw, Miller, Keir and Augustine, a bill for an act to amend title ten (X) of the Code, 1939, by adding thereto a new chapter relating to the licensing and regulation of community sale barns, prescribing the powers and duties of the department of agriculture in connection therewith; and prescribing penalty for violation of the provisions of this act.

Read first and second times and passed on file.

Senate File 258, by Senators Foster and Shaw, a bill for an act to amend chapter three hundred eighty-nine (389), Code, 1939, relating to duration of the corporate period and the renewal of cooperatives organized under said chapter.

Read first and second times and passed on file.

Senate File 259, by Senators Clem, Schluter, Ritchie and Vitte-toe, a bill for an act to amend chapter one hundred eighty-four (184), Acts of the Fiftieth General Assembly, relating to amounts that may be levied in cities and towns for garbage disposal and street cleaning funds.

Read first and second times and passed on file.

Senate File 260, by Senator Barkley, a bill for an act to amend sections seven thousand eight hundred eighty-six (7886) and seven thousand eight hundred eighty-seven (7887), Code, 1939, relating to Iowa state commerce commission and to proceedings to vacate orders of the Iowa state commerce commission.

Read first and second times and passed on file.

Senate File 261, by Senators Jones and Newsome, a bill for an act to amend section fifty-four hundred thirteen (5413), Code, 1939, relating to bounty of wolves.

Read first and second times and passed on file.

IN MEMORIAM

The time having arrived for the program in honor of Abraham Lincoln, President Evans requested Senator Bekman to escort the speaker to the rostrum.

Senator Bekman presented to the Senate Rabbi Monroe Levens of Des Moines who delivered the following address:

SENATOR BEKMAN, MR. PRESIDENT AND HONORABLE MEMBERS OF THE SENATE:

The record of prophets is not to be found alone in the Holy Scriptures. Throughout the ages, in every time and clime, men have arisen who might well be classed with the prophets of old. America has produced a number of such men, among whom we would count the name of Abraham Lincoln as one of the finest.

To me Lincoln is outstanding for two things, his personality and principles of living. It is on these two points that I would address you briefly today. First as to his personality, his character, the humanness of Lincoln, the qualities of his manhood. Abraham Lincoln was a tender-hearted man—one who was patient and cheerful, with a sunny temper—a man who enjoyed social situations, who was sympathetic toward his fellowmen, and loved pleasant conversation, wit, anecdote and laughter. Even during serious moments, such as while he was conducting court cases, he found many opportunities for sharp and biting humor. On one occasion, after listening to an opposing lawyer who boomed incessantly, grating upon the ears of his listeners, Lincoln had the following to say:

"My opponent reminds me of a steamboat that used to ply up and down the Sangamon River. It had a boiler five feet tall with a seven foot whistle. Every time the whistle blew the boat stopped."

Together with this good humored side of Lincoln, there was detectable an under-current of sadness. He spent long hours in silence and deep introspection. In his manner he was simple, direct, unaffected and free from any awkwardness and eccentricity. He had admirable mental qualities, with a quick analytic perception, strong logical powers, a prodigious memory, and a ready institution. He was at all times most tolerant and very liberal towards the opinions of others. He had powers of self-detachment and was able to exercise a dispassion in judgment, both in personal matters and in the affairs of state. Lincoln was a man who intensely loved manliness, truth and justice, while despising treachery, selfishness and greed. At all times he was scrupulously fair. Sometimes at the bar he even appeared to concede his client's case. He was ever ready to blame himself and heap praise upon others.

I believe the road of his life is indicated by the words of the prophet Micah:

"It hath been told to thee of man what is good and what the Lord doth require of thee. Only do justly, love mercy and work humbly with thy God."

These three qualities of justice, mercy and humility fully characterize the life of Lincoln.

He had, first, a deep sense of justice. The phrase "all men are created equal" was of the essence of life to him. He liked men of all stations—rich and poor, learned and ignorant, the powerful and the simple, the native born and the immigrant. We find evidence of this in a statement he made on February 12, 1861:

"Inasmuch as our country is extensive and new, and the countries of Europe are densely populated, if there are any abroad who desire to make this the land of their adoption, it is not in my heart to throw ought in their way to prevent them from coming to the United States."

An anecdote was told that shortly after the Civil War Lincoln attended a celebration. In his honor the band struck up the melodies "The Star Spangled Banner" and "Columbia, the Gem of the Ocean". Lincoln proceeded to the orchestra and said:

"Play 'Dixie'. It is our song as well as theirs." Justice was certainly deep-rooted in the soul of this great American.

Equally so was the quality of mercy. His great heart was opened widely to the unfortunate, the poor, the widow and the orphan. His ideal was "Love thy neighbor as thyself". On one occasion, when approached to join a church, Lincoln said:

"If over the doors of this church are inscribed the words 'Love thy neighbor as thyself, and love the Lord thy God with all thy heart, with all thy soul and with all thy might', then I certainly do subscribe to such a church."

Numerous are the examples of how Lincoln extended executive clemency to unfortunate doomed soldiers. There is a story of the old woman pleading for a son sentenced to execution for desertion from the army. Lincoln assured her she need have no fear. Whereupon the woman, on bended knee, began to weep. To this scene Lincoln responded by saying:

"Madam, please go, please go, unless you want me to get on my knees and sob with you."

On another occasion where Lincoln extended clemency to a deserter he assured the boy's father that if his execution depended upon order from the President, his son would live to be as old as Methuselah. Two quotations bear out the quality of mercy very well: One, when Lincoln said "I have not wilfully planted a thorn in any man's bosom"; the other, those words well known to all of you, those words of the second inaugural, "With malice toward none, with charity for all."

Humility, my friends, is man realizing his limitations and his dependency on God. Lincoln was a devout believer in a Divine Being before whom he bowed his head most humbly. When leaving for Washington to assume his duties there, he made the following statement to his townspeople:

"I now leave, not knowing when or whether I may return, with a task before me greater than that which rested upon Washington. Without the assistance of that Divine Being who ever attended him, I cannot succeed. With that assistance, I cannot fail. Trusting in him, who can go with me and remain with you and be everywhere for good, let us confidently hope that all will yet be well."

As to the principles of living that Lincoln exemplified, two things stand out most prominently in my mind. First, Lincoln was a staunch believer in the unity of all mankind. To him, unity was one of the inherent laws of the universe, one of the indestructible laws of nature. Only through unity can man progress, can the world develop, can the individual be enriched and personality grow. Unity to Lincoln was **synonymous with** God-hood; disunity was paganism. Believing in God, Lincoln had to

believe in the principle of the unity of all mankind. To him, the struggle of the Civil War was not primarily a matter of freeing the slaves. It went much deeper than that. At the crux of that struggle was the question of the unity of all men. These words of his prove that conclusively as we read:

"My paramount objective is to save the union and not either to save or destroy slavery. If I could save the union without freeing any slaves, I would do it. If I could save it by freeing all the slaves, I would do it. And if I could do it by freeing some and leaving others alone, I would also do that."

Secondly, there is the principle of freedom for which Lincoln gave his time and efforts and life. But freedom to Lincoln, as I see it, was something far more than that which is understood by the average person. To most people, freedom is merely a matter of having rights, of being able to do what they please, when they please, as they please, how they please and where they please. It is a freedom that brooks no restraint. But to Lincoln, freedom was something far beyond this. Something illustrated by the story of the ancient Israelites in Egypt. You remember that the word of God came to the Pharaoh of old in this wise, "Send forth My people that they may serve Me." In other words, the ancient Israelites were not merely to have the shackles of bondage broken from off them—they were not to be merely freed from physical slavery. They were to be freed to serve God. They were to have a change of masters. No longer would Pharaoh be their overlord. From then on the Almighty himself would be their master. The exodus from Egypt meant nothing until the Israelites stood around Mt. Sinai and received the divine word which placed upon them new obligations and duties. In other words, their freedom was not a freedom from responsibility. It was a freedom for responsibility. This, I believe, is the conception that Lincoln held. Is it not true that too long we have emphasized liberty as a matter of rights? The American Revolution, the French Revolution, and many other struggles, were fought to give man his rights. Our Constitution was quickly amended to include a Bill of Rights. The widely hailed Four Freedoms of today stress primarily human rights—the right to worship God according to the dictates of one's conscience, the right of free expression, the right to be free from fear and want. I believe that to Lincoln, concomitant with a Bill of Rights he would have asked for a Bill of Duties. Is not this the meaning we may draw from this statement of Lincoln when he said "Let us have the faith that right makes might and in that faith let us to the end dare to do our duty as we understand it."

My friends, I believe that in this world of ours today, with the many problems and challenges that will confront mankind, these two ideals of Lincoln should sink deeply into our innermost beings; for building our world of peace will depend upon our recognition of the principle of the unity of all mankind, a unity that can be realized only by men for whom freedom is not only an opportunity but also a duty to build better and more wisely.

Today we are confronted with the fact that hundreds of thousands of our fine American sons are making great sacrifices for the freedom

of the world. Hundreds of thousands of them will have died in order to achieve this end. Ought we not, on this anniversary of the birth of Abraham Lincoln, repeat in prayerful mood and make part of the essence of our lives, those famous words of the Gettysburg address, only slightly modified, as we are moved to say:

"We here highly resolve that these dead shall not have died in vain, that this world under God shall have a new birth of freedom, and that world unity of the people, by the people and for the people shall not perish from the earth."

Senator Bekman asked and received unanimous consent that the address of Rabbi Levens be printed in the Senate Journal.

UNFINISHED BUSINESS

Senator Klein called up Senate File 169, a bill for an act to make appropriations to Iowa Photographic Supply Company, Drs. Peterson & Peterson, Atlantic Hospital, Inc., R. L. Barnett, M. D., Chicago & Northwestern Railroad, Byron Hockenberry, Ross McCreedy, Mrs. Ann Keller, Jack Tallman, Dr. J. J. Brady and C. R. Gibson, with report of committee without recommendation, and the report of the committee was adopted.

Senator Klein moved that the bill be read a third 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:

Barkley	Foster	Leo	Reilly
Bekman	Hart	Long	Ritchie
Benson	Harvey	Love	Rockhill
Berg	Hawkins	Lucas	Schluter
Byers	Henningsen	Lynes	Sharp
Clem	Hill	Martin	Shaw
Cromwell	Jones	Mercer	Vittetoe
Dewel	Keir	Miller	Vrba
Dykhouse	Kirketeg	Mowry	Watson
Elthon	Klein	Newsome	White
Faul	Knudson	Pine	Zastrow
Findlay			

Nays, none.

Absent or not voting, 5:

Augustine	Hultman	Jacobson	Sjulin
Doud			

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

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

REASSIGNMENT OF BILLS TO COMMITTEE

Senator Hill asked and received unanimous consent that Senate File 26 and Senate File 73, now in the committee on governmental affairs, and Senate File 49, now in the committee on compensation of public officers and employees, be withdrawn from said committees and referred to the committee on public employees retirement plan for further consideration.

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 32, a bill for an act relating to compensation of county, municipal and school examiners and their assistants.

Also: 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 township clerk.

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

House File 66, a bill for an act relating to township trustees.

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

House File 70, a bill for an act relating in part to the salaries of bailiffs of the municipal courts.

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

House File 74, a bill for an act relating to the salary of municipal court clerks.

A. C. GUSTAFSON, *Chief Clerk*.

HOUSE MESSAGES CONSIDERED

House File 65, a bill for an act to amend section five thousand five hundred and seventy-two (5572), Code, 1939, relating to township clerk.

Read first and second times and passed on file.

House File 66, a bill for an act to amend section five thousand five hundred seventy-one (5571), Code, 1939, relating to township trustees.

Read first and second times and passed on file.

House File 70, a bill for an act to amend section ten thousand six hundred eighty-eight (10688), Code, 1939, relating in part to the salaries of bailiffs of the municipal courts.

Read first and second times and passed on file.

House File 74, a bill for an act to amend section ten thousand six hundred and eighty-eight (10688), Code, 1939, relating to the salary of municipal court clerks.

Read first and second times 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 File 32.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *Chairman House Committee.*

Report adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File 32.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 9th he had approved the following resolution:

Senate Joint Resolution 1, relating to a special assistant to the Attorney General.

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

AFTERNOON SESSION

The Senate resumed regular session, President Evans presiding.

ADDITIONAL COPIES

Senator Bekman asked and received unanimous consent to have 500 additional copies of Senate File 110 printed.

THIRD READING OF BILLS

On motion of Senator Berg, Senate File 53, 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 46:

Barkley	Foster	Long	Ritchie
Bekman	Hart	Love	Rockhill
Benson	Harvey	Lucas	Schluter
Berg	Hawkins	Lynes	Sharp
Byers	Henningsen	Martin	Shaw
Clem	Hill	Mercer	Sjulin
Cromwell	Jones	Miller	Vittetoe
Dewel	Keir	Mowry	Vrba
Dykhous	Kirketeg	Newsome	Watson
Elthon	Klein	Pine	White
Faul	Knudson	Reilly	Zastrow
Findlay	Leo		

Nays, none.

Absent or not voting, 4:

Augustine	Doud	Hultman	Jacobson
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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 Byers, House File 49, a bill for an act to amend section five thousand eight and thirteen hundredths (5008.13), Code, 1939, relating to the fees for ambulances and hearses, 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 49 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section five thousand eight and thirteen hundredths (5008.13), Code, 1939, is hereby amended by inserting a comma (,) after the word "hearses" in line six (6) and adding the words "including hearse and ambulance combinations".

Sec. 2. Further amend section five thousand eight and thirteen hundredths (5008.13), Code, 1939, by striking the period (.) following the word "hearses" in line seven (7) and adding the following: ", hearse and ambulance combinations."

The amendment was adopted.

Senator Sjulín asked and received unanimous consent that further action on House File 49 be deferred and that it retain its place on the calendar.

On motion of Senator Faul, Senate File 22, a bill for an act to amend section eight thousand six hundred eighty-four and one hundredth (8684.01), Code, 1939, relating to group accident and health insurance, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Newsome offered the following amendment and moved its adoption:

Amend Senate File 22 by striking from line 8 of section 1, "twenty-five (25)" and inserting in lieu thereof "fifteen (15)".

Senator Faul asked and received unanimous consent that further action on Senate File 22 be deferred and that it retain its place on the calendar.

On motion of Senator Knudson, Senate File 84, a bill for an act to amend chapter 303.1 of the 1939 Code of Iowa, providing for the levy of a tax and the anticipation thereof by the issuance of bonds by municipalities for airport purposes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Knudson asked and received unanimous consent that further action on Senate File 84 be deferred and that it retain its place on the calendar.

On motion of Senator Vittetoe, Senate File 153, a bill for an

act to amend chapter one hundred thirty-three (133), relating to hotels, restaurant and food establishments, was taken up and considered.

Senator Vittetoe moved that the bill be read a third 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:

Barkley	Findlay	Leo	Ritchie
Bekman	Foster	Long	Rockhill
Benson	Hart	Love	Schluter
Berg	Harvey	Lucas	Sharp
Byers	Hawkins	Lynes	Shaw
Clem	Henningsen	Martin	Sjulin
Cromwell	Hill	Mercer	Vittetoe
Dewel	Jones	Miller	Vrba
Doud	Keir	Mowry	Watson
Dykhous	Kirketeg	Newsome	White
Elthon	Klein	Pine	Zastrow
Faul	Knudson	Reilly	

Nays, none.

Absent or not voting, 3:

Augustine	Hultman	Jacobson
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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 Vittetoe moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

BILLS ASSIGNED TO COMMITTEES

President Evans announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 241	Cities and Towns.
S. F. 242	Highways.
S. F. 243	Highways.
S. F. 244	Judiciary 2.
S. F. 245	Agriculture.
S. F. 246	Judiciary 1.
S. F. 247	Judiciary 2.
S. F. 248	Judiciary 1.
S. F. 249	Schools and Educational Institutions.
S. F. 250	Conservation.

- S. F. 251 Judiciary 2.
- S. F. 252 Agriculture.
- S. F. 253 Insurance.
- S. F. 254 Cities and Towns.
- S. F. 255 Cities and Towns.
- H. F. 28 Governmental Affairs.
- H. F. 182 Conservation.
- H. F. 183 Conservation.

REPORTS OF COMMITTEES

Senator Faul submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 179, a bill for an act to amend chapter 471, Code, 1939, by providing for interlocutory decree, signing and filing of decree, payment of costs, for dismissal of action, and duties of court, begs leave to report it has had the same under consideration and returns the bill without recommendation.

GEORGE FAUL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 181, a bill for an act to amend section 12816.1, Code, 1939, fixing the salaries of judges of Supreme Court, begs leave to report it has had the same under consideration and returns the bill with the following amendment without recommendation:

Amend section 1 of Senate File 181 by substituting the words "nine thousand" at the end of said section 1 in lieu of the words "ten thousand".

GEORGE FAUL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 210, a bill for an act to amend section 13468, Code, 1939, relating to arrest, 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 Sharp submitted the following report:

MR. PRESIDENT: Your committee on social security, to which was referred Senate File 203, a bill for an act to amend section 11, chapter 130, Acts of the Fiftieth General Assembly, and to provide that the assistance and benefits for dependent Indian children shall be paid by the state of Iowa, begs leave to report it has had the same under consideration and recommends the same do pass. F. E. SHARP, *Chairman.*

Ordered passed on file.

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 90, a bill for an act to legalize the proceedings by the board of directors of the independent school district of Dubuque, Iowa, relative to the establishment of the pension and annuity retirement system, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 92, a bill for an act to amend section 13698, Code, 1939, relating to compensation of clerk of the grand jury, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Senator Henningsen submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 121, a bill for an act to amend chapter 328, Code, 1939, to permit cities over 25,000 population operating under the manager plan to increase the levy for park purposes, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend section 1 of Senate File 121 by striking from lines 2 and 3 the words and figures as follows: "Six thousand six hundred eighty-two (6682)" and by inserting in lieu thereof the words and figures as follows: "six thousand six hundred eighty-three (6683)".

O. H. HENNINGSEN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 186, a bill for an act to amend section 5130, Code, 1939, to authorize board of supervisors in counties with a population in excess of 60,000 to establish and enforce rules and regulations in platting, zoning, sanitation, fire protection and housing, in areas of a county outside cities and towns, 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 Leo submitted the following report:

MR. PRESIDENT: Your committee on agriculture, to which was referred Senate File 182, a bill for an act to amend section 3058, Code, 1939, relating to standards for ice cream and other food products, 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 182 by adding the following sections:

Sec. 4. Notwithstanding any provision of this act, the milk fat content of ice cream mix, ice cream, or flavored ice cream, after the effective date hereof and until April 30, 1947, shall not be less than eight per cent, and the milk fat content of nut ice cream shall not be less than seven per cent, and the milk fat content of fruit ice cream shall not be less than six per cent.

Sec. 5. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Charles City Daily Press, a newspaper published at Charles City, Iowa; and the Bremer County Independent, a newspaper published at Waverly, Iowa.

RICHARD V. LEO, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 230 by striking from line 4 of the title the word "collateral".

Further amend Senate File 230 by striking from line 5 of section 1 the word "collateral".

JOHN P. BERG.

1. Amend Senate File 147 by striking the comma (,) in line 40 of subsection 7 of section 8 and the remainder of line 40 following the comma (,) and all of lines 41 and 42 and substituting in lieu thereof a semicolon (;)

2. Add following the semicolon (;) in line 50 of section 8 a new subsection as follows:

9. Questions of policy and control respecting administration of this act shall vest and remain in the board of public instruction of the state of Iowa for the purposes of administering all of the provisions of this act. No grant or allocation of any funds shall be accepted or received by the board of public instruction which will require any waiver of this provision;

3. Renumber the remaining subsections.

G. R. HILL.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 13, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend L. A. Dale, pastor of the Methodist church, Alta, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Berg, from residents of Black Hawk county, favoring revision of the school code.

By Senator Byers, from residents of Hamilton, Humboldt, Iowa, Louisa, Polk, Sioux, Story and Washington counties, favoring local option.

INTRODUCTION OF BILLS

Senate File 262, by Senators Newsome and Jones, a bill for an act to amend section five thousand four hundred thirteen (5413) and section five thousand four hundred seventeen (5417), Code, 1939, relating to bounties on wild animals.

Rear first and second times and passed on file.

Senate File 263, by Senators Dewel, Harvey and Keir, a bill for an act relating to standards of pure food; to require the enrichment of bread and flour by the addition of certain vitamins and minerals and to prescribe the methods of enrichment; to fix penalties for violation of same.

Read first and second times and passed on file.

Senate File 264, by Senator Faul, a bill for an act to amend section six thousand six hundred ten and forty-five hundredths (6610.45), Code, 1939, relating to street improvements and sewers in commission governed cities and fixing a default and deficiency fund; and amending section six thousand six hundred ten and ten hundredths (6610.10), Code, 1939, relating to the fixing of assessment values; and amending section six thousand

six hundred ten and sixty hundredths (6610.60), Code, 1939, relating to the payment of deficits both known and undertermined.

Read first and second times and passed on file.

Senate File 265, by Senator Faul, a bill for an act to amend chapter thirty-nine and one tenth (39.1), Code, 1939, being an act relating to elections and providing a system of permanent registration for certain cities, including cities acting under special charter; and amending section seven hundred eighteen and five hundredths (718.05), Code, 1939, by repealing the last sentence therein and by adding thereto provisions fixing the time when and the persons who may inspect the duplicate registration list, and providing a penalty for making any unauthorized changes of entries made on said duplicate or original registration list; and amending section seven hundred eighteen and six hundredths (718.06), Code, 1939, by repealing subsection (f), relating to citizenship, and inserting in lieu thereof a new subsection (f), relating to certain evidence of naturalization of electors or their parents; and amending section seven hundred eighteen and seven hundredths (718.07), Code, 1939, relating to change of residence under permanent registration and providing conditions under which notices may be given out by the commissioner of registration; and amending section seven hundred eighteen and ten hundredths (718.10), Code, 1939, relating to the record of deceased persons under permanent registration, by adding thereto a provision authorizing the destruction of said records after five (5) years and substituting in lieu thereof a list of deceased persons, giving the full name, address, and date of birth of such persons; and amending section seven hundred eighteen and eleven hundredths (718.11), Code, 1939, relating to the time and method of registration under the permanent registration act and fixing the time for receiving any application for registration; and amending section seven hundred eighteen and twelve hundredths (718.12), Code, 1939, relating to certain disabled or absent voters and certain voters confined in hospitals; and amending section seven hundred eighteen and thirteen hundredths (718.13), Code, 1939, relating to election registrars, by fixing the time between the last day of registration and election day within which the commissioner of registration shall have opportunity to make and perfect his election registers; and amending section seven hundred eighteen and fourteen hundredths (718.14), Code, 1939, relating to a revision of the permanent registration list, by adding

thereto a provision authorizing the destruction of certain records and transfer files after five (5) years and substituting in lieu thereof a list of the persons eliminated from the registration list, giving the full name, address, and date of birth of such persons.

Read first and second times and passed on file.

Senate File 266, by Senator Rockhill, a bill for an act to amend section two thousand nine hundred and nine (2909), Code, 1939, relating to county and district fairs and tax aid therefor, and to provide for an additional tax levy in counties having a population of between thirty-five thousand and forty thousand after approval by the voters.

Read first and second times and passed on file.

Senate File 267, by Senator Mowry, a bill for an act to amend chapter one hundred eighty-nine and five tenths (189.5), Code, 1939, relating to the death of inmates of county homes.

Read first and second times and passed on file.

Senate File 268, by Senators Elthon and Clem, a bill for an act to repeal section five thousand thirty-five and twelve hundredths (5035.12) Code, 1939, and to substitute therefor an act providing for certain maximum weights and loads applicable to all motor trucks and combinations.

Read first and second times and passed on file.

Senate File 269, by Senators Rockhill and Faul, a bill for an act to make financial assistance possible through assignment of accounts receivable and amounts due or to become due on open account or contracts, whether or not the debtors thereon are notified of such assignments, providing for the rights of such debtors and providing that non-notification shall not affect or impair such assignments.

Read first and second times and passed on file.

Senate File 270, by Senator Hawkins, a bill for an act to repeal chapter three hundred eleven (311), Acts of the Forty-ninth General Assembly relating to powers of the supreme court and to prescribe rules of pleading, practice, and procedure.

Read first and second times and passed on file.

Senate File 271, by Senator Watson, a bill for an act to amend section five thousand thirteen and nineteen hundredths (5013.19), Code, 1939, as amended by chapter one hundred fifty-eight (158), section nine (9), Acts of the 50th General Assembly, relating to the issuance of restricted licenses to minors who are under the age of sixteen (16) years.

Read first and second times and passed on file.

Senate File 272, by Senators Watson, Lucas, Dykhouse and Berg, a bill for an act to authorize a commission for the purpose of making a revision and codification of the laws of Iowa relating to all cities and towns: to study and develop a more equitable arrangement of local revenues and activities; 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 to the Governor of Iowa; to authorize and direct the printing of the same and placing of copies in the hands of the members of the Fifty-second General Assembly Elect.

Read first and second times and passed on file.

Senate File 273, by Senator Rockhill, a bill for an act to repeal chapter two hundred fifty-nine (259), Laws of the Forty-ninth General Assembly, relating to liens for inheritance taxes.

Read first and second times and passed on file.

Senate File 274, by Senator Rockhill, a bill for an act to amend section seven thousand three hundred twenty-eight (7328), Code, 1939, relating to inheritance tax and avoidance of administration.

Read first and second times and passed on file.

Senate File 275, by Senator Vittetoe, a bill for an act to amend Section five thousand one hundred thirty (5130), Code, 1939, relating to the powers of the county boards of supervisors and permitting the board of supervisors of any county may for hire to be fixed by such board to permit the use of county road machinery for clearing, grading and improving private driveways and to permit employees of such county to operate such county road machinery while being so used.

Read first and second times and passed on file.

Senate File 276, by Senator Faul, a bill for an act to amend sections ten thousand one hundred fifty-nine (10159), twelve

thousand two hundred sixty-five (12265), twelve thousand two hundred sixty-seven (12267), and twelve thousand two hundred eighty (12280), Code, 1939, relating to the prescribed manner of serving notices to terminate non-farm tenancies, notices to quit, and original notices in forcible entry and detainer actions, and to give municipal courts broader jurisdiction of such actions and provide for joining actions for rent with forcible entry and detainer actions.

Read first and second times and passed on file.

Senate File 277, by committee on compensation of public officers and employees, a bill for an act to provide for increases in compensation for public officers and employees in counties and subdivisions thereof during the period from July 1, 1945 to June 30, 1947 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.

Read first and second times and placed on calendar.

Senator Cromwell called up the following concurrent resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION 13

Be It Resolved by the House, the Senate Concurring: That the Superintendent of Printing is hereby authorized and directed to make suitable arrangements and contract for the photographing of the members of the 51st General Assembly for use by the Historical Department and in the publication of the Iowa Official Register.

The motion prevailed and the resolution was adopted.

PRESENTATION OF VISITORS

Senator Faul asked and received unanimous consent to present to the Senate the speech class of West Des Moines High School which was present in the balcony.

UNFINISHED BUSINESS

Senator Faul called up Senate File 22, a bill for an act to amend section eight thousand six hundred eighty-four and one hundredth (8684.01), Code, 1939, relating to group accident and health insurance.

Senator Newsome asked and received unanimous consent to

withdraw his amendment filed by him on February 12 and found on page 329 of the Senate Journal.

Senator Hart asked and received unanimous consent that further action on Senate File 22 be deferred and that it retain its place on the calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File 79, a bill for an act relating to duties of the Code Editor.

Also: 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 relating to the form of bills presented to the General Assembly.

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 nonprofit corporations furnishing hospital service.

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 compensation of shorthand reporters.

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

House File 109, a bill for an act relating to necessary hotel and living expenses of court reporters.

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

House File 187, a bill for an act relating to non-resident fish and game licenses.

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

House File 189, a bill for an act relating to fish and game.

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

Senate Concurrent Resolution 6, fixing the compensation of certain officers 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 10, providing for the adoption of the joint rules of the Fifty-first General Assembly of Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 87, a bill for an act to amend chapter two hundred sixty-four (264), Acts of the Fiftieth General Assembly, relating to the compensation of shorthand reporters.

Read first and second times and passed on file.

House File 109, a bill for an act to amend section ten thousand eight hundred eleven (10811), Code, 1939, relating to necessary hotel and living expenses of court reporters.

Read first and second times and passed on file.

House File 187, a bill for an act to amend section one thousand seven hundred ninety-four and eighty-two thousandths (1794.082), Code, 1939, relating to non-resident fish and game licenses.

Read first and second times and passed on file.

House File 189, a bill for an act to amend sections one thousand seven hundred ninety-four and eleven thousandths (1794.011), one thousand seven hundred ninety-four and twenty thousandths (1794.020), one thousand seven hundred ninety-four and twenty-two thousandths (1794.022), one thousand seven hundred ninety-four and thirty-four thousandths (1794.034) and one thousand seven hundred and four (1704), Code, 1939, relating to fish and game.

Read first and second times and passed on file.

THIRD READING OF BILLS

On motion of Senator Keir, Senate File 147, a bill for an act to create a department of public instruction of the state of Iowa; to create a board of public instruction, provide for the appointment of members thereof, and prescribe the powers and duties of said board; to provide for the election of a superintendent of public instruction and a deputy superintendent and such assistants and employees as may be necessary; to prescribe the duties of the superintendent of public instruction and the deputy superintendent; to amend certain provisions of the Code, 1939, and repeal certain provisions of the Code, 1939, to effect the general purposes of this act, was taken up and considered.

Senator Mowry offered the following amendment and moved its adoption:

Amend Senate File 147 as follows:

Strike out section nine (9) and insert in lieu thereof the following:

The State Superintendent of Public Instruction, hereinafter called the "superintendent" shall be elected by the board of public instruction for a term of four (4) years, and until his successor has been elected and qualified, and the deputy superintendent shall be elected by the board, with the approval of the state superintendent, and shall serve during the pleasure of the board, said elections to be made between July first and December thirty-first of the year preceding the beginning of the term. Vacancy in the office of the superintendent shall be filled by the board for the unexpired term for which such superintendent was elected, and vacancy in the office of deputy superintendent shall be filled by the board and he shall serve at the pleasure of the board, as herein provided. The board shall fix the salary of the superintendent at not to exceed five thousand (\$5000.00) dollars, and the salary of the deputy superintendent at not to exceed four thousand (\$4000.00) dollars per year. The first term of said officers under this act shall begin on the second secular day of January, 1947.

Senator Byers offered the following amendment to the amendment by Senator Mowry and moved its adoption:

I move to amend the Mowry amendment to section 9 of Senate File 147 by striking out the word "five" in line 17 and inserting in lieu thereof the word "six", and by striking from line 18 the figure "\$5,000.00" and inserting in lieu thereof the figure "\$6,000.00".

Senator Shaw moved that the Senate resolve itself into a committee of the whole for the purpose of considering Senate File 147, which motion prevailed.

The committee of the whole arose at 1:50 p. m. and resumed regular session.

AFTERNOON SESSION

The Senate resumed regular session, President Evans presiding.

The Senate resumed consideration of the Byers amendment to the amendment by Senator Mowry to Senate File 147.

Senator Byers moved the adoption of the amendment to the amendment.

Senator Knudson offered the following amendment as a substitute for the Mowry amendment as amended and moved its adoption:

I move as a substitute for the Mowry amendment to Senate File 147, the following:

"Strike out section nine and insert in lieu thereof the following:

The state superintendent of public instruction hereinafter called the

superintendent, and the deputy superintendent shall be appointed by the board of public instruction to serve at the will of the board. The board shall fix the salary of the superintendent at not to exceed \$6,000.00 per year, and the salary of the deputy superintendent at not to exceed \$4,000.00 per year. The first appointment of said officers shall become effective on the second secular day of January, 1947."

The substitution was made and the amendment was adopted.

Senator Findlay offered the following amendment:

Amend Senate File 147 as follows: Strike all of section 10 and insert in lieu thereof the following: The state superintendent shall have the following qualifications: He shall be the graduate of an accredited college, normal school, or university, and in addition thereto, he shall be the holder of a standard master of arts or master of science degree from an accredited institution entitled to grant the same, with a major or minor in education. He shall have had not less than ten years of experience in the public schools of Iowa, five of which shall have been as a city or county superintendent of schools. The deputy superintendent shall have like qualifications.

Seator Findlay offered the following amendment and moved its adoption:

Amend the Findlay amendment of February 1 to Senate File 147 by striking the following "standard master of arts or master of science degree from an accredited institution entitled to grant the same, with a major or minor in education." and insert in lieu thereof the following "regular Iowa superintendent's certificate then in force."

Senator Findlay asked and received unanimous consent to withdraw the above amendments.

Senator Findlay offered the following amendment and moved its adoption:

Withdraw the amendment to the Findlay amendment of February 13, and substitute the following: Strike the following: "standard master of arts or master of science degree from an accredited institution entitled to grant the same, with a major or minor in education," and insert in lieu thereof the following: "regular Iowa superintendent's certificate then in force or head of a department of education in a college or university for five years."

Senator Shaw moved that the Senate adjourn until 10:00 a. m. Wednesday.

Senator Hill moved as a substitute that when the Senate do adjourn, that it adjourn until 10:00 a. m. Wednesday.

The motion prevailed and the substitution was made.

Senator Knudson offered the following amendment and moved its adoption:

Amend Senate File 147, section 8, by striking the semicolon in line 22, and substituting a comma and adding the following: provided however that no school shall be so disqualified for a period of two years following the effective date of this act.

Senator Knudson asked and received unanimous consent to withdraw the amendment.

Senator Findlay asked and received unanimous consent to withdraw all of his amendments to Senate File 147.

Senator Benson moved that the Senate adjourn until 10:00 a. m. Wednesday.

The motion was lost.

Senator Hill offered the following amendment and moved its adoption:

1. Amend Senate File 147 by striking the comma (,) in line 40 of subsection 7 of section 8 and the remainder of line 40 following the comma (,) and all of lines 41 and 42 and substituting in lieu thereof a semicolon (;)

2. Add following the semicolon (;) in line 50 of section 8 a new subsection as follows:

9. Questions of policy and control respecting administration of this act shall vest and remain in the board of public instruction of the state of Iowa for the purposes of administering all of the provisions of this act. No grant or allocation of any funds shall be accepted or received by the board of public instruction which will require any waiver of this provision;

3. Renumber the remaining subsections.

The amendment was adopted.

Senator Shaw offered the following amendment by Senators Shaw and Sjulín and moved its adoption:

Amend Senate File 147 by adding at the end of section 9 thereof: "The state superintendent of public instruction shall ex officio be a member of the said board of public instruction."

The amendment was lost.

Senator Elthon offered the following amendment and moved its adoption:

Amend Senate File 147, section 13, by striking line 5 and substituting in lieu thereof the following: "shall carry out the policies of the board,".

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, 44:

Augustine	Findlay	Knudson	Pine
Bekman	Hart	Leo	Reilly
Benson	Harvey	Long	Rockhill
Berg	Hawkins	Love	Schluter
Byers	Hill	Lucas	Sharp
Clem	Hultman	Lynes	Shaw
Cromwell	Jacobson	Martin	Vittetoe
Dewel	Jones	Mercer	Vrba
Dykhouse	Keir	Miller	Watson
Elthon	Kirketeg	Mowry	White
Faul	Klein	Newsome	Zastrow

Nays, 4:

Barkley	Foster	Henningsen	Ritchie
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Absent or not voting, 2:

Doud	Sjulin
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The bill having received a constitutional majority was declared to have passed the Senate.

Senator Keir asked and received unanimous consent to correct the title.

Senator Keir submitted the following amendment to the title:

Amend the title to Senate File 147 by striking from line 5 the word "election" and inserting in lieu thereof the word "selection".

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.

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, 10, 12, 17 and 169.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *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, 10, 12, 17 and 169.

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 13th day of February, 1945, sent to the governor for his approval, Senate File 32.

ROBERT C. REILLY, *Chairman*.

Passed on file.

BILLS ASSIGNED TO COMMITTEES

President Evans announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 256	Ways and Means.
S. F. 257	Agriculture.
S. F. 258	Judiciary 2.
S. F. 259	Cities and Towns.
S. F. 260	Judiciary 1.
S. F. 261	Governmental Affairs.
H. F. 65	Governmental Affairs.
H. F. 66	Governmental Affairs.
H. F. 70	Judiciary 1.
H. F. 74	Judiciary 1.

ADDITIONAL COPIES

Senator Hultman asked and received unanimous consent to have 500 additional copies of Senate File 277 printed.

REPORT OF COMMITTEE

Senator Bekman submitted the following report:

MR. PRESIDENT: Your committee on insurance, to which was referred Senate File 177, a bill for an act relating to the time for holding of annual meeting for election of directors of insurance companies organized under chapter 404, Code, 1939, begs leave to report it has had the same under consideration and recommends the same do pass.

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 52, section 2, by inserting after the comma in line 8 the following:

"nor shall it include or mean the repairing of electric clocks where the repair is necessary or incidental to the electric mechanism contained in such clocks,".

R. W. ZASTROW.

Amend Senate File 64 by striking period and the quotation marks at the end of paragraph 2, section 1, and adding thereto the following: "and shall only be permitted in mines where the coal is mechanically undercut".

T. H. KLEIN.

Amend the amendment offered by Senator Bekman to Senate File 64, by adding thereto the following:

"Such firing of shots, while others than those firing the shots are in the mine, shall only be permitted in mines where the coal is mechanically undercut".

T. H. KLEIN.

Amend Senate File 64 as amended by Senator Faul by adding to section 1 thereof an additional paragraph as follows:

3. Firing of shots while others than those firing the shots are in the mine shall in no case be permitted in any coal mine except in mines where the coal is mechanically undercut.

T. H. KLEIN.

Amend Senate File 66 by striking all after the enacting clause and by substituting in lieu thereof the following:

Section 1. Section three thousand six hundred twelve (3612), Code, 1939, is amended by repealing subsection three (3) thereof and substituting in lieu thereof the following:

In counties having a population of more than fifty thousand (50,000) and less than one hundred twenty-five thousand (125,000), one chief probation officer at a salary not to exceed three thousand dollars (\$3,000.00) per year, and not to exceed three (3) deputy probation officers. One of such deputy probation officers may be paid a salary not to exceed twenty-five hundred dollars (\$2,500.00) per year, and the remainder of such deputy probation officers so employed may be paid a salary not to exceed two thousand dollars (\$2,000.00) per year each.

Sec. 2. Section three thousand six hundred twelve (3612), Code, 1939, is amended by repealing subsection four (4) thereof and substituting in lieu thereof the following:

In counties having a population in excess of one hundred twenty-five thousand (125,000), one chief probation officer at a salary not to exceed thirty-six hundred dollars (\$3,600.00) per year, and not to exceed ten (10) deputy probation officers at salaries not to exceed twenty-seven hundred dollars (\$2,700.00) each per year.

Sec. 3. This Act being deemed of immediate importance shall take effect and be in force from and after its passage and publication in the Danbury Review, a newspaper published in Danbury, Iowa, and in the Correctionville News, a newspaper published in Correctionville, Iowa.

Further amend Senate File 66 by striking from the title all after the figures "1939" in line two (2) thereof, and by substituting the following: "relating to probation officers, and regulating their salaries".

GEORGE FAUL.

Amend the title of Senate File 93 by inserting after the comma after

the numbers 10688 the words and figures "Section ten thousand six hundred forty-six (10646), and adding after the word "salaries" in line 3 of the title the words "and number".

Further amend Senate File 93 by adding "Section 2" after line 18 thereof.

"Section 2.

Amend section ten thousand six hundred forty-six (10646), Code, 1939, by striking from line 10 thereof the word "thirty" and substituting in lieu thereof the word "forty".

A. D. CLEM.

Amend House File 170 by inserting after section twelve (12), the following:

"Notwithstanding, any provisions of this Act to the contrary, the provisions of this Act shall not be applicable to any county unless and until fifty-one per cent of the owners of dairy cattle in any county have petitioned the Secretary of Agriculture to make the provisions of this Act applicable to their county, and such petition shall include an agreement to apply the provisions of this Act and the levy of the excise tax for the period of time covered.

The Secretary of Agriculture shall then cause a notice to be published in the county for two consecutive weeks in two official county papers of the time, date, and place of hearing on said petition. The date of hearing shall not be less than five or more than ten days after the last publication and said hearing shall be held in the court house in the county seat of the respective county involved.

If after such published date of hearing no objections are filed to such petition on or before such date the petition shall be found sufficient and the Secretary of Agriculture shall enroll said county under the provisions of this Act. If objections are filed with the Secretary of Agriculture on or before the time and date fixed in the notice the Secretary shall hear the objectors and petitioners and determine the sufficiency of the petition and whether or not the county shall become an area covered by the provisions of this Act. If the petition is found sufficient the Secretary of Agriculture shall make an entry of record establishing the county as an area covered by the provisions of this Act, and all the provisions of this Act shall then apply within the county.

For the purpose of determining the number of owners of dairy cattle in the county constituting the per cent required as signers of the petition, the county auditor of each county shall certify to the Secretary of Agriculture from the last assessment in the county the number of owners of dairy cattle in such county as shown by the last assessment roll."

Further amend by renumbering the remaining sections.

H. S. LOVE.

Amend Senate File 175 as follows:

1. By striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Any corporation organized under the laws of this state which, prior to January 1, 1943, issued capital stock for property without complying with section 8413, Code, 1939, and obtaining approval pursuant to section 8414, Code, 1939, may within ninety (90) days after

the effective date of this Act, make application for the approval of the issuance of such stock.

The Executive Council of the State of Iowa shall have the power to receive, consider and act upon any such application as though said application had been duly filed prior to the issuance of such stock.

Sec. 2. Any corporation organized under the laws of this state which prior to January 1, 1943, failed to comply with the provisions of section 8416, Code, 1939, but which subsequently did in the first annual corporation report filed by such corporation following such failure, correctly report the amount of its capital stock issued, may within ninety (90) days after the effective date of this act, file with the Secretary of State of Iowa a certificate as to unreported issues; and such certificate shall have the same force and effect as certificates filed within the time required by the provisions of said section 8416.

Sec. 3. Nothing in this act contained shall affect or be construed as affecting pending litigation.

Sec. 4. This act being deemed of immediate importance, shall be effective from and after the date of its publication, as required by law in the Baxter New Era, a newspaper published at Baxter, Iowa, and in the Waterloo Courier, a newspaper published at Waterloo, Iowa, without expense to the State of Iowa."

2. By striking the title thereof and substituting the following:

"An act to legalize certain issues of capital stocks of Iowa corporations, upon compliance herewith."

J. KENDALL LYNES.

JOHN P. BERG.

Amend the title to Senate File 217 by striking from line 4 thereof the words "or conceal".

Also strike the words "or conceal" from line 1 section 1.

Also strike the word "terms" from line 1 section 2 and insert in lieu thereof the word "term".

Also strike the words "and conceal" from line 1 section 2.

Also strike the word "are" from line 2 section 2 and insert in lieu thereof the word "is".

FRANK D. MARTIN.

O. J. KIRKETEG.

Amend Senate File 233 as follows: In section 1, beginning with the word "such" in line 3 strike the remainder of the section, and substitute in lieu thereof the following: "Any such individual income tax payer making a return on a fiscal year basis shall be entitled to a 50 per cent reduction for two fiscal years, which may include portions of other calendar years than 1945 and 1946 but no such taxpayer shall be entitled to a reduction for more than two (2) fiscal years under the provisions of this act."

FRED CROMWELL.

Amend Senate File 227 by striking from lines 1 and 2 of the title the words "three hundred ninety-two and three tenths (392.3)" and by inserting in lieu thereof the words "three hundred twenty-nine and three tenths (329.3)".

Further amend Senate File 227 by striking from line 1 and 2 the words "three hundred ninety-two and three tenths (392.3)" and by inserting in lieu thereof the words "three hundred twenty-nine and three tenths (329.3)".

J. R. BARKLEY.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 14, 1945.

The Senate met in regular session, President Kenneth A Evans presiding.

Prayer was offered by the Reverend S. P. Williamson, pastor of the Christian church, Fairfield, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Byers, from residents of Benton county, favoring local option; also, from residents of Linn county, favoring safety legislation.

By Senator Cromwell, from residents of Des Moines county, favoring revision of the school code.

By Senator Harvey, from residents of Crawford county, favoring revision of the school code.

By Senator Keir, from residents of Keokuk, O'Brien and Woodbury counties, favoring revision of the school code.

By Senator White, from residents of Cass county, favoring revision of the school code.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Benson for the day on request of Senator Hawkins.

INTRODUCTION OF BILLS

Senate File 278, by committee on ways and means, a bill for an act to amend section five thousand four hundred and thirty-five (5435), Code of Iowa, 1939, relating to dog license fees.

Read first and second times and placed on the calendar.

Senate File 279, by committee on ways and means, a bill for an act to amend chapter three hundred thirty-five (335) and sections eight thousand six hundred twelve and one-tenth (8612.1), nine

thousand sixteen (9016), nine thousand sixty (9060), nine thousand sixty-two (9062), and nine thousand one hundred (9100) of the Code of Iowa, 1939, relating to gross premium taxes to be paid by insurance companies and associations, by amending sections nine thousand sixteen (9016), nine thousand sixty (9060), nine thousand sixty-two (9062), and nine thousand one hundred (9100), and by repealing sections seven thousand twenty-one (7021), seven thousand twenty-two (7022) and seven thousand twenty-five (7025), and section eight thousand six hundred twelve and one tenth (8612.1) thereof, and enacting substitutes therefor.

Read first and second times and placed on the calendar.

Senate File 280, by Senator Reilly, a bill for an act to amend chapter one hundred nineteen (119), Code, 1939, relating to the profession of chiropractic, providing for clarification of scope of practice.

Read first and second times and passed on file.

Senate File 281, by committee on insurance, a bill for an act to provide for regulation of certain insurance rates in the state of Iowa and to authorize the creation of rating bureaus, all under the supervision of the commissioner of insurance.

Read first and second times and placed on the calendar.

Senate File 282, by Senator Bekman, a bill for an act to amend section five thousand eight hundred forty-two (5842), Code, 1939, relating to municipal comfort stations.

Read first and second times and passed on file.

Senate File 283, by Senator Faul, a bill for an act to amend sections eleven thousand seven (11007) and eleven thousand nine (11009), Code, 1939, to prohibit the bringing of any action upon any judgment against a defendant therein, rendered in any court of record or justice of the peace court in this state.

Read first and second times and passed on file.

Senate File 284, by Senators White, Keir, Watson, Dykhous, Vrba, Mercer (Lane, Krueger, Whitehead, Hall, Dodds, Hicklin, Nielsen, Gardner of Bremer), a bill for an act to amend section one thousand seven hundred ninety-four and thirty-nine thousandths (1794.039), Code, 1939, relating to trolling for fish from a machine propelled, or sail boat.

Read first and second times and passed on file.

Senate File 285, by Senator Mowry, a bill for an act to amend chapter sixty-eight (68), Code 1939, relating to the regulation and operation of mines, to provide for the filling and sealing of finished and abandoned mines by the mine inspector, and to recover the cost thereof; to amend section twelve hundred forty-two and one tenth (1242.1) relating to the filling and sealing of abandoned mines, to provide for procedure thereunder; to amend section twelve hundred forty-two and three tenths (1242.3), relating to the removal of machinery or material from a finished mine, to provide for the filing of a bond as a condition thereto; and to amend section twelve hundred forty-two and four tenths (1242.4), relating to the penalty for certain violations therein mentioned, to provide for statute of limitations.

Read first and second times and passed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File 157, a bill for an act legalizing the proceedings authorizing the issuance of storm sewer bonds of 1945 by the city of Council Bluffs, Iowa.

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

House File 199, a bill for an act relating to the production and sale of dairy products.

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

House File 201, a bill for an act requiring licenses for wool dealers and providing penalties for violations.

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

House File 203, a bill for an act relating to the liability insurance or surety bond requirements imposed upon certificated motor vehicle carriers.

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

House File 208, a bill for an act creating an Iowa development commission.

Also: That the House has concurred in Senate amendments to and

passed House File 88, a bill for an act making an appropriation for miscellaneous expense of the General Assembly.

Also: That the House has concurred in Senate amendments to and passed House File 37, a bill for an act providing for notices to local county boards of review.

Also: That the House has concurred in Senate amendments to and passed House File 9, a bill for an act providing for notice of appeal to state tax commission.

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

House Joint Resolution 2, establishing the rights of Des Moines county, Iowa, in the money judgment in favor of the state of Iowa and Des Moines county, Iowa.

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

House Concurrent Resolution 14, providing for the recess adjournment of the Fifty-first General Assembly. A. C. GUSTAFSON, *Chief Clerk*:

HOUSE CONCURRENT RESOLUTION 14

Be It Resolved by the House, the Senate Concurring: That when adjournment is had on Friday, February 23, 1945, it be to reconvene on Monday, March 5, 1945, at 2:00 p. m.

Senator Hart asked and received unanimous consent that Senate File 22 be returned to the committee on insurance.

Senator Sharp asked and received unanimous consent that House File 18 be referred to the committee on social security.

THIRD READING OF BILLS

On motion of Senator Keir, Senate File 149, a bill for an act to amend section four thousand two hundred twenty-nine (4229), Code, 1939, as amended by chapter 157, Acts of the 49th General Assembly, relating to teachers' contracts, their continuation and termination, 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, 48:

Augustine
Barkley
Bekman
Berg

Byers
Clem
Cromwell
Dewel

Doud
Dykhousé
Elthon
Faul

Findlay
Foster
Hart
Harvey

Hawkins	Klein	Mercer	Sharp
Henningsen	Knudson	Miller	Shaw
Hill	Leo	Mowry	Sjulin
Hultman	Long	Newsome	Vittetoe
Jacobson	Love	Pine	Vrba
Jones	Lucas	Reilly	Watson
Keir	Lynes	Rockhill	White
Kirketeg	Martin	Schluter	Zastrow

Nays, none.

Absent or not voting, 2:

Benson Ritchie

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 Byers, Senate File 158, a bill for an act to amend section five thousand one hundred and twenty-six hundredths (5100.26), Code, 1939, relating to the liability insurance or surety bond requirements imposed upon certificated motor vehicle carriers, 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, 48:

Augustine	Findlay	Klein	Reilly
Barkley	Foster	Knudson	Ritchie
Bekman	Hart	Leo	Rockhill
Berg	Harvey	Long	Schluter
Byers	Hawkins	Love	Sharp
Clem	Henningsen	Lucas	Shaw
Cromwell	Hill	Lynes	Sjulin
Dewel	Hultman	Martin	Vittetoe
Doud	Jacobson	Miller	Vrba
Dykhouse	Jones	Mowry	Watson
Elthon	Keir	Newsome	White
Faul	Kirketeg	Pine	Zastrow

Nays, none.

Absent or not voting, 2:

Benson Mercer

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 Cromwell, Senate File 159, a bill for an act to amend sections ten thousand four hundred sixty-nine (10469), ten thousand four hundred seventy-nine (10479), ten thousand four hundred eighty-one (10481), Code, 1939; providing for equity actions in separate maintenance, and attachments in separate maintenance action; also amendment to chapter four hundred seventy-one (471), Code, 1939, providing for period of time for hearing divorce or separate maintenance actions, also amendment to chapter four hundred seventy-one (471), Code, 1939; providing for appointment of trustee for funds awarded in divorce or separate maintenance actions, was taken up and considered.

Senator Cromwell offered the following amendment and moved its adoption:

Amend Senate File 159, as follows:

Add a new section as follows:

"Section ten thousand four hundred seventy (10470) is amended by inserting after the word 'divorce' in line three (3) 'or separate maintenance'".

The amendment was adopted.

Senator Hawkins offered the following amendment by Senators Hawkins, Rockhill, Watson and Faul and moved its adoption:

Amend Senate File 159 by striking therefrom all of section 5.

Senator Hawkins asked and received unanimous consent to withdraw the amendment.

Senator Hill offered the following amendments and moved their adoption:

Amend Senate File 159 by striking all of section 4.

Further amend Senate File 159 by striking all of section 5.

President pro tempore Hart took the chair at 11:30 a. m.

Senator Elthon moved the previous question on the amendments.

The Chair ruled that the amendments should be acted upon in the order in which they were filed.

Senator Hill moved the adoption of his amendment to section 4.

Senator Elthon moved the previous question on the pending amendment, which motion prevailed.

The amendment was adopted.

Senator Hill moved the adoption of his amendment to section 5.

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	Hart	Leo	Reilly
Barkley	Harvey	Long	Ritchie
Bekman	Hawkins	Love	Rockhill
Berg	Hill	Lucas	Schluter
Byers	Hultman	Lynes	Sharp
Clem	Jacobson	Martin	Shaw
Cromwell	Jones	Mercer	Sjulin
Dewel	Keir	Miller	Vittetoe
Dykhous	Kirketeg	Mowry	Vrba
Elthon	Klein	Newsome	Watson
Faul	Knudson	Pine	White
Foster			

Nays, 2:

Findlay Henningsen

Absent or not voting, 3:

Benson Doud Zastrow

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

Senator Cromwell asked and received unanimous consent to correct the title.

Senator Cromwell submitted the following amendment to the title:

Amend the title to Senate File 159 by striking the semicolon (;) in line 5 thereof and inserting a period (.) and striking the remainder of the title.

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.

President Evans took the chair at 11:47 a. m.

HOUSE MESSAGES CONSIDERED

House File 199, a bill for an act to amend section three thousand seventy-six and one tenth (3076.1) and section three thou-

sand seventy-six and two-tenths (3076.2), Code, 1939, relating to the production and sale of dairy products.

Read first and second times and passed on file.

House File 201, a bill for an act to require licenses for wood dealers and to provide penalties for violations of the statutes by said dealers.

Read first and second times and passed on file.

House File 203, a bill for an act to amend section five thousand one hundred and twenty-six hundredths (5100.26), Code, 1939, relating to the liability insurance or surety bond requirements imposed upon certificated motor vehicle carriers.

Read first and second times and passed on file.

House File 208, a bill for an act creating an Iowa development commission, providing for the appointment of its members, defining its powers and duties, providing for a director and other necessary employees, providing for office space therefor, and making appropriations for its work, providing for the transfer of funds from Iowa industrial and defense commission to the use of the Iowa development commission, and extending the powers and duties of the Iowa industrial and defense commission and county defense councils for the duration of the war.

Read first and second times and passed on file.

House Joint Resolution 2, a joint resolution establishing the rights of Des Moines county, Iowa, in the money judgment in favor of the state of Iowa and Des Moines county, Iowa, rendered May 17, 1944, in an action entitled United States of America, plaintiff, vs. Des Moines county, Iowa and the state of Iowa, defendants, in the district court of the United States for the southern district of Iowa, eastern division.

Read first and second times 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: House Files 37 and 88.

ROBERT C. REILLY, *Chairman Senate Committee.*
CARL A. ANDERSON, *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 37 and 88.

PRESENTATION OF VISITORS

Senator Byers announced that a distinguished guest, a former member of the Senate as well as a former member of Congress, was present in the Senate chamber.

President Evans requested Senator Shaw and Senator White to escort the Honorable Fred C. Gilchrist to the rostrum.

Senator Shaw presented to the Senate, Congressman Gilchrist, who addressed the Senate briefly.

Senator Faul asked and received unanimous consent to present to the Senate the senior social science class of Mitchellville high school which was present in the balcony.

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

AFTERNOON SESSION

The Senate resumed regular session, President Evans presiding.

BILL WITHDRAWN FROM FURTHER CONSIDERATION

Senator Faul asked and received unanimous consent to withdraw from further consideration of the Senate, Senate File 27.

Senator Bekman asked and received unanimous consent that Senate File 281, by the committee on insurance, which was placed on the calendar, be returned to the committee on insurance.

ADDITIONAL COPIES

Senator Bekman asked and received unanimous consent to have 500 additional copies of Senate File 281 printed.

Senator Dykhousé asked and received unanimous consent to have 1,000 additional copies of Senate File 279 printed.

BILLS ASSIGNED TO COMMITTEES

President Evans announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 262	Governmental Affairs.
S. F. 263	Agriculture.
S. F. 264	Cities and Towns.
S. F. 265	Governmental Affairs.
S. F. 266	Ways and Means.
S. F. 267	Governmental Affairs.
S. F. 268	Motor Vehicles.
S. F. 269	Judiciary 1.
S. F. 270.	Special Court Procedure.
S. F. 271	Motor Vehicles.
S. F. 272	Judiciary 2.
S. F. 273	Judiciary 2.
S. F. 274	Judiciary 2.
S. F. 275	Highways.
S. F. 276	Special Court Procedure.
H. F. 87	Judiciary 1.
H. F. 109	Judiciary 1.
H. F. 187	Conservation.
H. F. 189	Conservation.

REPORTS OF COMMITTEES

Senator Henningsen submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 150, a bill for an act to amend sections 6318 and 6326.08, Code, 1939, relating to the payment of pensions to survivors and dependents of firemen and policemen, and to compensation paid to beneficiaries of retired firemen and policemen, 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 cities and towns, to which was referred Senate File 155, a bill for an act to amend section 1 of chapter 284 of the Acts of the Forty-fourth General Assembly, which amended section 1 of chapter 121, Acts of the Fortieth General Assembly, relating to the extension of time for levying a park tax for the improvement, etc., 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 cities and towns, to which was re-

ferred Senate File 206, a bill for an act to amend section 6610.58, Code, 1939, relating to the fee or tax to be paid by street railways or passenger carriers operating motor driven passenger busses and trackless-trolley passenger busses in cities under the commission form of government having a population of 125,000 or more, begs leave to report it has had the same under consideration and recommends the same do pass.

O. H. HENNINGSEN, *Chairman*.

Ordered passed on file.

Senator Sharp submitted the following report:

MR. PRESIDENT: Your committee on social security, to which was referred Senate File 185, a bill for an act relating to aid to the needy blind and the amount of assistance that may be paid, and to enact a substitute therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

F. E. SHARP, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on social security, to which was referred Senate File 195, a bill for an act relating to old age assistance funeral expenses, begs leave to report it has had the same under consideration and recommends the same do pass.

F. E. SHARP, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on social security, to which was referred Senate File 198, a bill for an act relating to the payment of unemployment compensation; to preserve the benefit rights of an individual entering the armed forces of the United States; to provide that such an individual shall not be disqualified for voluntarily leaving his employment to enter such armed forces, et al., begs leave to report it has had the same under consideration and recommends the same do pass.

F. E. SHARP, *Chairman*.

Ordered passed on file.

Senator Faul submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 76, a bill for an act to amend, revise and codify sections 156, 170, 171, Code, 1939, as amended by chapter 56 of the 50th General Assembly, relating to the publication of new editions to the Code of Iowa, 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 judiciary 1, to which was referred Senate File 175, a bill for an act to legalize certain stock dividend issues

of capital stock of Iowa corporations, begs leave to report it has had the same under consideration and recommends the same be amended in accordance with the amendment filed by Senators Lynes and Berg on February 13, 1945, and found on pages 348 and 349 of the Senate Journal; and when so amended the bill do pass. *GEORGE FAUL, Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 189, a bill for an act to repeal section 3616.1, Code, 1939, and to amend section 3616, Code, 1939, both relating to salaries and expenses of officers and employees of the juvenile court, 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 judiciary 1, to which was referred Senate File 199, a bill for an act to provide facilities for qualified electors of the state of Iowa serving in the armed forces of the United States to vote at the primary and general elections in the year 1946 and each election year thereafter during the continuance of the present war and for one year thereafter, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend section 8, line 10, by striking the word and figures "eighty (80)" and inserting in lieu thereof the word and figures "seventy (70)".
2. Amend section 9 as follows:
 - a. In line 7 strike the words and figures "eighty-five (85)" and insert in lieu thereof the words and figures "seventy-five (75)".
 - b. In lines 9 and 10 strike the words and figures "seventy-five (75)" and insert in lieu thereof the words and figures "sixty-five (65)".
 - c. In lines 11 and 12 strike therefrom the words and figures "eighty-five (85) or seventy-five (75)" and insert in lieu thereof the words and figures "eighty (80) or seventy (70)".
 - d. In line 14 strike the word and figures "eighty (80)" and insert in lieu thereof the words and figures "seventy-five (75)".
 - e. In line 17 strike the word and figures "seventy (70)" and insert in lieu thereof the words and figures "sixty-five (65)".
3. Amend section 10 as follows:
 - a. In line 7 strike the words and figures "eighty-five (85)" and insert in lieu thereof the words and figures "seventy-five (75)".
 - b. In line 8 strike the words and figures "seventy-five (75)" and insert in lieu thereof the words and figures "sixty-five (65)".

GEORGE FAUL, Chairman.

Ordered passed on file:

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred

Senate File 218, a bill for an act to amend section 13027, Code, 1939, and to repeal section 13029, Code, 1939, relating to embezzlement and the penalty 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.

AMENDMENTS FILED

Amend Senate File 25 as follows:

1. By striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. The city council, board of waterworks trustees, or other municipally owned and operated public utility board or commission, whichever is authorized by law to manage and operate any municipally owned waterworks system, or other municipally owned and operated public utility, in cities having a population of five thousand or more, including special charter cities, cities under commission form of government, and cities under city manager plan, may establish a pension and annuity retirement system for the employees of any such waterworks system, or other municipally owned and operated public utility.

Sec. 2. The fund for such pension and annuity retirement system shall be created from any or all of the following sources:

a. From the proceeds of the assessments on the wages and salaries of employees, of any such waterworks system, or other municipally owned and operated public utility, eligible to receive the benefits thereof,

b. From the interest on any permanent fund which may be created by gift, bequest or otherwise.

c. From moneys derived from the operation of such waterworks, or other municipally owned and operated public utility, available and appropriated therefor by the city council, board of waterworks trustees, or other municipally owned and operated public utility board or commission, whichever is authorized by law to manage and operate such waterworks or other municipally owned and operated public utility. Such money so expended shall constitute an operating expense of such utility.

Sec. 3. The city council, board of waterworks trustees, or other municipally owned and operated public utility board or commission, whichever is authorized by law to manage and operate such waterworks, or other municipally owned and operated public utility, shall formulate and establish such pension and annuity retirement system, and shall make and establish such rules and regulations for the operation thereof as may be deemed necessary or appropriate.

Sec. 4. The city council, board of waterworks trustees, or other municipally owned and operated public utility board or commission, whichever is authorized by law to manage and operate any such waterworks, or other municipally owned and operated public utility, shall have the right and power to contract with any legal reserve insurance company, authorized to conduct its business in the state of Iowa, for the payment by such insurance company of the pensions and annuities

provided in any such pension and annuity retirement system, and may pay the premiums accruing under such contract out of the fund provided for in section two (2) hereof."

2. By striking all of title and inserting in lieu thereof the following:

"An act to provide for a pension and annuity retirement system for employees of a municipally owned waterworks, or other municipally owned and operated public utility, in any city having a population of five thousand or more, and to authorize city council, board of waterworks trustees, or other municipally owned and operated public utility board or commission, whichever is authorized to manage and operate such waterworks, or other municipally owned and operated public utility, to formulate and establish such plan and adopt appropriate rules and regulations therefor."

JOHN P. BERG.

Amend Senate File 160 by striking from section 1, lines 6 and 7, the words "principal places of business" and inserting in lieu thereof the words "main operating offices and principal factories".

GEORGE FAUL.

Amend Senate File 266 by inserting after the comma in line 6 the words "and having an incompleated structure of fifteen thousand (\$15,000) dollars or more".

R. A. ROCKHILL.

Amend Senate File 269, section 1, by striking from lines 19, 20 and 21 the words "such payments shall be acquittance to the debtor to the extent thereof, and such assignor, creditor, subsequent purchaser, or other assignee".

R. A. ROCKHILL.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 15, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend Harold Jackson, pastor of the Methodist church, Bayard, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Byers, from residents of Polk and Sioux counties, favoring local option; also, from residents of Linn county, favoring safety legislation.

By Senator Doud, from residents of Jefferson county, favoring revision of the school code.

By Senator Knudson, from residents of Cerro Gordo county, favoring safety legislation.

By Senator Miller, from residents of Dallas county, favoring safety legislation.

By senator Schluter, from residents of Cedar county, favoring revision of the school code.

INTRODUCTION OF BILLS

Senate File 286, by Senators Bekman, Hart and Clem, (Aubrey and McReynolds), by request, 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 for the police department maintenance fund.

Read first and second times and passed on file.

Senate File 287, by committee on banks, building and loan, a bill for an act to amend section nine thousand one hundred thirty-seven (9137), Code, 1939, relating to salaries of deputy superintendent of banking, and bank examiners.

Read first and second times and placed on the calendar.

Senate File 288, by committee on banks, building and loan, a bill for an act to amend chapter two hundred forty (240), Acts of the Fiftieth General Assembly, relating to limitations upon the amount that may be loaned by banks and trust companies.

Read first and second times and placed on the calendar.

Senate File 289, by committee on judiciary 1, a bill for an act authorizing conveyance of the Iowa Great Lakes Sewage Disposal System in Dickinson County, Iowa.

Read first and second times and placed on the calendar.

Senate File 290, by committee on judiciary 1, a bill for an act relating to the Iowa Great Lakes Sewage Disposal System in Dickinson County, Iowa; defining the state's title and jurisdiction in respect thereto; providing for the operation and maintenance thereof; and prescribing the powers and duties of the State Conservation Commission in relation thereto.

Read first and second times and placed on the calendar.

Senate File 291, by committee on judiciary 1, a bill for an act to create sanitary districts and to provide for sewage disposal and providing for the government, operation and financing of such districts.

Read first and second times and placed on the calendar.

Senate File 292, by committee on highways, a bill for an act to amend section four (4) and section thirty-five (35) of chapter one hundred sixty-five (165), Laws of the Fiftieth General Assembly, relating to the tax or license fee on motor vehicle fuel, to increase the license fee on motor vehicle fuel from three cents per gallon to four cents per gallon and to provide the net proceeds of the additional one cent per gallon license fee on motor vehicle fuel shall be allotted three-fifths to the secondary road construction fund of the counties and two-fifths to the street construction fund of cities and towns.

Read first and second times and placed on the calendar.

Senate File 293, by committee on public health, a bill for an act to amend section twenty-four hundred ninety-three (2493), Code, 1939, relating to the practice of the professions licensed under title VIII, Code, 1939.

Read first and second times and placed on the calendar.

Senate File 294, by committee on public health, a bill for an act to amend section twenty-four hundred forty-seven (2447), Code, 1939, relating to the renewal of licenses issued by the state department of health.

Read first and second times and placed on the calendar.

Senate File 295, by Senator Faul, a bill for an act to amend section six thousand nine hundred eighty-six (6986), Code, 1939, relating to the apportionment of revenue derived from the tax on moneys and credits.

Read first and second times and passed on file.

Senate File 296, by committee on judiciary 1, 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 sections two thousand two hundred four (2204) and two thousand two hundred six (2206), 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 sewerage into state owned lakes.

Read first and second times and placed on the calendar.

Senate Joint Resolution 5, by committee on public lands and buildings, a resolution providing for the exercise and acceptance of the option to purchase by the state of Iowa of the following described real estate situated in Des Moines, Polk county, Iowa, from International Harvester Company, a corporation organized under and existing by virtue of the laws of the state of New Jersey.

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

Senate File 297, by Senator Lucas, a bill for an act to make appropriation to Fort Dodge, Des Moines & Southern Railway Company.

Read first and second times and passed on file.

Senate File 298, by Senators Elthon, Hawkins, Zastrow, Mowry, Sjulín, Augustine, Shaw, Love, Rockhill, Long, Klein, Foster, Jones, Pine, Findlay, Barkley, Harvey, Miller, Vittetoe, Doud, Keir, Bekman, Benson, Jacobson, Sharp, Lucas, Ritchie, Newsome, Dewel, Lynes, Clem, Knudson, and Schluter, a bill for an act to amend sections one thousand nine hundred twenty-one and one hundred and four thousandths (1921.104), one thousand nine hundred twenty-one and one hundred seven thousandths (1921.107) and one thousand nine hundred twenty-one and one hundred and fourteen thousandths (1921.114), Code, 1939, relating to the sale of beer and malt liquors and to regulate the sale thereof under class "B" permits.

Read first and second times and passed on file.

Senate File 299, by Senator Zastrow, a bill for an act to provide reasonable rules or regulations regarding electric fences and providing penalty for violation thereof.

Read first and second times and passed on file.

Senate File 300, by Senator Shaw, a bill for an act to amend section six thousand nine hundred forty-three and one hundred forty-nine thousandths (6943.149), Code, 1939, relating to preservation of records on homestead tax credits.

Read first and second times and passed on file.

Senate File 301, by Senators Pine, Dykhousé, Martin, Bekman, Shaw, Hart, and Clem, a bill for an act to amend section six thousand nine hundred and forty-four (6944), Code, 1939, so as to provide for the exemption from taxation of moneys and credits and other similar property hereinafter described representing merely personal investments in the hands of individual citizens not made in competition with the banking loan or investment business.

Read first and second times and passed on file.

Senate File 302, by Senator Sjulín (Fulk), a bill for an act to amend section three hundred seventy-five (375), Code, 1939, relating to the publication of budgets in rural independent school districts, school townships and municipalities of less than two hundred population.

Read first and second times and passed on file.

Senate File 303, by Senator Sjulín, a bill for an act to amend section six thousand three hundred ten (6310), Code, 1939, relating to pension fund of disabled and retired firemen and policemen.

Read first and second times and passed on file.

Senate File 304, by Senator Rockhill, a bill for an act to repeal chapter two hundred fifty-nine (259), Laws of the Forty-ninth General Assembly, and amending section seven thousand three hundred eleven (7311), Code, 1939, relating to liens for inheritance taxes.

Read first and second times and passed on file.

Senate File 305, by Senator Love, a bill for an act to amend section six thousand nine hundred forty-three and forty-one thousandths (6943.041), Code, 1939, relating to allowable deductions on gross income and to provide for funeral expenses as an allowable deduction.

Read first and second times and passed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File 5, a bill for an act relating to discrimination against members of national guard.

Also: That the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File 98, a bill for an act relating to fixing of judgment in cases of first degree murder where the defendant entered a plea of guilty.

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

House Concurrent Resolution 9, memorializing the Congress of the United States, opposing an amendment to the Federal Constitution, proposing a limit on the amount of tax that might be levied on incomes.

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 the guardianship of incompetent veterans.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 9

Whereas, The 49th General Assembly memorialized the Congress of the United States, by the passage of House Concurrent Resolution 15, urging the submission of an amendment to the Federal Constitution for ratification by three-fourths of the various states, which amendment among other things proposed to place a limit of twenty-five per cent on the amount of tax that might be levied and collected on incomes, inheritances, and transfers of property; and

Whereas, Said House Concurrent Resolution may be found set out in full on pages 395 and 396 of the House Journal of 1941; and

Whereas, In the 2d session of the 78th Congress a similar amendment was proposed for ratification known as Senate Joint Resolution 160; and

Whereas, Since the adoption of said memorial to Congress known as House Concurrent Resolution 15, events and circumstances have arisen which have increased the National debt to unprecedented heights the payment of which will be greatly jeopardized if such limitation is placed upon the taxing power of Congress since a substantial source of revenue from those persons with large incomes will be irretrievably lost; and

Whereas, The size of the National debt is a matter of great concern to the people of the state of Iowa, the ultimate payment of which is deemed imperatively necessary, and the General Assembly, as now constituted, believes it would be a grave mistake to place such limitation on the taxing power of Congress; now, therefore,

Be It Resolved by the House of Representatives of the State of Iowa, the Senate Concurring: That the Congress of the United States is hereby memorialized that the General Assembly of the State of Iowa is opposed to any constitutional limitation being placed on the taxing power of Congress under present conditions. The action of the 49th General Assembly heretofore referred to is rescinded.

HOUSE AMENDMENT TO SENATE FILE 19

Amend by striking all of paragraph 4 and inserting in lieu thereof the following: "Notice of the commencement of the action shall be served in the time, manner, and form as prescribed by the rules of civil procedure of the state of Iowa and amendments thereto."

Amend by striking lines 99-102, both inclusive, and insert in lieu thereof the following:

"And a like notice shall be given to the surety on such guardian bonds upon the filing of the final report by said guardian."

Amend line 51 by inserting after the word "administrator" the following: "of Veterans Administration".

Strike from line 23 the words "an inhabitant" and insert in lieu thereof the words: "a resident".

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 79, 81, 128, and 157.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *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 79, 81, 128 and 157.

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 15th day of February, 1945, sent to the governor for his approval, Senate Files 79, 81, 128 and 157.

ROBERT C. REILLY, *Chairman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 15th he had approved the following bills:

Senate File 32, relating to compensation of school examiners.

Senate File 79, relating to duties of the Code editor.

Senate File 81, relating to form of bills presented to the General Assembly.

EXECUTIVE SESSION

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

The Senate in executive session confirmed the following appointments:

F. J. Poyneer of Linn county as a member of the state conservation commission for the term beginning July 1, 1945.

Ewald G. Trost of Webster county as a member of the state conservation commission for the term beginning July 1, 1945.

E. B. Gaunitz of Allamakee county as a member of the state conservation commission for the term beginning July 1, 1945.

John J. Swaner of Johnson county as a member of the highway commission for the term beginning July 1, 1945.

Henry J. Ahlers of Plymouth county as a member of the highway commission for the term beginning July 1, 1945.

Melvin W. Ellis of Floyd county as state superintendent of banking for the term beginning July 1, 1945.

William E. Jackson of Des Moines county as a member of the board of parole for the term beginning July 1, 1945.

The Senate arose from executive session and resumed regular session.

President pro tempore Hart took the chair at 11:23 a. m.

PRESENTATION OF VISITORS

Senator Vrba asked and received unanimous consent to present to the Senate, former Senator Sam D. Goetsch of Winneshiek county, who addressed the Senate briefly.

THIRD READING OF BILLS

On motion of Senator Foster, Senate File 160, a bill for an act to amend the law as it appears in section six thousand nine hundred 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, was taken up and considered.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 160 by striking from section 1, lines 6 and 7, the words "principal places of business" and inserting in lieu thereof the words "main operating offices and principal factories".

The amendment was adopted.

Senator Faul asked and received unanimous consent that further action on Senate File 160 be deferred and that it retain its place on the calendar.

On motion of Senator Dykhous, House File 19, a bill for an act to amend section eleven thousand six hundred seventy-nine and one tenth (11679.1), Code, 1939, and providing garnishment when necessary in the collection of freight line and equipment car taxes, 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, 47:

Augustine	Findlay	Klein	Reilly
Barkley	Foster	Knudson	Rockhill
Bekman	Hart	Leo	Schluter
Benson	Harvey	Long	Sharp
Berg	Hawkins	Love	Shaw
Byers	Henningsen	Lynes	Sjulin
Clem	Hill	Martin	Vittetoe
Cromwell	Hultman	Mercer	Vrba
Dewel	Jacobson	Miller	Watson
Dykhousé	Jones	Mowry	White
Elthon	Keir	Newsome	Zastrow
Faul	Kirketeg	Pine	

Nays, none.

Absent or not voting, 3:

Doud	Lucas	Ritchie
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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 20, a bill for an act to amend section seven thousand seventy-six (7076), Code, 1939, permitting garnishment in collection of taxes upon freight line and equipment car companies, 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 House File 20 as follows:

Strike the comma (,) after the word "therefor" in line 3 of section 1 and insert in lieu thereof a period (.).

The amendment was 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, 48:

Augustine	Bekman	Berg	Clem
Barkley	Benson	Byers	Cromwell

Dewel	Henningsen	Long	Rockhill
Doud	Hill	Love	Schluter
Dykhouse	Hultman	Lynes	Sharp
Elthon	Jacobson	Martin	Shaw
Faul	Jones	Mercer	Sjulin
Findlay	Keir	Miller	Vittetoe
Foster	Kirketeg	Mowry	Vrba
Hart	Klein	Newsome	Watson
Harvey	Knudson	Pine	White
Hawkins	Leo	Reilly	Zastrow

Nays, none.

Absent or not voting, 2:

Lucas Ritchie

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 Schluter, House File 22, a bill for an act to amend sections four thousand two hundred eighty-three and eleven hundredths (4283.11) and four thousand two hundred eighty-three and thirteen hundredths (4283.13), Code, 1939, relating to the computation and certificate thereof for the reimbursement of school districts for loss of taxes on publicly owned land, 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, 47:

Augustine	Faul	Klein	Pine
Barkley	Findlay	Knudson	Reilly
Bekman	Hart	Leo	Rockhill
Benson	Harvey	Long	Schluter
Berg	Hawkins	Love	Shaw
Byers	Henningsen	Lucas	Sjulin
Clem	Hill	Lynes	Vittetoe
Cromwell	Hultman	Martin	Vrba
Dewel	Jacobson	Mercer	Watson
Doud	Jones	Miller	White
Dykhouse	Keir	Mowry	Zastrow
Elthon	Kirketeg	Newsome	

Nays, none.

Absent or not voting, 3:

Foster Ritchie Sharp

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.

The Senate resumed consideration of Senate File 160.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 160 as follows:

Strike from line 7 the word "thus".

Strike from line 9 the words "having one or more".

In line 9 after the word "corporations" insert the words "of foreign corporations".

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, 32:

Barkley	Dykhouse	Hultman	Lucas
Bekman	Faul	Jacobson	Mercer
Berg	Findlay	Jones	Pine
Byers	Foster	Keir	Reilly
Clem	Hart	Klein	Rockhill
Cromwell	Harvey	Knudson	Vittetoe
Dewel	Henningesen	Long	Vrba
Doud	Hill	Love	Watson

Nays, 13:

Augustine	Kirketeg	Mowry	Sjulin
Benson	Leo	Newsome	White
Elthon	Martin	Schluter	Zastrow
Hawkins			

Absent or not voting, 5:

Lynes	Ritchie	Sharp	Shaw
Miller			

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 Jacobson, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate resumed regular session, President Evans presiding.

HOUSE AMENDMENTS CONSIDERED

Senator Faul called up for consideration Senate File 19, a bill for an act to repeal chapter five hundred forty-two and one tenth (542.1), Code, 1939, and to enact a substitute therefor, relating to the guardianship of incompetent veterans and other incompetents and minor beneficiaries of the Veterans Administration and to make uniform the law relating thereto, amended by the House, and moved that the Senate concur in the following House amendments:

Amend by striking all of paragraph 4 and inserting in lieu thereof the following: "Notice of the commencement of the action shall be served in the time, manner, and form as prescribed by the rules of civil procedure of the state of Iowa and amendments thereto."

Amend by striking lines 99-102, both inclusive, and insert in lieu thereof the following:

"And a like notice shall be given to the surety on such guardian bonds upon the filing of the final report by said guardian."

Amend line 51 by inserting after the word "administrator" the following: "of Veterans Administration".

Strike from line 23 the words "an inhabitant" and insert in lieu thereof the words: "a resident".

The Senate concurred in the House amendments.

Senator Faul asked and received unanimous consent to strike the word "nor" in line 94 of section 1 and insert in lieu thereof the correct word "not".

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

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

Ayes, 50:

Augustine	Findlay	Knudson	Reilly
Barkley	Foster	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Benson	Harvey	Love	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Lynes	Shaw
Clem	Hill	Martin	Sjulin
Cromwell	Hultman	Mercer	Vittetoe
Dewel	Jacobson	Miller	Wrba
Doud	Jones	Mowry	Watson
Dykhous	Keir	Newsome	White
Elthon	Kirketeg	Pine	Zastrow
Faul	Klein		

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 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 called up the following House Concurrent Resolution 14 and moved its adoption:

HOUSE CONCURRENT RESOLUTION 14

Be It Resolved by the House, the Senate Concurring: That when adjournment is had on Friday, February 23, 1945, it be to reconvene on Monday, March 5, 1945, at 2:00 p. m.

The motion prevailed and the resolution was adopted.

THIRD READING OF BILLS

On motion of Senator Pine, House File 44, a bill for an act to amend section five thousand and one hundredth (5000.01) and section five thousand eight and twenty hundredths (5008.20), Code, 1939, relating to motor vehicles, 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, 50:

Augustine	Findlay	Knudson	Reilly
Barkley	Foster	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Benson	Harvey	Love	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Lynes	Shaw
Clem	Hill	Martin	Sjulin
Cromwell	Hultman	Mercer	Vittetoe
Dewel	Jacobson	Miller	Vrba
Doud	Jones	Mowry	Watson
Dykhouse	Keir	Newsome	White
Elthon	Kirketeg	Pine	Zastrow
Faul	Klein		

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 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 Vittetoe, Senate File 31, a bill for an act to provide for the licensing, inspection, control and regulation of barber shops and barber schools, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Byers offered the following amendment and moved its adoption:

Amend Senate File 31 by striking the word "equipment" in line 23 of subsection 2 of section 1, and by inserting in lieu thereof the word "sanitation".

Further amend Senate File 31 by striking lines 40 to 48 inclusive in subsection 2 of section 1, and by adding a new paragraph at the end of subsection 2 of section 1 as follows:

"The provisions of this act shall not apply to veterans of World War Two for a period of twelve months after their discharge from the Armed Services of the United States."

"Further amend Senate File 31 by adding at the end of section 2 the following:

"16. For transfer of license upon change of ownership of a barber shop or barber school, a fee of one dollar (\$1.00)."

The amendment was adopted.

Senator Reilly offered the following amendment and moved its adoption:

Amend Senate File 31, line 23, by striking the period after the word "hearing" and by adding the following: "before the board of barber examiners."

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, 50:

Augustine	Clem	Faul	Henningsen
Barkley	Cromwell	Findlay	Hill
Bekman	Dewel	Foster	Hultman
Benson	Doud	Hart	Jacobson
Berg	Dykhouse	Harvey	Jones
Byers	Elthon	Hawkins	Keir

Kirketeg	Lynes	Reilly	Sjulin
Klein	Martin	Ritchie	Vittetoe
Knudson	Mercer	Rockhill	Vrba
Leo	Miller	Schluter	Watson
Long	Mowry	Sharp	White
Love	Newsome	Shaw	Zastrow
Lucas	Pine		

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 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 Mowry, Senate File 94, a bill for an act to repeal chapter 267, Laws of the Fiftieth General Assembly, 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lynes took the chair at 2:10 p. m.

Senator Cromwell offered the following amendment and moved its adoption:

Amend Senate File 94 as follows:

1. Strike section two (2).
2. Add the following new sections:

"Sec. 2. Subsection five (5) of section eleven thousand seven (11007) is amended by striking the period (.) following the word 'years' in line eight (8) and adding the following: 'except as provided by subsection nine (9).'

"Sec. 3. Section eleven thousand seven (11007) is further amended by adding a new subsection as follows:

"9. Those founded on claims for wages or for a liability or penalty for failure to pay wages, within two years, provided that an action may be commenced on any such presently existing causes of action, within two years after the effective date of this act, or within the period prescribed herein, whichever is the longer."

"Sec. 4. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Baxter New Era, a newspaper published at Baxter, Iowa, and the Eagle Grove Eagle, a newspaper published in Eagle Grove, Iowa."

Senator Cromwell offered the following amendment to his amendment and moved its adoption:

Strike the word and figure "eight (8)" and substitute in lieu thereof "seven (7)", in line six (6).

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, 50:

Augustine	Findlay	Knudson	Reilly
Barkley	Foster	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Benson	Harvey	Love	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Lynes	Shaw
Clem	Hill	Martin	Sjulin
Cromwell	Hultman	Mercer	Vittetoe
Dewel	Jacobson	Miller	Vrba
Doud	Jones	Mowry	Watson
Dykhouse	Keir	Newsome	White
Elthon	Kirketeg	Pine	Zastrow
Faul	Klein		

Nays, none.

Absent or not voting, none.

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

Senator Cromwell asked and received unanimous consent to correct the title.

Senator Cromwell submitted the following amendment to the title:

Strike the period (.) at the end of the title and insert a comma (,) and add the following: "and providing for a period of limitation for claims for wages".

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 Vittetoe, House File 15, a bill for an act to amend section three thousand one hundred sixty-nine and one hundredth (3169.01), Code, 1939, relating to the Uniform Narcotics Drug Act, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Vittetoe moved that the bill be read a third 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	Kirketeg	Pine
Barkley	Findlay	Klein	Reilly
Bekman	Hart	Knudson	Rockhill
Benson	Harvey	Leo	Schluter
Berg	Hawkins	Long	Shaw
Byers	Henningsen	Love	Sjulin
Clem	Hill	Lynes	Vittetoe
Cromwell	Hultman	Martin	Vrba
Dewel	Jacobson	Miller	Watson
Doud	Jones	Mowry	White
Dykhouse	Keir	Newsome	Zastrow
Elthon			

Nays, none.

Absent or not voting, 5:

Foster	Mercer	Ritchie	Sharp
Lucas			

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

Senator Vittetoe moved that the vote by which the 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 16, a bill for an act to amend chapter four hundred thirty (430), Code, 1939, relating to assignment of trademarks, labels and forms of advertising, the filing thereof and fees to be paid, 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 16 by striking lines one (1) to four (4), both inclusive, of section one (1), and substituting in lieu thereof the following:

"Section 1. Section nine thousand eight hundred seventy (9870), Code, 1939, is amended by adding thereto the following:"

Further amend House File 16 by inserting after the word "thereof," in line eight (8) of section one (1) the following:

"or personal representative of such owner, in the event of the death of the record owner,"

Further amend House File 16 by striking from line one (1) of the title thereof the words "Chapter four hundred thirty (430)," and

substituting therefor the words "section nine thousand eight hundred seventy (9870),".

Senator Faul asked and received unanimous consent to strike the word "personal" in his amendment and insert in lieu thereof the word "legal".

The amendment was adopted.

Senator Martin offered the following amendment:

Amend House File 16, section 1, line 8, following the word "thereof" by inserting "or personal representative of such owner, in the event of the death of the record owner".

Senator Martin asked and received unanimous consent to withdraw the amendment.

Senator Jacobson moved that the bill be read a third 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	Kirketeg	Reilly
Bekman	Findlay	Klein	Rockhill
Benson	Hart	Knudson	Schluter
Berg	Harvey	Leo	Shaw
Byers	Hawkins	Long	Sjulin
Clem	Henningsen	Lynes	Vittetoe
Cromwell	Hill	Martin	Vrba
Dewel	Hultman	Miller	Watson
Doud	Jacobson	Mowry	White
Dykhouse	Jones	Newsome	Zastrow
Elthon	Keir	Pine	

Nays, none.

Absent or not voting, 7:

Barkley	Love	Mercer	Sharp
Foster	Lucas	Ritchie	

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

Senator Jacobson moved that the 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 CONCURRENT RESOLUTION 11

Be It Resolved by the Senate, the House 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:

W. J. Scarborough, postage and supplies (Senate).....	\$ 10.65
Koch Bros., supplies (Senate).....	332.99
L. C. Smith & Corona Typewriters, Inc.....	104.93
American Institute of Business (rental of typewriter) (Senate)....	80.50
Underwood Elliott Fisher Co.	2.20
Des Moines Rubber Stamp Works, supplies (Senate).....	87.25
Bond Clothes (Senate)	159.50
Storey-Kenworthy, supplies (Senate).....	688.37
Des Moines Rubber Stamp Works, badges and stamps (House)....	112.35
L. C. Smith, repair on typewriters (House).....	6.00
Storey-Kenworthy Co., supplies (House).....	28.22
American Institute of Business, rental of typewriters (House)....	80.50
Des Moines Stationery Co., supplies (House).....	6.12

The state comptroller is hereby authorized and directed to issue warrants for amounts above listed and to persons and firms to whom such amounts are due.

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	Amount
Robert A. Rockhill.....	50	\$5.00
B. C. Whitehill Estate.....	50	5.00

J. T. DYKHOUSE, *Chairman.*

GEORGE FAUL.

CARL SJULIN.

BILLS ASSIGNED TO COMMITTEES

President Evans announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 280	Public Health.
S. F. 282	Cities and Towns.
S. F. 283	Judiciary 1.
S. F. 284	Conservation.
S. F. 285	Mines and Mining.
H.J.R. 2	Judiciary 2.
H. F. 199	Agriculture.
H. F. 201	Agriculture.
H. F. 203	Insurance.
H. F. 208	National Defense and Postwar.

REPORTS OF COMMITTEES

Senator Bekman submitted the following report:

MR. PRESIDENT: Your committee on insurance, to which was referred

House File 203, a bill for an act relating to liability insurance or surety bond requirements imposed upon certificated motor vehicle carriers, 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 Dykhouse submitted the following report:

MR. PRESIDENT: Your committee on ways and means, to which was referred Senate File 3, a bill for an act to amend subsection 2 of section 6943.040 relating to exemption from personal net income tax of members of the armed forces of the United States and those who have died as a result of service in the armed forces of the United States, 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 ways and means, to which was referred House File 40, a bill for an act relating to tax refunds, 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 Long submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate Joint Resolution 5, a bill for an act providing for the option to purchase real estate, begs leave to report it has had the same under consideration and recommends the same do pass.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 144, a bill for an act to appropriate to the state comptroller from motor vehicle fuel tax fund, begs leave to report it has had the same under consideration and recommends the same do pass.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 212, a bill for an act authorizing expenditures by the state highway commission from the primary road fund for the biennium beginning July 1, 1945, and ending June 30, 1947, begs leave to report it has had the same under consideration and recommends the same do pass.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 213, a bill for an act making 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.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 214, a bill for an act to appropriate funds from primary road fund to the industrial commissioner for the payment of workmen's compensation claims of employees of the state highway commission, begs leave to report it has had the same under consideration and recommends the same do pass.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 25 as follows:

1. By striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. The city council, board of waterworks trustees, or other board or commission, whichever is authorized by law to manage and operate any municipally owned waterworks system, or other municipally owned and operated public utility, in cities having a population of five thousand or more, including special charter cities, cities under commission form of government, and cities under city manager plan, may establish a pension and annuity retirement system for the employees of any such waterworks system, or other municipally owned and operated public utility.

Sec. 2. The fund for such pension and annuity retirement system shall be created from any or all of the following sources:

a. From the proceeds of the assessments on the wages and salaries of employees, of any such waterworks system, or other municipally owned and operated public utility, eligible to receive the benefits thereof.

b. From the interest on any permanent fund which may be created by gift, bequest or otherwise.

c. From moneys derived from the operation of such waterworks, or other municipally owned and operated public utility, available and appropriated therefor by the city council, board of waterworks trustees, or other board or commission, whichever is authorized by law to manage and operate such waterworks or other municipally owned and operated public utility. Such money so expended shall constitute an operating expense of such utility.

Sec. 3. The city council, board of waterworks trustees, or other board or commission, whichever is authorized by law to manage and operate such waterworks, or other municipally owned and operated public utility,

shall formulate and establish such pension and annuity retirement system, and shall make and establish such rules and regulations for the operation thereof as may be deemed necessary or appropriate.

Sec. 4. The city council, board of waterworks trustees, or other board or commission, whichever is authorized by law to manage and operate any such waterworks, or other municipally owned and operated public utility, shall have the right and power to contract with any legal reserve insurance company, authorized to conduct its business in the state of Iowa, for the payment by such insurance company of the pensions and annuities provided in any such pension and annuity retirement system, and may pay the premiums accruing under such contract out of the fund provided for in section two (2) hereof."

2. By striking all of title and inserting in lieu thereof the following:

"An Act to provide for a pension and annuity retirement system for employees of a municipally owned waterworks, or other municipally owned and operated public utility, in any city having a population of five thousand or more, and to authorize city council, board of waterworks trustees, or other board or commission, whichever is authorized to manage and operate such waterworks, or other municipally owned and operated public utility, to formulate and establish such plan and adopt appropriate rules and regulations therefor."

JOHN P. BERG.

Amend Senate File 119 as follows:

1. Amend section 1 by inserting after the word "works" in line 10 the words "costing over five thousand dollars (\$5,000)."

2. Amend section 5 by striking all of line 1 and striking from line 2 the words "of Iowa, or any political subdivision thereof, and any" and inserting in lieu thereof the word "Any".

ALDEN L. DOUD.

1. Amend Senate File 119 by adding as a new section following section six (6) the following:

"Section 7. The provisions of this act shall not apply in counties having a population of less than 15,000."

2. Further amend Senate File 119 by renumbering subsequent sections.

O. J. KIRKETEG.

Amend Senate File 155 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Chapter one hundred twenty-one (121), Acts of the 40th General Assembly as amended by chapter two hundred forty-eight (248), Acts of the 44th General Assembly, is hereby repealed and the following enacted in lieu thereof:

"That where any city has, prior to July 1st, eighteen hundred eighty (1880), received a grant of the title from the United States to a meandered lake within its corporate limits, to be held and used for public uses, recreation and park purposes, and where such city has, for more than twenty years devoted the same to the public use, recreation and park purposes, its board of park commissioners is authorized, in the discretion of said board to certify to the county auditor and cause to be collected an additional tax of not exceeding one mill each year, to be used for the sole and only purpose of improving such lake by dredg-

ing or otherwise deepening the same, constructing dikes and levees for the protection of the same and for changing the form and size thereof, and for the regulation, control and improvement of the water supply and for the improvement and beautifying of such lake, the park land surrounding the same and for the furnishing of suitable equipment thereof for public use and pleasure."

Further amend said Senate File 155 by striking from the title beginning with the words "An Act" all down to and including the word "relating" and inserting in lieu thereof the following:

"An Act to repeal chapter one hundred twenty-one (121), Acts of the 40th General Assembly as amended by chapter two hundred forty-eight (248), Acts of the 44th General Assembly, and to enact a substitute therefor, relating".

DE VERE WATSON.

Amend Senate File 203 by striking the word "of" in line five (5) and inserting in lieu thereof the word "in".

Further amend Senate File 203 by inserting following the word "children" in line five (5) the following: "living on an Indian reservation".

RICHARD V. LEO.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 16, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend L. E. Koenig, member of the Presbytery of Des Moines, Des Moines, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Dykhouse, from residents of Osceola county, favoring revision of the school code; also from residents of O'Brien and Sioux counties favoring veteran legislation.

By Senator Kirketeg, from residents of Taylor county, favoring local option.

By Senator Knudson, from county employees of Cerro Gordo county, favoring proposed pension legislation.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Ritchie for the day on request of Senator Zastrow; Senator Sharp for the day on request of Senator Kirketeg; Senator Foster for the day on request of Senator Reilly; Senator Benson for the day on request of Senator Newsome.

INTRODUCTION OF BILLS

Senate File 306, by Senator Martin (Hedin, Schwengel), a bill for an act to amend section five thousand nine hundred forty-five (5945), Code, 1939, relating to streets and public grounds in cities and towns, including cities acting under special charter, and to the care, supervision, control and liabilities thereunder.

Read first and second times and passed on file.

Senate File 307, by Senator Martin, a bill for an act to provide for the purchase and maintaining of law libraries by the county

board of supervisors in counties having more than 60,000 population for the use of the courts, county officers and attorneys.

Read first and second times and passed on file.

Senate File 308, by Senators Martin and Clem, a bill for an act to provide for adequate lighting facilities of cabooses used in connection with train movement on the railroads of Iowa.

Read first and second times and passed on file.

Senate File 309, by the committee on insurance, a bill for an act to amend subsection four (4) of section one thousand four hundred twenty-one (1421), Code, 1939, by adding thereto a new paragraph providing that all minor employees regularly employed should be entitled to all benefits of chapters seventy (70), seventy-one (71) and seventy-two (72) relating to workmen's compensation regardless of the age of such minors.

Read first and second times and placed on the calendar.

Senate File 310, by committee on insurance, a bill for an act to repeal section one thousand four hundred thirty-five (1435), Code, 1939, and to enact a substitute therefor relating to a penalty for failure to file reports required under chapter seventy-one (71), Code, 1939, which may be required in workmen's compensation matters.

Read first and second times and placed on the calendar.

Senate File 311, by committee on insurance, a bill for an act to amend section one thousand four hundred thirty-six (1436), Code, 1939, relating to filing memorandum of agreement for payment of weekly compensation in workmen's compensation matters and further providing for the filing of such agreement by the insurance carrier and estopping the employer or insurance carrier from setting up a defense on the failure to file such agreement when the employee seeks further compensation under the provisions of section one thousand four hundred fifty-seven (1457), Code, 1939.

Read first and second times and placed on the calendar.

Senate File 312, by Senator Clem, a bill for an act to amend section one (1) of chapter one hundred thirty-five (135), Acts of the Fiftieth General Assembly, relating to old age assistance.

Read first and second times and passed on file.

Senate File 313, by Senator Clem, a bill for an act to amend sections seven thousand five hundred sixty-three (7563), seven thousand five hundred sixty-four (7564), seven thousand five hundred sixty-five (7565) and seven thousand five hundred sixty-six (7566), 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 and passed on file.

Senate File 314, by Senator Clem, a bill for an act to amend section six thousand two hundred eleven (6211), paragraph 29, Code, 1939, relating to tax for art fund.

Read first and second times and passed on file.

Senate File 315, by Senators Clem, Love and Long, a bill for an act to repeal section five hundred sixteen (516), Code, 1939, relating to election of commerce commissioners; to amend section seven thousand eight hundred sixty-five (7865), Code, 1939, relating to eligibility of commerce commissioners and secretary, and seven thousand eight hundred sixty-six (7866), Code, 1939, relating to members and organization of the commerce commission; and to enact sections making the office of commerce commissioner appointive.

Read first and second times and passed on file.

Senate File 316, by Senator Klein (Visser), (by request), a bill for an act to provide a time limit on telephone calls to July 1, 1947.

Read first and second times and passed on file.

Senate File 317, by Senators Hart and Doud, a bill for an act to amend section one thousand seven hundred and three and twenty-eight hundredths (1703.28), Code of Iowa, 1939, relating to the membership of the state conservation commission.

Read first and second times and passed on file.

Senate File 318, by Senators Watson, Shaw, Bekman and Sjulín, 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.

Read first and second times and passed on file.

Senate File 319, by Senators Knudson and White, a bill for an act to amend section twelve thousand sixteen (12016), Code, 1939, relating to descent of property to surviving spouse.

Read first and second times and passed on file.

Senate File 320, by Senators Long and Jacobson, a bill for an act to amend section five thousand six hundred ninety-one (5691), Code, 1939, relating to the adoption of civil service and the appointment of civil service commissioners in certain cities.

Read first and second times and passed on file.

Senate File 321, by Senator Dewel, a bill for an act to amend section five thousand seven hundred twenty-three (5723), Code, 1939, relating to the costs of official publications.

Read first and second times and passed on file.

Senate File 322, by Senators White and Shaw, a bill for an act to amend section one thousand one hundred ninety-seven (1197), Code, 1939, relating to appointment of notaries public.

Read first and second times and passed on file.

Senate File 323, by Senator Dewel, a bill for an act to amend section five thousand four hundred twelve (5412), Code, 1939, relating to the costs of official publications.

Read first and second times and passed on file.

Senate File 324, by Senator Leo, 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 home-
stead tax credit and to the right and privileges granted to members of the armed forces of the United States.

Read first and second times and passed on file.

Senate File 325, by Senator Shaw, a bill for an act to amend chapter three hundred twenty-nine and three tenths (329.3) and section six thousand nine hundred forty-three and forty-thousandths (6943.040), Code, 1939, relating to income tax and gross income by providing an exemption from gross income of all compensation received from the United States government by members of the armed forces and their dependents and to provide for the abatement and refund to taxes in event of death and to fix a time limit.

Read first and second times and passed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File 78, a bill for an act relating to joint municipal improvement of highways.

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 the firing of blasting shots in coal mines.

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

House File 200, a bill for an act relating to aid to dependent children.

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

House File 296, a bill for an act appropriating funds for the board of control for support of the institutions under said board.

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

House File 297, a bill for an act appropriating funds for the board of education for institutions under said board.

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

House File 306, a bill for an act relating to allocation of revenues of the income, corporation and sales tax.

A. C. GUSTAFSON, *Chief Clerk.*

Senator Long called up the following Senate concurrent resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 11

Be It Resolved by the Senate, the House 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:

W. J. Scarborough, postage and supplies (Senate).....	\$ 10.65
Koch Bros., supplies (Senate)	332.99
L. C. Smith & Corona Typewriters, Inc.....	104.93
American Institute of Business (rental of typewriter) (Senate)....	80.50
Underwood Elliott Fisher Co.	2.20
Des Moines Rubber Stamp Works, supplies (Senate).....	87.25
Bond Clothes (Senate)	159.50
Storey-Kenworthy, supplies (Senate).....	688.37
Des Moines Rubber Stamp Works, badges and stamps (House).....	112.35
L. C. Smith, repair on typewriters (House).....	6.00
Storey-Kenworthy Co., supplies (House).....	28.22
American Institute of Business, rental of typewriters (House).....	80.50
Des Moines Stationery Co., supplies (House).....	6.12

The state comptroller is hereby authorized and directed to issue warrants for amounts above listed and to persons and firms to whom such amounts are due.

The motion prevailed and the resolution was adopted.

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

SENATE CONCURRENT RESOLUTION 12

Be It Resolved by the Senate, the House Concurring: That Perry Brown, chairman of the national defense committee of the American Legion, be invited to speak to the 51st General Assembly in joint session on Monday, February 19, 1945, at 11 a. m., and that the Assembly go into joint session for this purpose.

The resolution was adopted.

Senator Faul asked and received unanimous consent that Senate Concurrent Resolution 12 be immediately messaged to the House, which request was complied with.

THIRD READING OF BILLS

On motion of Senator Shaw, Senate Joint Resolution 5, a resolution providing for the exercise and acceptance of the option to purchase by the state of Iowa of the following described real estate in Des Moines, Polk county, Iowa, from International Harvester Company, a corporation organized under and existing by

virtue of the laws of the state of New Jersey, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 42:

Bekman	Hart	Leo	Reilly
Berg	Harvey	Long	Rockhill
Byers	Hawkins	Love	Schluter
Clem	Henningsen	Lynes	Shaw
Cromwell	Hill	Martin	Sjulin
Dewel	Hultman	Mercer	Vittetoe
Doud	Jacobson	Miller	Vrba
Dykhousé	Jones	Mowry	Watson
Elthon	Kirketeg	Newsome	White
Faul	Klein	Pine	Zastrow
Findlay	Knudson		

Nays, 1:

Augustine

Absent or not voting, 7:

Barkley	Foster	Lucas	Sharp
Benson	Keir	Ritchie	

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.

Senator Henningsen asked and received unanimous consent that Senate Joint Resolution 5 be immediately messaged to the House, which request was complied with.

Senator Dykhousé called up the following report and moved its adoption:

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	Amount
Robert A. Rockhill.....	50	\$5.00
B. C. Whitehill Estate.....	50	5.00

J. T. DYKHOUSE, *Chairman.*

GEORGE FAUL.

CARL SJULIN.

The report was adopted.

Senator Dykhouse asked and received unanimous consent that Senate File 279 be rereferred to the committee on ways and means.

UNFINISHED BUSINESS

Senator Knudson called up Senate File 84, a bill for an act to amend chapter 303.1 of the 1939 Code of Iowa, providing for the levy of a tax and the anticipation thereof by the issuance of bonds by municipalities for airport purposes.

Senator Cromwell asked and received unanimous consent that further action on Senate File 84 be deferred and that it retain its place on the calendar.

Senator Hill moved that when the Senate adjourn on Monday, February 19, that the gavel shall fall at 4:30 p. m., which motion prevailed.

THIRD READING OF BILLS

On motion of Senator Hill, Senate File 60, a bill for an act to amend sections fifty-four hundred thirty-five (5435) and fifty-four hundred forty (5440), Code, 1939, relating to the licensing of dogs, with report of committee recommending the adoption of the following amendment by Senator Mowry and passage:

Amend Senate File 60, section 2, line 4, by striking out the word and figure "May 15" and inserting in lieu thereof the word and figure "July 1".

Senator Hill asked and received unanimous consent that further action on Senate File 60 be deferred and that it retain its place on the calendar.

On motion of Senator Schluter, Senate File 117, a bill for an act to amend section six thousand nine hundred forty-three and forty-five thousandths (6943.045), Code of Iowa, 1939, relating to income tax returns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Dykhouse offered the following amendment and moved its adoption:

Amend Senate File 117, by striking all of section two (2).

The amendment was lost.

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, 44:

Augustine	Faul	Kirketeg	Newsome
Barkley	Findlay	Klein	Reilly
Bekman	Hart	Knudson	Rockhill
Berg	Harvey	Leo	Schluter
Byers	Hawkins	Long	Shaw
Clem	Henningsen	Love	Sjulin
Cromwell	Hill	Lynes	Vittetoe
Dewel	Hultman	Martin	Vrba
Doud	Jacobson	Mercer	Watson
Dykhouse	Jones	Miller	White
Elthon	Keir	Mowry	Zastrow

Nays, none.

Absent or not voting, 6:

Benson	Lucas	Ritchie	Sharp
Foster	Pine		

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

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

On motion of Senator Dykhouse, House File 3, a bill for an act providing for the issuance of temporary permits to persons engaging temporarily in the business of retail sales in Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Jacobson moved that the bill be read a third 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	Klein	Reilly
Barkley	Hart	Knudson	Rockhill
Bekman	Harvey	Leo	Schluter
Berg	Hawkins	Long	Shaw
Byers	Henningsen	Lynes	Sjulin
Clem	Hill	Martin	Vittetoe
Cromwell	Hultman	Mercer	Vrba
Dewel	Jacobson	Miller	Watson
Doud	Jones	Mowry	White
Dykhouse	Keir	Newsome	Zastrow
Elthon	Kirketeg	Pine	

Nays, none.

Absent or not voting, 7:

Benson	Foster	Lucas	Sharp
Faul	Love	Ritchie	

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

Senator Jacobson moved that the vote by which the 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 172, 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 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	Findlay	Klein	Pine
Barkley	Hart	Knudson	Reilly
Bekman	Harvey	Leo	Rockhill
Berg	Hawkins	Long	Schluter
Byers	Henningsen	Love	Shaw
Clem	Hill	Lynes	Sjulin
Cromwell	Hultman	Martin	Vittetoe
Dewel	Jacobson	Mercer	Vrba
Doud	Jones	Miller	Watson
Dykhouse	Keir	Mowry	White
Elthon	Kirketeg	Newsome	Zastrow
Faul			

Nays, none.

Absent or not voting, 5:

Benson	Lucas	Ritchie	Sharp
Foster			

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 233, a bill for an act to extend the provisions of Senate File 30, Acts of the Fifty-first General Assembly, to individual income taxpayers making a return on a fiscal year basis, was taken up and considered.

Senator Cromwell offered the following amendment and moved its adoption:

Amend Senate File 233 as follows: In section 1, beginning with the word "such" in line 3 strike the remainder of the section, and substitute in lieu thereof the following: "Any such individual income taxpayer making a return on a fiscal year basis shall be entitled to a 50 per cent reduction for two fiscal years, which may include portions of other calendar years than 1945 and 1946 but no such taxpayer shall be entitled to a reduction for more than two (2) fiscal years under the provisions of this act."

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, 44:

Augustine	Findlay	Klein	Pine
Barkley	Hart	Knudson	Reilly
Bekman	Harvey	Leo	Rockhill
Berg	Hawkins	Long	Schluter
Byers	Henningsen	Love	Shaw
Clem	Hill	Lynes	Sjulin
Cromwell	Hultman	Martin	Vittetoe
Dewel	Jacobson	Mercer	Vrba
Doud	Jones	Miller	Watson
Dykhous	Keir	Mowry	White
Elthon	Kirketeg	Newsome	Zastrow

Nays, none.

Absent or not voting, 6:

Benson	Foster	Ritchie	Sharp
Faul	Lucas		

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 Dewel, House File 92, a bill for an act to amend section three hundred seventy-five (375), Code, 1939, relating to the notice of hearing on municipal budgets and the publication thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Dewel moved that the bill be read a third 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	Knudson	Reilly
Barkley	Hart	Leo	Rockhill
Bekman	Harvey	Long	Schluter
Berg	Henningsen	Lynes	Shaw
Byers	Hill	Martin	Sjulin
Clem	Hultman	Mercer	Vittetoe
Cromwell	Jacobson	Miller	Vrba
Dewel	Jones	Mowry	Watson
Doud	Keir	Newsome	White
Dykhouse	Kirketeg	Pine	Zastrow
Elthon	Klein		

Nays, none.

Absent or not voting, 8:

Benson	Foster	Love	Ritchie
Faul	Hawkins	Lucas	Sharp

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

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

On motion of Senator Leo, Senate File 133, 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 44:

Augustine	Faul	Kirketeg	Pine
Barkley	Findlay	Klein	Reilly
Bekman	Hart	Knudson	Rockhill
Berg	Harvey	Leo	Schluter
Byers	Hawkins	Long	Shaw
Clem	Henningsen	Lynes	Sjulin
Cromwell	Hill	Martin	Vittetoe
Dewel	Hultman	Mercer	Vrba
Doud	Jacobson	Miller	Watson
Dykhouse	Jones	Mowry	White
Elthon	Keir	Newsome	Zastrow

Nays, none.

Absent or not voting, 6:

Benson	Love	Ritchie	Sharp
Foster	Lucas		

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 Berg, House File 24, a bill for an act to amend section five thousand two hundred twenty-three (5223), Code, 1939, relating to the salary and duties of deputy treasurers, 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 section 1 as follows:

Line 7, after the word "chief" insert "deputy".

Line 8, strike the word "to" and insert "shall".

Line 11, after the word "April" insert "first".

Line 12, strike "balance" and insert "remainder".

Line 13, strike the word "to" and insert "he shall".

Line 17, strike the word "be" and insert "is".

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	Faul	Kirketeg	Pine
Barkley	Findlay	Klein	Reilly
Bekman	Hart	Knudson	Rockhill
Berg	Harvey	Leo	Schluter
Byers	Hawkins	Long	Sjulin
Clem	Henningsen	Love	Vittetoe
Cromwell	Hill	Lynes	Vrba
Dewel	Hultman	Martin	Watson
Doud	Jacobson	Miller	White
Dykhouse	Jones	Mowry	Zastrow
Elthon	Keir	Newsome	

Nays, none.

Absent or not voting, 7:

Benson	Lucas	Ritchie	Shaw
Foster	Mercer	Sharp	

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.

BILL WITHDRAWN FROM FURTHER CONSIDERATION

Senator Rockhill asked and received unanimous consent to withdraw from further consideration of the Senate, Senate File 273.

PRESENTATION OF VISITORS

Senator Faul asked and received unanimous consent to present to the Senate the 6A class of Hubbell school of Des Moines, which was present in the balcony.

Senator Faul asked and received unanimous consent to present to the Senate the 9B class in Social Science of West Des Moines, which was 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 adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 12, extending an invitation to Mr. Perry Brown to address a joint convention of the Fifty-first General Assembly on February 19, 1945. A. C. GUSTAFSON, *Chief Clerk*.

HOUSE MESSAGES CONSIDERED

House File 84, a bill for an act to amend section one thousand two hundred ninety-seven and one tenth (1297.1), Code, 1939, relating to the firing of blasting shots in coal mines.

Read first and second times and passed on file.

House File 200, a bill for an act to amend chapter one hundred thirty (130), Acts of the Fiftieth General Assembly, relating to aid to dependent children.

Read first and second times and passed on file.

House File 296, 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, 1945, and ending June 30, 1947, to the board of control for support of the institutions under said board of control.

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

House File 297, a bill for an act to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1945, and ending June 30, 1947, to the board of education for the support, maintenance, repairs, replacements or alterations of institutions under said board of education.

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

House File 306, a bill for an act to amend section six thousand nine hundred forty-three and one hundred thousandths (6943.100), Code, 1939, relating to allocation of revenues of the income, corporation and sales tax.

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

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 15th he had approved the following bills:

Senate File 128, relating to nonprofit corporations.

Senate File 157, relating to the issuance of bonds by the city of Council Bluffs.

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 5 and House File 9.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *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 5 and House File 9.

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 16th day of February, 1945, sent to the governor for his approval, Senate File 5.

ROBERT C. REILLY, *Chairman*.

Passed on file.

BILLS ASSIGNED TO COMMITTEES

President Evans announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 286	Cities and Towns.
S. F. 295	Ways and Means.
S. F. 297	Claims.
S. F. 298	Judiciary 2.
S. F. 299	Agriculture.
S. F. 300	Ways and Means.
S. F. 301	Ways and Means.
S. F. 302	Schools and Educational Institutions.
S. F. 303	Cities and Towns.
S. F. 304	Judiciary 1.
S. F. 305	Ways and Means.

REPORTS OF COMMITTEES

Senator Leo submitted the following report:

MR. PRESIDENT: Your committee on agriculture, to which was referred House File 170, a bill for an act to create an Iowa dairy industry commission to levy a tax on butterfat to be used in advertising dairy products, etc., 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.

Also:

MR. PRESIDENT: Your committee on agriculture, to which was referred Senate File 234, a bill for an act to amend section two thousand six hundred eleven (2611), Code, 1939, relating to the number of apple trees or other fruit trees per acre in a fruit reservation, 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.

Also:

MR. PRESIDENT: Your committee on agriculture, to which was referred Senate File 245, a bill for an act relating to chapter one hundred nineteen (119), Acts of the 50th General Assembly, providing for a temporary milk fat standard for ice cream, 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.

Senator Berg submitted the following report:

MR. PRESIDENT: Your committee on military and veterans affairs, to which was referred Senate File 141, a bill for an act to amend section 5173, Code, 1939, as amended, and providing for the free recording of certain documents issued to members of the armed forces, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend Senate File 141, section one (1), as follows:

a. In line eleven (11) after the word "books" insert the words "of uniform type, kind and form approved by the Adjutant General of the State of Iowa".

b. In line twelve (12) after the word "record" insert the words "without charge".

c. In lines twelve (12) and thirteen (13) strike the words "all men and women" and insert in lieu thereof the words "any man or woman".

d. In line fourteen (14) strike the word "were" and insert in lieu thereof the word "was".

e. In line sixteen (16) strike the word "are" and insert in lieu thereof the word "is".

f. In line seventeen (17) strike the words "all men and women" and insert in lieu thereof the words "any man or woman".

2. Amend Senate File 141, section two (2), line four (4), by striking the word "the".

JOHN P. BERG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on military and veterans affairs, to which was referred House File 39, a bill for an act relating to levies authorized for payment of soldiers' bonuses to veterans of World War One, begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN P. BERG, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 65 as follows:

Strike lines 4 to 17 inclusive of section 1 thereof, and insert in lieu thereof the following:

"The chief of the fire department shall be appointed from the fire

chief's civil service eligible list and hold full civil service rights as chief. The chief of the police department shall in all cases be an active member of the police department holding civil service seniority rights as patrolman and having had five years service in the department; provided that in cities where the chief of police is not under civil service, a police officer appointed chief of police shall retain, while holding the office of chief of police, the same civil service rights he had immediately prior to his appointment as chief. In any city the office of chief of police may be placed under the civil service provisions of this chapter by the adoption of an ordinance by the city council providing that the chief of police shall be under civil service and establishing such grade in the civil service of such city; in the case of the adoption of any such ordinance by a city, the person holding the office of chief of police in such city at the time of the adoption of such ordinance shall hold full civil service rights as chief of police providing the appointive power does not remove said person as chief within thirty days after the adoption of such ordinance."

Further amend Senate File 65 by striking section 3, and renumbering sections 4 and 5.

Further amend Senate File 65 by striking the title and substituting in lieu thereof the following:

"An Act to repeal section five thousand six hundred ninety-nine (5699), Code, 1939, and to enact a substitute therefor, and to repeal section five thousand six hundred ninety-nine and one tenth (5699.1), Code, 1939, relating to the appointment of the chief of the fire department and the chief of police in cities from civil service eligible lists."

FRANK C. BYERS.

1. Amend section 6 of Senate File 103 as shown on page 5 of said bill to read "Sec. 7", and renumber the following sections.

2. Amend section 1-D, line 15, by striking the words "One twenty sixth" and inserting in lieu thereof the words "one twenty third".

3. Further amend section 2 by striking from line five the words "one third", and inserting in lieu thereof the words "one fifth", and by striking from line 7 the word "ninety" and inserting the word "eighty".

4. Further amend section 3, by striking all of said section, and inserting the following: Section 3. Amend section one thousand five hundred fifty-one and ten hundredths, subsection E (1551.10-E), Code, 1939, as amended, by striking all of said Code section as amended, and inserting in lieu thereof the following: "He has within the last four (4) quarters of his base period been paid wages in insured work equal to not less than eighteen (18) times his weekly benefit amount".

5. Further amend section 4 by striking all of said section and inserting the following: Sec. 4. Amend section one thousand five hundred fifty-one and eleven hundredths, subsection A (1551.11-A), Code, 1939, by striking from lines 2 and 3 the words "attributable to his employer".

6. Further amend section 5 by striking from line 5 the words "one-third" and inserting in lieu thereof the words "one-fifth", and by striking from line 6 the word "ninety" and inserting in lieu thereof the word "eighty".

7. Further amend by striking all of section 7 and renumber the following sections.

8. Further amend the last section by providing for publication in the following newspapers: Ottumwa Daily Courier, published at Ottumwa, Iowa. The Plain Talk, Published at Des Moines, Iowa.

GEORGE FAUL.

E. K. BEKMAN.

A. D. CLEM.

F. D. MARTIN.

Amend Senate File 111 by adding thereto as a new section:

"Sec. 2. By striking in line three (3) of section four thousand two hundred thirty-three and four tenths (4233.4), Code, 1939, the words 'and one-half'".

T. H. KLEIN.

Amend Senate File 257 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. As used in this act:

(a) "Secretary" shall mean the secretary of agriculture.

(b) "Department" shall mean the department of agriculture.

(c) "Animals" or "livestock" shall mean horses, mules, cattle, calves, swine, sheep, goats and poultry.

(d) "Community sale barn" shall mean any place such as a stockyard, or sale pavilion, or other assembling place, where two or more assemble their livestock to be sold at auction for purposes other than immediate slaughter.

(e) "Operator" shall mean the owner, manager or person in control of any community sale barn.

(f) "Consignor" shall mean and include any person who ships or delivers to any operator as herein defined, livestock or other property for handling, sale or resale at a community sale barn.

(g) "Producer" shall mean any person engaged in the business of breeding, grazing or feeding livestock.

(h) "Inspector" shall mean an accredited veterinarian appointed by the secretary of agriculture to inspect the health of livestock consigned to a sale barn and enforce sanitary regulations in such sale.

Sec. 2. No person, partnership, association, or corporation shall engage in the operation of a livestock sale barn without first procuring a license from the department of agriculture and paying therefor a fee of twenty-five dollars (\$25.00). Said license may be renewed by eligible applicants prior to July first in each calendar year thereafter upon like application and payment of like fee. An application for license to establish and operate a livestock sale barn shall be in writing upon a blank form to be furnished by the department of agriculture. All purebred consignment sales are exempt from the provisions of this act. Neither shall this act apply to sales barns under federal supervision.

Sec. 3. No license or renewal of license to establish and operate a community sale barn shall be issued until the applicant shall have ex-

ecuted, to the state, a bond in the penal sum of not less than two thousand five hundred dollars (\$2,500.00); and provided further that the bond provisions of this section shall not be required of sale barns that are located at stockyards which are posted as stockyards by the secretary of agriculture of the United States under and pursuant to the terms and provisions of Packers and Stockyards Act, 1921 (42 U. S. Statutes at Large 159) and laws amendatory thereof and where federal inspection service is provided. The bond shall be executed by applicant as principal and by a surety company which is licensed to do business in this state. Said bond shall coincide with the term of the license. Application for bond shall be made on a form prescribed by the department of agriculture, and shall be conditioned on the forthwith payment, to the rightful owner or owners of livestock consigned and delivered to said licensee for sale, of all money received, less reasonable expenses and agreed commission. Said bond shall be conditioned on a full compliance with all of the terms and requirements of this act. The acceptance and approval of said bond by the department of agriculture and the approval thereof as to form shall be endorsed on said bond. When so approved said bond shall be filed with the department of agriculture. Action at law may be brought in the name of the state upon any such bond for the use and benefit of any person, firm or corporation who may suffer loss or damage from violation of the provisions of this act. Copy of any such license and bond certified by the executive officer of the department of agriculture may be procured upon payment of a fee of \$1.00 for each copy, and shall be received as competent evidence in any court in the state.

Sec. 4. A certified copy of an issued license may be procured by the holder of the original upon payment of a fee of one dollar (\$1.00) and the original or certified copy of said license shall be posted during the sale periods in a conspicuous place on the premises where the community sale barn is conducted.

Sec. 5. The secretary of agriculture may adopt and publish rules and regulations necessary for the administration of this act.

Sec. 6. Each community sale barn shall require all truckers, drivers, and consignors to community sale barns to furnish waybills which shall be kept on record. Such waybills shall show point of loading, time of loading and delivery, truck registration number, driver, owner of livestock or other property and a description of the property so it can be properly identified.

The signature of the owner or authorized agent shall appear on such waybill.

It shall also show if the ownership has changed within the ten days previous, and if so, from whom such livestock was purchased. The waybill shall also include a statement by the owner to the best of his knowledge that said stock is free from infectious or contagious disease or exposure thereto. One copy of said waybill shall go to the consignor, one to the veterinarian in charge and one to the sale barn operator, which copies shall be kept on file for at least sixty days. Waybills shall be supplied by the department of agriculture at a nominal cost.

Sec. 7. Every community sale barn shall be maintained in a sanitary condition under rules as prescribed by the secretary of agriculture. All

alleys, pens and sales rings where swine are moved or yarded shall have floors consisting of concrete or other impervious materials as approved by the department of agriculture. Sanitation of the premises shall be under the direct supervision of the inspector who shall require that all pens and yards, chutes and accessories used in the handling of swine shall be cleaned and disinfected at least once every thirty days or as often as the inspector shall deem necessary.

Sec. 8. All animals shall be inspected for health before being offered at auction. Such inspection shall be made by a department inspector and shall be made regardless of whether such livestock is moved in interstate or intrastate commerce. The fees for such inspection shall be established by rules and regulations of the secretary of agriculture.

Sec. 9. When animals offered at auction are found by the inspector to be infected with a contagious or infectious disease he shall place such animals under quarantine and notify the sale operator of his action as soon as possible. The operator shall then notify the owner or consignor of the infected animals that they have been placed in quarantine. When the inspector is satisfied that such owner or consignor is prepared to hold these animals in quarantine on his own premises, they may be moved to said premises. When the inspector is not satisfied that such owner or consignor can comply with the requirements of the quarantine, then the infected animals shall be placed in quarantine pens provided by the sale operator, and it shall be his duty to feed, water and shelter them at the owner's expense. Such quarantine shall be lifted by the inspector when he is satisfied that the condition of the animals warrants same.

Sec. 10. When requested, the inspector shall furnish each owner with a certificate showing such inspection, treatment, or quarantine. No livestock, whether intended for interstate or intrastate shipment, shall be released until all the requirements of the state of its destination shall have been complied with. Any diseased or exposed livestock are to be handled in accordance with the rules and regulations as prescribed by the secretary of agriculture. All fees for inspection shall be collected by the operator of the community sale barn from the consignors.

Sec. 11. When convinced that any animal is not physically fit to be sold at a community sale, the inspector, may upon written request by the consignor, permit its movement to any slaughtering establishment where federal inspection is maintained, or to any licensed disposal plant. The shipping permit shall state the name and address of the establishment to which the animal is consigned. The secretary of agriculture shall be informed of all such shipments as soon as possible. Any owner who does not desire to dispose of any such animal in the above manner may return it to his premises under quarantine.

Sec. 12. Any violations of the provisions of this act or any rule or regulation adopted and published by the secretary of agriculture under the authority of this act shall be deemed sufficient cause for the cancellation or denial of renewal of the license of the offending operator of such livestock sale barn, or for the suspension thereof for a stated period, and the following shall also be specific grounds for the cancellation, denial of renewal, or suspension of such license:

(a) If the secretary of agriculture finds the licensee has violated any

law of the state or official rule or regulation made pursuant thereto governing the interstate or intrastate movement, shipment, or transportation of livestock or the requirements of health inspection thereof;

(b) If the secretary finds that said licensee has been guilty of fraud or misrepresentation as to the titles or ownership;

(c) If the secretary finds the licensee guilty of buying, receiving, or offering for sale any livestock known to him to be diseased or to have been exposed to infectious or contagious disease;

(d) If the secretary finds that the licensee has failed or refused to practice measures of sanitation as are required by this act or by any rule or regulation of the secretary made pursuant thereto concerning premises or vehicles used for the stabling, yarding, housing or transporting of animals to his or its community sale barn;

(e) If the secretary finds that the licensee has neglected or refused to keep records required by this act, or rules and regulations made pursuant thereto, or fails or refuses to permit inspection of such records by any authorized agent of the department;

(f) If the secretary finds that the applicant or licensee has made fictitious sales or has been guilty of collusion to defraud the consignor, producer, or purchaser.

Sec. 13. Upon receipt of written complaint, properly signed and acknowledged, against any community sale barn, or upon its own determination, the department may make an investigation of the sales and transactions of a community sale barn and if the inspector or inspectors assigned to the investigation find it proper to do so, formal charges shall be filed against the licensee, with the department of agriculture. Said charges shall be set down for hearing before the secretary of said department at the time and place designated by the secretary, upon ten days' notice served upon the licensee prior to such hearing and the licensee may appear either in person or by counsel at the hour of the day set for said hearing, and at the conclusion thereof the secretary may suspend, cancel, or deny the renewal of said license. If the licensee is aggrieved because of any order of suspension, cancellation, or denial of renewal entered against him, he may appeal therefrom to the district court of the county in which the sale barn is located. The secretary shall reduce his ruling, order, or decision to writing, file a copy of the same in his office, and furnish a copy thereof together with a statement of his reasons for his ruling, to the licensee, upon request. The licensee or appellant shall, within twenty days from the date of the filing of the license complained of, execute a bond to the state in the penal sum of two hundred dollars (\$200.00) with sufficient surety to be approved by the auditor of state. Said bond shall be filed in the office of the secretary of the department. It shall be the duty of the secretary, on payment or tender to him of the cost of preparing the transcript, at the rate of ten cents per hundred words, to prepare a complete transcript of his proceedings relating to the suspension, revocation, or denial of renewal of the license complained of. Appellant licensee shall file his petition in said district court within thirty days from the date of the filing of the secretary's order in the matter and he shall file such transcript before answer day which shall be the same as provided under the rules of civil

procedure. The district court shall hear the appeal as in equity, and determine anew all questions raised before the secretary of agriculture and may hear new evidence from either party.

Sec. 14. Any person, association, partnership or corporation, their agents, servants or employees, who shall violate any provision or requirement of this act, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00) or by imprisonment in the county jail for not more than one year, or by both.

A. J. SHAW.

Amend Senate File 277 by striking the word "sufficient" appearing in line 2 of section 8 and by inserting in lieu thereof the word "insufficient".

Further amend Senate File 277 by adding at the end thereof the following new section:

"Sec. 9. Nothing herein contained shall be construed as a limitation on the powers of boards of supervisors as regards salaries not fixed by statute."

O. N. HULTMAN.

Amend Senate File 279 by inserting in line 3 of section 13 after the word "in" the following: "Lyon County Reporter".

Amend line 4 of said section by inserting the words "Rock Rapids" preceding the comma. Further amend by inserting the words "Plain Talk" following the word "in".

Further amend said section by inserting the words "Des Moines" in line 5 following the word "at".

J. T. DYKHOUSE.

Amend Senate File 103 as follows: Amend section 6, subsection 2, line 14, by striking the words "benefit amount", and insert in lieu thereof the words, "full-time wage in his regular employment."

GEORGE FAUL.

E. K. BEKMAN.

A. D. CLEM.

F. D. MARTIN.

Amend Senate File 101 as follows:

1. Amend section 2 by adding at the end thereof the following: Code section one thousand three hundred ninety, (1390), Code, 1939, is amended by striking from line 8 the word "six", and inserting in lieu thereof the word "eight".

2. Further amend Senate File 101 by adding a new section as follows: Code section one thousand three hundred ninety (1390), Code 1939, is amended by striking from line 6 the word "sixty", and inserting in lieu thereof the words "sixty-six and two-thirds".

3. Further amend section 2 of Senate File 101 by striking from line 4 the word "eighteen" and inserting in lieu thereof the word "twenty".

4. Amend Senate File 101 by adding a new section as follows: Code section one thousand three hundred ninety (1390), Code, 1939, is amended by striking the comma (,) in line 8 after the word "week", and inserting a period (.) in lieu thereof, and strike all of the remaining portion of said section.

E. K. BEKMAN.

GEORGE FAUL.

A. D. CLEM.

Amend House File 84 by adding to section 1 thereof an additional subsection as follows:

3. Firing of shots while others than those firing the shots are in the mine, shall in no case be permitted in any coal mine except in mines where the coal is mechanically undercut. T. H. KLEIN.

On motion of Senator Pine, the Senate adjourned until 10:30 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 19, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend Robert A. Dahl, pastor of the Union Park Methodist church, Des Moines, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Barkley, from residents of Appanoose county, favoring proposed safety, veteran and civil service legislation.

By Senator Lynes, from residents of Butler county, favoring local option.

By Senator White, from residents of Cass county, favoring an increase in salary for justice of the supreme court.

LEAVE OF ABSENCE

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

INTRODUCTION OF BILLS

Senate File 326, by Senator Faul, a bill for an act to amend section one thousand five hundred thirty-six (1536), Code, 1939, relating to the employment of persons under sixteen (16) years of age.

Read first and second times and passed on file.

Senate File 327, by Senator Kirketeg, a bill for an act to amend section three thousand five hundred fifty-two (3552), Code, 1939, and providing that the commission of insanity may commit a person to a state hospital or state psychopathic hospital providing it has room for such person.

Read first and second times and passed on file.

Senate File 328, by Senator Barkley, a bill for an act to amend

sections seven thousand eight hundred seventeen (7817), seven thousand eight hundred sixty-two (7862) and seven thousand eight hundred sixty-four and one tenth (7864.1), Code, 1939, relating to abandonment of right of way, rails, ties, bridges, fences and other property by railroads.

Read first and second times and passed on file.

Senate File 329, by committee on special school code, a bill for an act to create and provide for a county school system in the several counties of the state, for a county board of education and county superintendent, and the manner of the selection of same and prescribing their duties and powers, to amend section four thousand one hundred seven (4107), and to repeal sections four thousand ninety-six (4096) to four thousand one hundred six (4106), inclusive, and sections four thousand one hundred nineteen (4119) to four thousand one hundred twenty-two (4122), inclusive, Code, 1939.

Read first and second times and placed on the calendar.

Senate File 330, by committee on special school code, a bill for an act to provide for the study and survey by the county boards of education of the matter of reorganization of school districts, the submission of plans of reorganization to the voters of affected districts, and making effective any reorganization which may be authorized.

Read first and second times and placed on the calendar.

Senate File 331, by committee on special school code, a bill for an act to provide for the establishment, maintenance, operation and administration of a retirement system for public school employees; to make appropriations therefor; to exempt the funds thereof from taxation, and execution; and to prescribe a penalty in connection therewith for wrongfully securing the benefits thereof.

Read first and second times and referred to committee on public employees retirement plan.

Senate File 332, by committee on special school code, a bill for an act creating in the office of the treasurer of state a permanent fund to be known as the agricultural land credit fund, and making appropriation thereto, providing for the apportionment of said

fund as a credit against the tax on agricultural lands in school districts in which the millage for the general school fund exceeds fifteen mills, and providing the procedure for effecting said credits.

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

Senate File 333, by committee on special school code, a bill for an act to amend section four thousand two hundred seventeen (4217), Code, 1939, relating to powers of voters of a school district to establish a schoolhouse fund for future construction and the voting of a tax for a term of years therefor.

Read first and second times and placed on the calendar.

Senate File 334, by Senator Lynes, a bill for an act to regulate and improve creamery operations and creamery products as to health and sanitation, and creating a board of examiners and prescribing their powers and duties, and providing for the licensing, of butter-makers and prescribing the qualifications thereof and fixing the penalty for violations of this act.

Read first and second times and passed on file.

Senate File 335, by Senators Henningsen and Reilly, a bill for an act authorizing the state highway commission to accept as a gift any bridge and approaches thereto, over the Missouri river or over the Mississippi river, on the boundary of the state of Iowa, which bridge constitutes a connecting link or part thereof between the primary roads of this state and similar roads of an adjoining state, to receive and accept conveyance of title of such bridge and approaches, and to thereafter operate and maintain such bridge and approaches, free of tolls, as a part of the primary road system, and to relieve any bridge so accepted by the commission from the payment of state and local taxes.

Read first and second times and passed on file.

Senate File 336, by Senators Martin and Faul, a bill for an act to amend sections five thousand and two hundred twenty (5220) and five thousand two hundred twenty-two (5222), Code, 1939, providing for additional compensation for county auditors and county treasurers when the auditor prepares and makes up the city tax books, and the treasurer collects the city special assessments.

Read first and second times and passed on file.

Senate File 337, by Senators Martin, Berg and Faul, a bill for an act to authorize any city, including special charter cities, having a population of fifty thousand (50,000) or more, to acquire, construct, equip, own and operate a public coliseum and procure a site therefor, and to issue bonds and levy taxes in connection therewith, and providing for the creation of a coliseum commission to perform certain of the functions and duties thus authorized.

Read first and second times and passed on file.

Senate File 338, by Senator Lynes, a bill for an act to establish a secondary road aid fund; to provide for transferring certain funds thereto; to provide for the distribution of such funds to the several counties; and to define the improvements which may be made on secondary roads with such fund.

Read first and second times and passed on file.

Senate File 339, by Senators Doud, Lynes and Ritchie, a bill for an act to amend section three thousand eight hundred thirty-one (3831), Code of Iowa, 1939, relating to the general powers of the state superintendent of public instruction.

Read first and second times and passed on file.

Senate File 340, by Senator Lucas, a bill for an act to authorize the governing body of any municipality or other subdivision of the state to publish notices of matters of general public importance.

Read first and second times and passed on file.

Senate File 341, by Senator Faul, a bill for an act to amend section ten thousand four hundred twenty-nine (10429), Code, 1939, relating to obtaining a license to marry and the certificate of consent in the case of a minor.

Read first and second times and passed on file.

Senate File 342, by Senator Faul (by request), a bill for an act to provide for the establishment of rates and rating methods by insurers and supervision thereof by the commissioner of insurance.

Read first and second times and passed on file.

Senate File 343, by Senator Faul (Sloane and Burkman), a bill for an act to amend sections six thousand sixty-six and fifteen hundredths (6066.15), six thousand sixty-six and seventeen hundredths (6066.17), and six thousand sixty-six and nineteen hundredths (6066.19), Code, 1939, relating to sewer rental charges and collection thereof.

Read first and second times and passed on file.

Senate File 344, by Senator Faul, a bill for an act to provide for the opening and construction of a paved roadway and sidewalk through the state capitol grounds and appropriating funds to pay the cost thereof.

Read first and second times and passed on file.

Senate File 345, by Senator Bekman, a bill for an act to amend sections eight thousand six hundred eighty-four and two hundredths (8684.02) and eight thousand six hundred eighty-four and three hundredths (8684.03), Code, 1939, as amended, to authorize incorporated nonprofit industrial associations, organized for purposes other than obtaining insurance, to procure group insurance on the lives of employees of the members of such associations subject to certain restrictions.

Read first and second times and passed on file.

Senate File 346, by Senator Klein, a bill for an act to amend section eight thousand five hundred twelve and fifty-four hundredths (8512.54), Code, 1939, relating to admission of foreign associations and payment of fees.

Read first and second times and passed on file.

Senate File 347, by Senator Hill, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance and delivery of airport bonds of the city of Webster City, Iowa, and the provisions made for taxes for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said city.

Read first and second times and passed on file.

Senate File 348, by Senators Hultman, Dykhouse, Shaw, Vrba and Watson, a bill for an act to amend sections one thousand seven hundred three and thirty-nine hundredths (1703.39), and one thousand seven hundred three and forty hundredths (1703.40),

Code, 1939, relating to salary adjustments of employees of the state conservation commission.

Read first and second times and passed on file.

Senate File 349, by committee on aeronautics, a bill for an act relating to aeronautics; providing for the development and promotion thereof within this state; creating a state aeronautics commission and the office of director of aeronautics; prescribing the powers and duties of such commission and director; providing for the registration of persons engaged in aeronautics, aircraft, and aeronautic facilities; prescribing penalties, and providing for the repeal of chapter 383.1, Code of Iowa, 1939, and chapter 383.2, Code of Iowa, 1939.

Read first and second times and placed on the calendar.

Senate File 350, by committee on aeronautics, a bill for an act to amend chapter three hundred three and one tenth (303.1), Code, 1939, and to amend sections five thousand nine hundred three and two hundredths (5903.02), five thousand nine hundred three and three hundredths (5903.03), five thousand nine hundred three and five hundredths (5903.05), five thousand nine hundred three and seven hundredths (5903.07), and five thousand nine hundred three and nine hundredths (5903.09) of chapter three hundred three and one tenth (303.1), Code, 1939; and to amend chapter two hundred ten (210), Acts of the Forty-ninth General Assembly; and to amend section six thousand two hundred thirty-nine (6239), chapter three hundred nineteen (319), Code, 1939; and to amend section six thousand nine hundred forty-four (6944) chapter three hundred twenty (320), Code, 1939, relating to airport and airport approaches; the powers of political subdivisions with respect thereto, including the acquisition and planning thereof, acceptance of federal aid therefor and issuance of revenue bonds for improvements thereupon, the creation of airport commissions, and exemption from taxation, under certain circumstances, of land used for airport purposes.

Read first and second times and placed on the calendar.

Senate File 351, by committee on aeronautics, a bill for an act to empower 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 property, in the vicinity of air-

ports, and to acquire, by purchase, grant, condemnation or otherwise air rights and other interests in land; and to empower the state aeronautics commission to exercise like powers under given circumstances; and to provide penalties and remedies for violations of this act of any ordinance or regulation made under the authority conferred herein; and for other purposes as appear herein.

Read first and second times and placed on the calendar.

Senate File 352, by Senator Vittetoe (Whitaker), a bill for an act to amend section four thousand six hundred forty-four and six hundredths (4644.06), Code, 1939, relating to a tax levy by board of supervisors for secondary road construction.

Read first and second times and passed on file.

Senate File 353, by Senators Foster and Shaw (by request), a bill for an act to amend chapter one hundred eighty-nine and four tenths (189.4), Code, 1939, providing for the collection of sums advanced by the county for the support of poor persons, and creating a lien on real estate owned by any persons receiving assistance under said chapter, or the husband or wife of such persons, and relating to the record of such liens and the release or compromise of such liens, and relating to claims against estates of persons who have received such assistance.

Read first and second times and passed on file.

Senate File 354, by Senators Foster and Shaw (by request), a bill for an act to amend chapter one hundred eighty-nine and five tenths (189.5), Code, 1939, providing for the collection of sums advanced by the county for the support of poor persons, and creating a lien on real estate owned by any persons receiving assistance under said chapter, or the husband and wife of such persons, and relating to the record of such liens, and relating to claims against estates of persons who have received such assistance.

Read first and second times and passed on file.

Senate File 355, by Senator White, a bill for an act to amend section four thousand two hundred eighty-three and one hundredth (4283.01), Code, 1939, relating to the payment of tuition of children from boarding homes, and defining public charge.

Read first and second times and passed on file.

Senate File 356, by Senator Jacobson, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance and delivery of hospital bonds by the city of Waukon, Iowa, and the provisions made for taxes for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said city.

Read first and second times and passed on file.

Senate File 357, by Senator Henningsen, a bill for an act to repeal chapter four hundred eight (408), Code, 1939, as amended, relating to reciprocal or interinsurance contracts.

Read first and second times and passed on file.

Senate File 358, by Senator Jacobson, a bill for an act to amend section twelve thousand two hundred eighty-two (12282), Code, 1939, relating to appeals from justice of the peace courts and forcible entry and detainer actions and providing the same remedy on appeal as provided in district court actions.

Read first and second times and passed on file.

Senate File 359, by Senator Reilly, a bill for an act to amend sections four thousand three hundred forty-five (4345) and four thousand three hundred forty-six (4346), Code, 1939, relating to independent school district pension system.

Read first and second times and passed on file.

Senate File 360, by Senator Faul, a bill for an act to repeal sections eight thousand eight hundred twenty-six (8826) and eight thousand eight hundred twenty-nine (8829), Code, 1939, relating to investments by fraternal beneficiary associations and the regulation of said investments and associations under the supervision of the insurance commissioner of the state of Iowa, and to enact a substitute therefor.

Read first and second times and passed on file.

Senate File 361, by Senator Faul, a bill for an act authorizing any department, board, commission, institution (educational or otherwise), or other body of the state of Iowa supported in whole or in part by public funds, to procure group insurance for their respective employees, and authorizing the officials in charge of any such bodies to use moneys appropriated for administrative

purposes in the respective bodies, and to make salary deductions from the employees under their supervision in payment of premiums for such insurance.

Read first and second times and passed on file.

Senate File 362, by Senator Faul, a bill for an act to amend section five thousand one hundred eighty-seven (5187), Code, 1939, relating to bailiffs of the district court, their appointment and duties, and providing that they be deputy sheriffs.

Read first and second times and passed on file.

Senate File 363, by Senators Knudson and Berg, a bill for an act to amend chapter one hundred eighty-nine and two tenths (189.2), Code, 1939, relating to soldiers, sailors and marines.

Read first and second times and passed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 54, a bill for an act relating to the authority of the board of supervisors to cutting weeds.

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

House File 62, a bill for an act relating to bounty on wolves.

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

House File 95, a bill for an act relating to alimony in divorce actions.

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

House File 101, a bill for an act relating to workmen's compensation.

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 unemployment compensation contributions so as to permit voluntary payments or contributions by employers.

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

House File 111, a bill for an act relating to the tax imposed upon cigarette papers and the attaching of stamps thereto.

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

House File 145, a bill for an act to provide for the establishment and maintenance of a municipal museum in certain cities.

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

House File 216, a bill for an act relating to powers of attorney granted by persons serving in the armed forces of the United States and others.

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

House File 217, a bill for an act relating to evidence of presumed death of persons missing in action.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 82, a bill for an act relating to closed waters for seining fish in the Mississippi river.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 82

Amend Senate File 82 by adding thereto a new section as follows:

"Sec. 2. Amend section one thousand seven hundred ninety-four and thirty-six thousandths (1794.036), Code, 1939, by striking in line five (5) the words "Skunk river,".

Further amend Senate File 82 by striking from the title all after the words "General Assembly," in line two (2) and inserting the following: "and section one thousand seven hundred ninety-four and thirty-six thousandths (1794.036), Code, 1939, relating to the taking of fish with seines, trot lines and throw lines."

SENATE CONCURRENT RESOLUTION 13

Whereas, Congress annually for a long period has appropriated substantially more money than taxes levied; and

Whereas, The Federal government debt and need for operating funds in the postwar period will strain the fiscal foundations of our government; and

Whereas, Fiscal stability under these conditions demands a constitutional directive which within definite limitations would compel the levying of taxes in at least an amount sufficient to equal expenditures: Now, therefore,

Be It Resolved by the Senate of the State of Iowa, the House of Representatives concurring:

1. That the Congress of the United States be memorialized and urged to take immediate favorable action on Senate Joint Resolution 8, establishing a procedure by which Federal spending and Federal income would be balanced except in specified emergencies.

2. That a copy of this resolution be forwarded to the Vice President of the United States, the Speaker of the House of Representatives, and

to each Iowa Senator and Member of the House of Representatives in the Congress of the United States.

PRESENTATION OF VISITORS

Senator Kirketeg asked and received unanimous consent to present to the Senate, four members of the class in government of Bedford high school who were present in the Senate Chamber with Mrs. Kirketeg.

Senator Vittetoe asked and received unanimous consent that Senate File 293 and Senate File 294 be re-referred to the committee on public health.

ADDITIONAL COPIES

Senator Bekman asked and received unanimous consent to have 500 additional copies of Senate File 380 printed.

HOUSE MESSAGES CONSIDERED

House File 54, a bill for an act to amend section four thousand eight hundred twenty-nine and eighteen hundredths (4829.18), Code, 1939, relating to the authority of the board of supervisors to cut all weeds and second or undergrowth brush on county trunk and local county roads between the fence lines of such roads.

Read first and second times and passed on file.

House File 62, a bill for an act to amend section fifty-four hundred thirteen (5413), Code, 1939, relating to bounty on wolves.

Read first and second times and passed on file.

House File 95, a bill for an act to amend section ten thousand four hundred eighty-one (10481), Code, 1939, relating to alimony in divorce actions and to make judgments, orders and decrees for payment of alimony or child support money liens on real estate.

Read first and second times and passed on file.

House File 101, a bill for an act to amend the law as it appears in chapters seventy (70) and seventy-one (71), Code, 1939, and sections one thousand three hundred eighty-seven (1387), one thousand three hundred ninety (1390), one thousand three hundred ninety-one (1391), one thousand three hundred ninety-

three (1393), one thousand three hundred ninety-four (1394), and one thousand four hundred fifty-seven (1457) thereof, relating to workmen's compensation, fixing the maximum amount of weekly compensation, fixing the time when compensation shall be payable, reducing the waiting period before commencement of payments, and fixing the time within which an award or settlement may be reviewed.

Read first and second times and passed on file.

House File 103, a bill for an act to amend section one thousand five hundred fifty-one and thirteen hundredths (1551.13), Code, 1939, relating to unemployment compensation contributions so as to permit voluntary payments or contributions by employees.

Read first and second times and passed on file.

House File 111, a bill for an act to amend sections one thousand five hundred fifty-six and one hundredth (1556.01), and one thousand five hundred fifty-six and thirty-one hundredths (1556.31), Code, 1939, relating to the tax imposed upon cigarette papers and the attaching of stamps thereto.

Read first and second times and passed on file.

House File 145, a bill for an act to provide for the establishment and maintenance of a municipal museum in cities having a population of not less than seventy-five thousand and not more than one hundred thousand and providing for the levy of a tax not exceeding one-eighth of a mill on the taxable property of such municipality for the establishment and maintenance of such museum.

Read first and second times and passed on file.

House File 216, a bill for an act relating to powers of attorney granted by persons serving in or present in the armed forces of the United States and others.

Read first and second times and passed on file.

House File 217, a bill for an act to amend chapter four hundred ninety-four (494), Code, 1939, by adding thereto a new section relating to evidence of presumed death of persons missing in action, interned, beleaguered, besieged or captured by an enemy.

Rad first and second times 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 19 and 78, and House Files 15, 19, 22, and 44.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *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 19 and 78, and House Files 15, 19, 22 and 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 19th day of February, 1945, sent to the governor for his approval: Senate Files 19 and 78.

ROBERT C. REILLY, *Chairman.*

Passed on file.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 16th he had approved the following bill:

Senate File 5, relating to persons wearing military uniform.

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 12, duly adopted, the joint convention was called to order, President Evans of the Senate presiding.

President Evans announced the joint convention duly organized.

Senator Faul of Polk moved that a committee of three, consisting of one member of the Senate and two members of the House, be appointed to escort Colonel Perry Brown, chairman of the national defense committee of the American Legion, to the Speaker's rostrum.

Motion prevailed and the President appointed Senator Berg of Black Hawk on the part of the Senate, and Representatives Wormley of Plymouth and Nielsen of Pottawattamie on the part of the House.

The committee waited upon Colonel Brown and Brigadier General Charles Grahl, and escorted them to the Speaker's rostrum.

Lieutenant Governor Kenneth A. Evans, President of the Senate, introduced Brigadier General Charles Grahl, adjutant general of Iowa, who, in turn, introduced Colonel Brown, prefacing his introduction with the following remarks:

I could easily take a long period of time telling you of the splendid accomplishments of the Speaker. However, the message which he has to give you today is of such vital importance that I do not care to take this time. Colonel Perry Brown is a native of Texas. He served in the first World War and in the present World War. While he was serving, the National Commandant requested that he be released in order that he do the job he is now doing in the national defense committee of the American Legion. It is a great privilege and an honor to present to the Fifty-first General Assembly of the state of Iowa Colonel Perry Brown, chairman of the national defense committee of the American Legion.

Colonel Brown delivered the following address:

(This material will appear in a Journal of a subsequent date.)

Address appears in the Senate Journal of March 12.

On motion by Gardner of Linn, the joint convention was dissolved.

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

BILLS ASSIGNED TO COMMITTEES

President Evans announced the following assignment of bills to committees:

No. Bill	Committee Assignment
S. F. 306	Cities and Towns.
S. F. 307	Governmental Affairs.

S. F. 308	Railroads.
S. F. 312	Social Security.
S. F. 313	Agriculture.
S. F. 314	Ways and Means.
S. F. 315	Governmental Affairs.
S. F. 316	Public Utilities.
S. F. 317	Conservation.
S. F. 318	Agriculture.
S. F. 319	Judiciary 1.
S. F. 320	Cities and Towns.
S. F. 321	Printing.
S. F. 322	Judiciary 1.
S. F. 323	Printing.
S. F. 324	Governmental Affairs.
S. F. 325	Ways and Means.
H. F. 84	Mines and Mining.
H. F. 200	Social Security.

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

AFTERNOON SESSION

The Senate resumed regular session, President Evans presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Barkley for the balance of the day on request of Senator Henningsen.

HOUSE AMENDMENTS CONSIDERED

Senator Mowry called up for consideration Senate File 82, a bill for an act to amend chapter ninety-four (94), Acts of the 50th General Assembly, relating to closed waters for seining fish in the Mississippi river, amended by the House, and moved that the Senate concur in the following House amendment:

Amend by adding thereto a new section as follows:

"Sec. 2. Amend section one thousand seven hundred ninety-four and thirty-six thousandths (1794.036), Code, 1939, by striking in line 5 the words "Skunk river,".

Further amend by striking from the title all after the words "General Assembly," in line 2 and inserting the following: "and section one thousand seven hundred ninety-four and thirty-six thousandths (1794.036), Code, 1939, relating to the taking of fish with seines, trout lines and throw lines."

The motion prevailed and the Senate concurred in the House amendment.

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	Hart	Knudson	Reilly
Bekman	Harvey	Leo	Ritchie
Benson	Hawkins	Long	Rockhill
Berg	Henningsen	Love	Schluter
Clem	Hill	Lucas	Shaw
Cromwell	Hultman	Lynes	Sjulin
Dewel	Jacobson	Martin	Vrba
Doud	Jones	Mercer	Watson
Faul	Keir	Miller	White
Findlay	Kirketeg	Mowry	Zastrow
Foster	Klein	Newsome	

Nays, none.

Absent or not voting, 7:

Barkley	Dykhouse	Pine	Vittetoe
Byers	Elthon	Sharp	

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.

Senator Knudson called up Senate File 84, a bill for an act to amend chapter 303.1 of the 1939 Code of Iowa, providing for the levy of a tax and the anticipation thereof by the issuance of bonds by municipalities for airport purposes.

Senator Knudson offered the following amendment and moved its adoption:

Amend section 1, by striking from line 21 the words "point zero five" and inserting in lieu thereof "and five hundredths."

Further amend said section by striking from lines 27 and 28 the words "point zero six" and inserting "and six hundredths".

The amendment was adopted.

Senator Mowry offered the following amendment and moved its adoption:

Amend section 1 as follows:

1. By striking therefrom line 14.
2. By striking therefrom lines 15 and 16.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 1:

Mowry

Nays, 34:

Augustine	Faul	Keir	Newsome
Benson	Findlay	Kirketeg	Pine
Berg	Foster	Klein	Reilly
Byers	Hart	Knudson	Ritchie
Clem	Henningsen	Leo	Schluter
Cromwell	Hill	Lucas	Shaw
Dewel	Hultman	Lynes	Vrba
Doud	Jacobson	Mercer	White
Dykhouse	Jones		

Absent or not voting, 15:

Barkley	Hawkins	Miller	Vittetoe
Bekman	Long	Rockhill	Watson
Elthon	Love	Sharp	Zastrow
Harvey	Martin	Sjulin	

The amendment was lost.

Senator Mowry offered the following amendment and moved its adoption:

Amend section 1 by striking therefrom subsection 2.

The amendment was lost.

Senator Knudson moved that the bill be read a third 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	Knudson	Reilly
Benson	Harvey	Leo	Ritchie
Berg	Hawkins	Long	Rockhill
Byers	Henningsen	Love	Schluter
Clem	Hill	Lucas	Shaw
Cromwell	Hultman	Lynes	Sjulin
Dewel	Jacobson	Martin	Vittetoe
Doud	Jones	Mercer	Vrba
Dykhouse	Keir	Miller	Watson
Faul	Kirketeg	Newsome	White
Findlay	Klein	Pine	Zastrow

Nays, 1:

Mowry

Absent or not voting, 5:

Barkley	Elthon	Foster	Sharp
Bekman			

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

Senator Knudson moved that the vote by which the 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, the Senate recessed until the fall of the gavel.

President pro tempore Hart took the chair at 4:18 p. m.

INTRODUCTION OF BILLS

Senate File 364, by Senator Henningsen, a bill for an act to amend section four thousand and one hundred and fifty-three (4153), Code, 1939, relating to uniting independent school districts.

Read first and second times and passed on file.

Senate File 365, by Senators Byers, Elthon, Berg, Knudson, Mercer and Long, a bill for an act to amend section three thousand five hundred fifty-two (3552), Code, 1939, relating to commitment of insane persons and persons who are mentally ill, and to amend section three thousand four hundred eighty-two and eight hundredths (3482.08), and section three thousand six hundred (3600), Code, 1939, relating to arrest, care, investigation, commitment, and support of insane persons and persons who are mentally ill.

Read first and second times and passed on file.

Senate File 366, by Senator Hart, a bill for an act to amend chapter four hundred sixteen and one tenth (416.1), Code, 1939, by inserting certain new sections; by repealing sections nine thousand three hundred five and three hundredths (9305.03), section nine thousand three hundred five and thirteen hundredths (9305.13) and section nine thousand three hundred five and seventeen hundredths (9305.17) and by inserting new sections in lieu thereof; and by amending sections nine thousand three hundred five and one hundredth (9305.1), nine thousand three hundred five and four hundredths (9305.4), nine thousand three hundred five and six hundredths (9305.06), nine thousand three hundred five and seven hundredths (9305.7), nine thousand three hundred five and nine hundredths (9305.09), nine thousand three hundred five and fifteen hundredths (9305.15), nine thousand three hundred five and eighteen hundredths (9305.18), Code, 1939,

relating to the definition, organization, powers, reports, and operation of credit unions.

Read first and second times and passed on file.

Senate File 367, by Senator Byers, a bill for an act to amend section twelve thousand six hundred seventeen (12617), Code, 1939, relating to voluntary appointment of guardian.

Read first and second times and passed on file.

Senate File 368, by Senators Sjulín and Hawkins, a bill for an act to amend section forty-six hundred forty-four and eleven hundredths (4644.11), Code, 1939, relating to the tax levy for maintaining secondary roads.

Read first and second times and passed on file.

Senate File 369, by Senators Schluter, Zastrow, Pine, Klein, Clem, Leo, Foster, Lynes, Elthon, Jones, Ritchie, Henningsen, Shaw, Long, Vittetoe and Sjulín, a bill for an act to amend section one thousand two hundred twenty-five and thirteen hundredths (1225.13), Code, 1939, relating to the powers and duties of the department of public safety.

Read first and second times and passed on file.

Senate File 370, by Senators Clem and Doud, a bill for an act to amend section six thousand three hundred fifteen (6315), Code, 1939, relating to retirement and pensions for members of fire and police departments.

Read first and second times and passed on file.

Senate File 371, by Senator Barkley, a bill for an act to amend section three thousand six hundred sixty-one and eleven thousandths (3661.011) of Code, 1939, relating to compensation of county board members of social welfare.

Read first and second times and passed on file.

Senate File 372, by Senator Rockhill, a bill for an act to amend the law as it appears in section six thousand six hundred ten and one hundredth (6610.01), Code, 1939, relating to street improvements and sewers in cities under the commission form of government, and providing that any city or town may adopt chapter three hundred twenty-six and one tenth (326.1), Code, 1939, by

the passage of an ordinance adopting all the provisions of chapter three hundred twenty-six and one tenth (326.1), Code, 1939.

Read first and second times and passed on file.

Senate File 373, by Senator Faul, a bill for an act to amend chapter two hundred two (202), Acts of the Forty-ninth General Assembly of the state of Iowa, to authorize the employment of attorneys to represent public officials in making and defending assessments for taxation purposes and provide for their compensation.

Read first and second times and passed on file.

Senate File 374, 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, relating to the levying of a poor tax for the support of the poor.

Read first and second times and passed on file.

Senate File 375, by Senator Faul, a bill for an act to authorize the board of supervisors in counties with a population in excess of fifty thousand to erect or purchase any building and land necessary for the care of the poor, add to or remodel any existing building for such purpose, if funds are available in the poor fund of a county.

Read first and second times and passed on file.

Senate File 376, by Senator Faul, a bill for an act to amend the law as it appears in section six thousand six hundred ten and two hundredths (6610.02), Code, 1939, relating to street improvements and sewers in cities under the commission form of government, and providing for the coordination of chapter three hundred twenty-six and one tenth (326.1), Code, 1939, with the procedure required by state and federal aid for the improvement of streets and highways, including elimination of maintenance bonds or requirements.

Read first and second times and passed on file.

Senate File 377, by Senator Hawkins, a bill for an act to amend chapter two hundred forty (240), Code, 1939, relating to constructing, repairing, and maintaining the secondary road and bridge systems of the county and to provide for an assessment or levy of taxes therefor.

Read first and second times and passed on file.

Senate File 378, by Senators Sjulín, White, Kirketeg, Jones, Love, Vittetoe, Henningsen, Miller, Harvey, Dewel, Cromwell, Knudson, Benson, Leo, Sharp, Barkley, Foster, Hawkins, Clem, Augustine, Watson, Klein, Schluter, Doud, Lucas, Newsome, Keir, Bekman, Mercer, Vrba, Mowry, Zastrow, Hultman, Long and Reilly, a bill for an act to repeal section five thousand eight and nine hundredths (5008.09), Code, 1939, relating to the registration fees on motor vehicles, to amend section one (1) of chapter one hundred sixty-nine (169), Laws of the Forty-ninth General Assembly, relating to the primary road fund and to provide additional funds for the construction of primary roads and secondary roads.

Read first and second times and passed on file.

Senate File 379, by Senators Sjulín, Rockhill, Doud, Schluter and Hawkins, a bill for an act to amend chapter one hundred seventy-seven (177), Acts of the Forty-ninth (49th) General Assembly, relating to the weighing and inspection of motor vehicles.

Read first and second times and passed on file.

Senate File 380, by Senator Bekman, a bill for an act to repeal section ten thousand five hundred one and one tenth (10501.1), section ten thousand five hundred one and two tenths (10501.2), section ten thousand five hundred one and three tenths (10501.3), section ten thousand five hundred one and four tenths (10501.4), section ten thousand five hundred one and five tenths (10501.5), section ten thousand five hundred one and seven tenths (10501.7) and enact substitute sections therefor; and to add certain provisions to chapter four hundred seventy-three (473), Code, 1939, relating to adoptions, and fixing penalties for violation of the law relating to adoptions.

Read first and second times and passed on file.

Senate File 381, by Senator Clem (by request), a bill for an act to amend section six thousand two hundred and seven (6207), Code, 1939, relating to the amount of tax which may be levied for the general fund of cities and towns.

Read first and second times and passed on file.

Senate File 382, by committee on public libraries, a bill for an act to provide for the establishment and maintenance of free public libraries in counties for the use of those persons living in the area of the counties outside of cities and towns which maintain free public libraries.

Read first and second times and placed on the calendar.

Senate File 383, by Senators Bekman and Clem, a bill for an act to define occupational diseases and to provide for workmen's compensation benefits for disability or death from injurious exposure thereto.

Read first and second times and passed on file.

Senate File 384, by Senator Kirketeg (Parrish), a bill for an act to amend section six thousand two hundred seven (6207), Code, 1939, relating to levy for general fund of cities or towns.

Read first and second times and passed on file.

Senate File 385, by Senators Schluter, Sjulín and Kirketeg, a bill for an act to amend section six thousand nine hundred fifty-two and one tenth (6952.1), Code, 1939, relating to the keeping of a suspended tax list and the entries made therein.

Read first and second times and passed on file.

Senate File 386, by Senator Kirketeg (Parrish), a bill for an act to amend section six thousand two hundred eleven (6211), Code, 1939, providing for an additional tax levy and the anticipation thereof by issuance of bonds by municipalities for waterworks purposes.

Read first and second times and passed on file.

Senate File 387, by Senator Kirketeg, a bill for an act to amend chapter three hundred seven (307), Code, 1939, relating to claims for personal injury—limitations; notice to person liable over; purchase on execution; and conveyance of land.

Read first and second times and passed on file.

Senate Joint Resolution 6, by Senator Vrba, a joint resolution proposing the adoption of "Largo" by Antonín Dvořák as the official instrumental music of the state of Iowa.

Read first and second times and passed on file.

REPORTS OF COMMITTEES

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred House Joint Resolution 2, a resolution for an act establishing the rights of Des Moines county, Iowa, in favor of state of Iowa and Des Moines county, etc., begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Senator Faul submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 97, a bill for an act relating to rights of owners of certain riparian lands, 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 judiciary 1, to which was referred Senate File 188, a bill for an act to amend section 3612, Code, 1939, relating to probation officers and regulating their salaries, 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 judiciary 1, to which was referred Senate File 248, a bill for an act relating to the rate of interest on past due contributions, 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 judiciary 1, to which was referred House File 70, a bill for an act relating in part to the salaries of bailiffs of the municipal courts, 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 judiciary 1, to which was referred House File 74, a bill for an act relating to salary of municipal court clerks, 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 judiciary 1, to which was referred House File 87, a bill for an act to amend chapter 264, Acts of the 50th General Assembly, relating to the compensation of shorthand reporters, 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 judiciary 1, to which was referred House File 109, a bill for an act to amend section 10811, Code, 1939, relating to necessary hotel and living expenses of court reporters, 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 Henningsen submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 154, a bill for an act to amend section one (1) of chapter 247 of the Acts of the Forty-fourth General Assembly, which amended section one (1) of chapter one hundred nineteen (119) of the Acts of the Fortieth General Assembly, relating to the extension of time for levying a tax for park improvements, etc., begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Senate File 154 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Chapter one hundred nineteen (119), Acts of the 40th General Assembly as amended by chapter two hundred forty-seven (247), Acts of the 44th General Assembly, is hereby repealed and the following enacted in lieu thereof:

"In all cities including cities acting under special charter where the board of park commissioners have, prior to January 1, 1914, made purchase of property for park purposes by means of the additional tax of one mill authorized by special Acts of the General Assembly the said board is authorized in its discretion to certify to the county auditor each year and cause to be collected an additional tax of one mill each year to be used for the sole and only purpose of grading, beautifying, and otherwise improving any lands acquired for park purposes by means of the tax so authorized or other lands then owned and used for park purposes or for acquiring and improving any driveways or boulevards connecting one park with another."

Further amend said Senate File 154 by striking from the title beginning with the words "An Act" all down to and including the word "relating" and inserting in lieu thereof the following:

"An Act to repeal chapter one hundred nineteen (119), Acts of the 40th General Assembly as amended by chapter two hundred forty-seven

(247), Acts of the 44th General Assembly, and to enact a substitute therefor, relating".

O. H. HENNINGSEN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 156, a bill for an act to amend section 1, paragraph 2, of chapter 312 of the Acts of the Thirty-eighth General Assembly, as amended by section 1, chapter 125 of the Acts of the Thirty-ninth General Assembly, relating to the levy of a tax for park, etc., begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Senate File 156 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section one (1), paragraph two (2) of chapter three hundred twelve (312), Acts of the 38th General Assembly as amended by section one (1), chapter one hundred twenty-five (125), Acts of the 39th General Assembly, is hereby repealed and the following enacted in lieu thereof:

"In all cities where said board shall have, prior to January first, 1919, acquired property for park purposes, the said board is further authorized to certify to the county auditor in all succeeding years and cause to be collected an additional tax of one mill each year, to be used for the sole and only purpose of grading, road-building, building retaining walls, or riprap along watercourses and otherwise permanently improving by the construction of buildings in public parks any and all lands theretofore acquired for park purposes or improving any driveway or boulevard connecting one park with another."

Further amend said Senate File 156 by striking from the title beginning with the words "An Act" all down to and including the word "relating" and inserting in lieu thereof the following:

"An Act to repeal section one (1), paragraph two (2) of chapter three hundred twelve (312), Acts of the 38th General Assembly as amended by section one (1), chapter one hundred twenty-five (125), Acts of the 39th General Assembly, and to enact a substitute therefor, relating".

O. H. HENNINGSEN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 196, a bill for an act to amend section six thousand two hundred eleven (6211), Code, 1939, relating to a levy of taxation for gas light, electric light, heat or power funds, begs leave to report it has had the same under consideration and recommends the same be amended in accordance with the Bekman amendment filed February 6, 1945, and found on page 270 of the Senate Journal, and when so amended the bill do pass.

O. H. HENNINGSEN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 254, a bill for an act to amend sections 6270, 6272, 6278.1, 6280, 6289, and 6293, Code, 1939, relating to plats, and to provide for closer supervision of the platting of additions in cities and towns including cities acting under special charter and to require approval of auditor's plats, 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 cities and towns, to which was referred Senate File 255, a bill for an act to amend subdivisions 1 and 3 of section 5902, Code, 1939, relating to the powers and duties of dock boards, 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 cities and towns, to which was referred Senate File 259, a bill for an act to amend chapter one hundred eighty-four (184), Acts of the Fiftieth General Assembly, relating to amounts that may be levied in cities and towns for garbage disposal and street cleaning funds, 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 Leo submitted the following report:

MR. PRESIDENT: Your committee on agriculture, to which was referred Senate File 200, a bill for an act to amend section 2590 providing for the establishment of additional market news service on agricultural products, 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.

Also:

MR. PRESIDENT: Your committee on agriculture, to which was referred Senate File 263, a bill for an act relating to standards of pure food; to require enrichment of bread and flour by the addition of certain vitamins and minerals and to prescribe the methods of enrichment; to fix penalties for violation of same, 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.

Also:

MR. PRESIDENT: Your committee on agriculture, to which was referred House File 164, a bill for an act to amend sections three thousand one hundred and twenty-three hundredths (3100.23), three thousand one hundred and twenty-six hundredths (3100.26), three thousand one hundred and twenty-eight hundredths (3100.28) and three thousand one hundred and forty-five hundredths (3100.45), Code, 1939, relating to cream grading, 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.

Also:

MR. PRESIDENT: Your committee on agriculture, to which was referred House File 201, a bill for an act to require licenses for wool dealers and to provide penalties for violations of the statutes by said dealer, 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 60 as follows:

1. By striking section 1.
2. Renumbering the remaining sections.

ROSS R. MOWRY.

Amend House File 70 by adding thereto the following:

"Section 3. 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 at Marshalltown, Iowa, and the Sioux City Journal-Tribune, a newspaper published at Sioux City, Iowa."

ROBERT A. ROCKHILL.

Amend House File 74 by adding thereto the following:

"Section 3. 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 at Marshalltown, Iowa, and the Sioux City Journal-Tribune, a newspaper published at Sioux City, Iowa."

ROBERT A. ROCKHILL.

Amend Senate File 214 by striking from line 3 thereof, the word and figure "seven (7)" and substituting in lieu thereof the word and figure "six (6)".

JOHN P. BERG.

Amend Senate File 249 by inserting at the beginning of line 1, the word and figure "Section 1,"; and by striking all of line 2, after the word "by" and all of line 3, and inserting commas after the word "playground" in line 6, and after the word "field" in line 7. FLOYD JONES.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 20, 1945.

The Senate met in regular session, President pro tempore Stanley L. Hart presiding.

Prayer was offered by the Reverend W. J. Fowler, pastor of the Methodist church, Sigourney, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Byers, from residents of Washington county, favoring local option.

By Senator Berg, from residents of Black Hawk county, favoring local option and safety legislation.

By Senator Knudson, from residents of Cerro Gordo county, favoring safety legislation.

By Senator Mowry, from residents of Jasper county, favoring local option and co-operative burial legislation.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Sharp for the day on request of Senator Kirketeg.

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 198, a bill for an act legalizing an emergency fund levy for the city of Clinton in Clinton county, Iowa.

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 payment of miscellaneous bills of the General Assembly.

Also: That the House has concurred in Senate amendments to and passed House File 16, a bill for an act relating to assignment of trademarks, labels and forms of advertising.

Also: That the House has concurred in Senate amendments to and passed House File 20, a bill for an act permitting garnishment in collection of taxes upon freight line and equipment car companies.

Also: That the House has concurred in Senate amendments to and passed House File 24, relating to salary and duties of deputy treasurers.

A. C. GUSTAFSON, *Chief Clerk*.

THIRD READING, OF BILLS

On motion of Senator Clem, Senate File 15, a bill for an act to amend section sixty-five hundred seventeen (6517), Code, 1939, relating to and providing for the salary of the mayor and councilmen of certain cities now or hereafter organized under chapter three hundred twenty-six (326), Code, 1939, relating to cities under the commission form of government, 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 15, section 4, by striking from line 6 the words and figures "five thousand dollars" and substituting in lieu thereof the words and figures "four thousand five hundred dollars".

Further amend said section by striking from lines 6 and 7 the words and figures "four thousand dollars" and substituting in lieu thereof the words and figures "three thousand five hundred dollars".

The amendment was adopted.

Senator Findlay moved that further action on Senate File 15 be deferred and that it retain its place on the calendar.

The motion was lost.

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, 38:

Augustine	Elthon	Kirketeg	Mercer
Barkley	Faul	Klein	Miller
Bekman	Hart	Knudson	Mowry
Berg	Harvey	Leo	Newsome
Byers	Henningsen	Long	Reilly
Clem	Hill	Love	Rockhill
Cromwell	Hultman	Lucas	Schluter
Dewel	Jacobson	Lynes	Sjulin
Doud	Jones	Martin	Vittetoe
Dykhouse	Keir		

Nays, 3:

Findlay	Watson	White
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Absent or not voting, 9:

Benson	Pine	Sharp	Vrba
Foster	Ritchie	Shaw	Zastrow
Hawkins			

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.

Senator Clem asked and received unanimous consent to correct the amendment adopted to Senate File 15 as follows:

Strike the words "and figures" wherever they appear in the amendment.

On motion of Senator Mowry, Senate File 60, a bill for an act to amend sections fifty-four hundred thirty-five (5435) and fifty-four hundred forty (5440), Code, 1939, relating to the licensing of dogs, with report of committee recommending the adoption of the following amendment, was taken up and considered:

Amend Senate File 60, section 2, line 4, by striking out the word and figure "May 15" and inserting in lieu thereof the word and figure "July 1".

The amendment was adopted.

Senator Mowry offered the following amendment and moved its adoption:

Amend Senate File 60 as follows:

1. By striking section 1.
2. Renumbering the remaining sections.

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, 40:

Barkley	Hart	Knudson	Reilly
Bekman	Harvey	Leo	Ritchie
Berg	Hawkins	Love	Rockhill
Byers	Hill	Lucas	Schluter
Clem	Hultman	Lynes	Shaw
Cromwell	Jacobson	Martin	Sjulin
Dewel	Jones	Miller	Vittetoe
Dykhous	Keir	Mowry	Watson
Elthou	Kirketeg	Newsome	White
Findlay	Klein	Pine	Zastrow

Nays, none.

Absent or not voting, 10:

Augustine	Faul	Long	Sharp
Benson	Foster	Mercer	Vrba
Doud	Henningsen		

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 Dykhouse asked and received unanimous consent that Senate File 278 be rereferred to the committee on ways and means.

Senator Hill asked and received unanimous consent that House File 208 be substituted for Senate File 190, a companion bill.

President Evans took the chair at 11:15 a. m.

Senator Hill asked and received unanimous consent that Senate Rules 21 and 23 be suspended and that House File 208 be taken up at this time.

On motion of Senator Hill, House File 208, a bill for an act creating an Iowa development commission, providing for the appointment of its members, defining its powers and duties, providing for a director and other necessary employees, providing for office space therefor, and making appropriations for its work, providing for the transfer of funds from Iowa industrial and defense commission to the use of the Iowa development commission, and extending the powers and duties of the Iowa industrial and defense commission and county defense councils for the duration of the war, 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	Doud	Hawkins	Klein
Barkley	Dykhouse	Henningsen	Knudson
Bekman	Elthon	Hill	Leo
Berg	Faul	Hultman	Long
Byers	Findlay	Jacobson	Love
Clem	Foster	Jones	Lucas
Cromwell	Hart	Keir	Lynes
Dewel	Harvey	Kirketeg	Martin

Mercer	Pine	Schluter	Vrba
Miller	Reilly	Shaw	Watson
Mowry	Ritchie	Sjulin	White
Newsome	Rockhill	Vittetoe	Zastrow

Nays, none.

Absent or not voting, 2:

Benson	Sharp
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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.

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 Doud, Senate File 74, a bill for an act to amend section three thousand two hundred ninety-one and one tenth (329.1), Code of Iowa, 1939, relating to the salary and compensation and maintenance of business managers of the institutions operating under the board of control, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

Amend Senate File 74 by striking all after the enacting clause and inserting the following:

Section 1. Section three thousand two hundred and ninety-one and one-tenth (329.1), Code of Iowa, 1939, is amended by striking from line eleven (11) the word "He", and by striking lines twelve (12), thirteen (13), fourteen (14), fifteen (15), sixteen (16), and the words "maintenance furnished" in line seventeen (17) and inserting in lieu thereof the following: "He shall receive an annual salary and compensation of two thousand four hundred dollars in cash, and, in addition six hundred dollars in value of support and maintenance furnished or a dwelling house or other appropriate quarters in lieu thereof, and from supplies furnished for the institution, the necessary household provisions for himself, wife, and minor children, as he may elect".

The amendment was adopted.

Senator Doud moved that the bill be read a third 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	Byers	Doud	Findlay
Barkley	Clem	Dykhouse	Foster
Bekman	Cromwell	Elthon	Hart
Berg	Dewel	Faul	Harvey

Hawkins	Klein	Mercer	Schluter
Henningsen	Knudson	Miller	Shaw
Hill	Leo	Mowry	Sjulin
Hultman	Long	Newsome	Vittetoe
Jacobson	Love	Pine	Vrba
Jones	Lucas	Reilly	Watson
Keir	Lynes	Ritchie	White
Kirketeg	Martin	Rockhill	Zatsrow

Nays, none.

Absent or not voting, 2:

Benson Sharp

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 Dykhousé, Senate File 192, a bill for an act to amend section thirty-five (35) of chapter one hundred sixty-five (165), Acts of the 50th General Assembly, relating to distribution of proceeds of motor vehicle fuel license fees and penalties, was taken up and considered.

Senator Dykhousé asked and received unanimous consent that further action on Senate File 192 be deferred and that it retain its place on the calendar.

On motion of Senator Shaw, Senate File 91, a bill for an act to repeal sections six thousand two hundred thirty-one (6231), six thousand two hundred thirty-two (6232), six thousand two hundred thirty-three (6233), six thousand two hundred thirty-four (6234), six thousand two hundred thirty-five (6235), six thousand two hundred thirty-six (6236), six thousand two hundred thirty-seven (6237), seven thousand one hundred twenty-five (7125), Code, 1939, relating to road poll tax and to repeal the same, 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, 14:

Augustine	Findlay	Leo	Shaw
Berg	Foster	Mowry	Watson
Clem	Hill	Schluter	White
Dykhousé	Klein		

Nays, 23:

Barkley	Hultman	Lucas	Ritchie
Byers	Jacobson	Martin	Rockhill
Elthon	Jones	Mercer	Sjulin
Harvey	Kirketeg	Miller	Vittetoe
Hawkins	Long	Newsome	Vrba
Henningsen	Love	Reilly	

Absent or not voting, 13:

Bekman	Ooud	Keir	Pine
Benson	Faul	Knudson	Sharp
Cromwell	Hart	Lynes	Zastrow
Dewel			

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

HOUSE MESSAGES CONSIDERED

House File 198, a bill for an act legalizing an emergency fund levy for the city of Clinton in Clinton county, Iowa.

Read first and second times and passed on file.

PRESENTATION OF VISITORS

Senator Faul asked and received unanimous consent to present to the Senate the 9-A class in social science of West Des Moines high school which was present in the balcony.

Senator Schluter asked and received unanimous consent to present to the Senate a group of students from the Scattergood Boarding School of West Branch who were present in the balcony.

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

AFTERNOON SESSION

The Senate resumed regular session, President Evans presiding

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 82 and House Files 3, 16, 20, 24 and 92.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *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 82 and House Files 3, 16, 20, 24 and 92.

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 20th day of February, 1945, sent to the governor for has approval, Senate File 82.

ROBERT C. REILLY, *Chairman*.

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 19th he had approved the following bills:

Senate File 19, relating to guardianship of incompetent veterans.

Senate File 78, relating to improvements of highways.

BILLS ASSIGNED TO COMMITTEES

President Evans announced the following assignment of bills to committees.

Bill No.	Committee Assignment
S.J.R. 6	Governmental Affairs.
S. F. 326	Labor.
S. F. 327	Board of Control.
S. F. 328	Railroads.
S. F. 334	Agriculture.
S. F. 335	Highways.
S. F. 336	Compensation of Public Officers and Employees.
S. F. 337	Cities and Towns.
S. F. 338	Highways.
S. F. 339	Special School Code.
S. F. 340	Printing.
S. F. 341	Judiciary 1.
S. F. 342	Insurance.
S. F. 343	Cities and Towns.
S. F. 344	Governmental Affairs.

- S. F. 345 Insurance.
- S. F. 346 Private Corporations.
- S. F. 347 Judiciary 2.
- S. F. 348 Compensation of Public Officers and Employees.
- S. F. 352 Ways and Means.
- S. F. 353 Governmental Affairs.
- S. F. 354 Governmental Affairs.
- S. F. 355 Schools and Educational Institutions.
- S. F. 356 Judiciary 1.
- S. F. 357 Insurance.
- S. F. 358 Judiciary 2.
- S. F. 359 Public Employees Retirement Plan.
- S. F. 360 Insurance.
- S. F. 361 Insurance.
- S. F. 362 Judiciary 2.
- S. F. 363 Military and Veterans Affairs.
- S. F. 364 Special School Code.
- S. F. 365 Judiciary 1.
- S. F. 366 Banks, Building and Loan.
- S. F. 367 Judiciary 2.
- S. F. 368 Ways and Means.
- S. F. 369 Governmental Affairs.
- S. F. 370 Cities and Towns.
- S. F. 371 Social Security.
- S. F. 372 Cities and Towns.
- S. F. 373 Judiciary 2.
- S. F. 374 Ways and Means.
- S. F. 375 Governmental Affairs.
- S. F. 376 Cities and Towns.
- S. F. 377 Ways and Means.
- S. F. 378 Highways.
- S. F. 379 Highways.
- S. F. 380 Judiciary 2.
- S. F. 381 Cities and Towns.
- S. F. 383 Social Security.
- S. F. 384 Cities and Towns.
- S. F. 385 Judiciary 2.
- S. F. 386 Cities and Towns.
- S. F. 387 Judiciary 2.
- H. F. 54 Agriculture.
- H. F. 62 Governmental Affairs.
- H. F. 95 Judiciary 2.

- H. F. 101 Social Security.
- H. F. 103 Social Security.
- H. F. 111 Ways and Means.
- H. F. 145 Cities and Towns.
- H. F. 216 Judiciary 1.
- H. F. 217 Judiciary 1.

PROOF OF PUBLICATION

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

Senate File 90, a proposed bill establishing a pension and annuity retirement system by the board of directors of the independent school district of Dubuque, Dubuque county, Iowa. W. J. SCARBOROUGH.

REPORTS OF COMMITTEES

Senator Long submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 296, 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, 1945, and ending June 30, 1947, 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.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 297, a bill for an act to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1945, and ending June 30, 1947, to the board of education for the support, maintenance, repairs, replacements or alterations of institutions under said board of education, begs leave to report it has had the same under consideration and recommends the same do pass.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

Senator Dykhouse submitted the following report:

MR. PRESIDENT: Your committee on ways and means, to which was referred Senate File 61, 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, 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 ways and means, to which was

referred Senate File 256, a bill for an act to amend section 7214, Code, 1939, relating to interest on delinquent taxes, to provide that no tax appeal or other pending litigation shall extend the time when the tax involved shall become due and delinquent, 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 Schluter submitted the following report:

MR. PRESIDENT: Your committee on schools and educational institutions, to which was referred Senate File 111, a bill for an act to amend section four thousand two hundred thirty-three and four-tenths (4233.4), Code, 1939, relating to transportation of school children, 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 111 as follows:

Strike from section 1 commencing in line 3 after the word "inserting" all of the rest of said section and by inserting in lieu thereof the following: at the end of said section the following: That in all such cases the cost of such transportation shall be reasonable and the reasonableness shall be determined by the board of directors of each school corporation and their decision shall be appealable to the county superintendent.

Further amend Senate File 111 by adding thereto a new section as follows:

Chapter two hundred fifteen (215), Code, 1939, is amended by adding the following section thereto:

4274.10. All contracts pertaining to the transportation of pupils under this chapter shall be reasonable and fixed by the board of directors of the school corporation and all decisions on reasonableness of the cost of transportation shall be appealable to the county superintendent.

Amend the title by inserting after the word "amend" in line 1 of said title the following: "Chapter two hundred fifteen (215) and".

EDWIN C. SCHLUTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on schools and educational institutions, to which was referred Senate File 249, a bill for an act to amend section four thousand three hundred sixty-one (4361), Code, 1939, relating to the amount of real estate that a school district may acquire and hold for school playground athletic field and other purposes, begs leave to report it has had the same under consideration and recommends the same do pass.

EDWIN C. SCHLUTER, *Chairman*.

Ordered passed on file.

Senator Elthon submitted the following report:

MR. PRESIDENT: Your committee on conservation, to which was referred Senate File 116, a bill for an act to make an appropriation to the

state conservation commission for the purpose of dredging and improving Five Island Lake in Palo Alto county, Iowa, for the fiscal year ending June 30, 1946, and the fiscal year ending June 30, 1947, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on conservation, to which was referred Senate File 129, a bill for an act relating to requirements for fish and game licenses, begs leave to report it has had the same under consideration and recommends the same do pass. LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on conservation, to which was referred Senate File 213, a bill for an act to provide for the creation of a county conservation board, and prescribing the powers, duties and terms of office of said board, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on conservation, to which was referred House File 183, a bill for an act to authorize the state conservation commission to provide fire protection for state parks, forest and wildlife lands, begs leave to report it has had the same under consideration and recommends the same do pass. LEO ELTHON, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED

1. Amend House File 84 by striking out the words "mine inspector in the district where the mine is located", occurring in section 1, paragraph 1 thereof, and substituting in lieu thereof "mine inspector of the State of Iowa".
2. By striking out the words "mine inspector in the district where the mine is located" occurring in section 1, paragraph 2 thereof, and substituting in lieu thereof "mine inspector of the State of Iowa".
3. By striking out the word "insure" occurring in section 1, paragraph 2 thereof, and substituting in lieu thereof the word "safeguard".

E. K. BEKMAN.

Amend Senate File 101 by striking all of section 6.

FRANK D. MARTIN.

Amend Senate File 57 by striking all after the enacting clause, and substituting in lieu thereof the following:

Section 1. Section nine thousand three hundred forty and eight hundredths (9340.08), Code, 1939, is hereby amended by striking the word "fifteen" in line 5 thereof and inserting in lieu thereof the word "twenty", and by striking the period (.) in line 32 thereof, and inserting in lieu thereof a semicolon (;), and inserting following said semicolon the following: "also provided, however, that loans may be made under and in compliance with the Service Men's Re-Adjustment Act of 1944, and pursuant to all of the provisions thereof."

Sec. 2 Section nine thousand three hundred twenty-nine (9329), Code, 1939, is hereby amended by adding thereto the following subsection:

"11. Any such association which is a member of a federal home loan bank shall have power to act as fiscal agent of the United States and, when designated for the purpose by the Secretary of the Treasury, it shall perform under such regulations as he may prescribe all such reasonable duties as fiscal agent of the United States as he may require, and shall have power to act as agent for any United States Government instrumentality."

Section 3. Chapter two hundred forty-five (245), Acts of the Fiftieth General Assembly, is hereby amended by striking from line 6 thereof the figure "25%" and inserting in lieu thereof the figure "50%".

Sec. 4. This act, being deemed of immediate importance, shall take effect from and after its publication in the Cedar Rapids Tribune, a newspaper published at Cedar Rapids, Iowa, and the Ames Daily Tribune, a newspaper published at Ames, Iowa.

Further amend Senate File 57 by striking the entire title and inserting in lieu thereof the following:

"An Act to amend section nine thousand three hundred forty and eight hundredths (9340.08), section nine thousand three hundred twenty-nine (9329), Code, 1939, and chapter two hundred forty-five (245), Acts of the Fiftieth General Assembly, relating to loans, investments, and powers of building and loan and savings and loan associations."

FRANK C. BYERS.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 21, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend H. R. Fields, pastor of the Union Baptist church, Des Moines, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Byers, from residents of Black Hawk and Wright counties, favoring local option.

By Senator Watson, from residents of Pottawattamie county, favoring safety legislation.

By Senator Henningsen, from residents of Clinton county, favoring revision of the school code.

By Senator Doud, from residents of Jefferson county, favoring revision of the school code.

By Senator Findlay, from residents of Webster county, in opposition to outdoor advertising.

By Senator Hill, from residents of Hardin county, favoring local option.

By Senator Lucas, from residents of Story county, favoring proposed pension legislation.

By Senator Ritchie, from residents of Cherokee county, favoring safety legislation.

INTRODUCTION OF BILLS

Senate File 388, by committee on special school code, a bill for an act to provide for the use of state funds to supplement funds of school districts in support of education; and to repeal section three thousand nine hundred two (3902), Code, 1939, relating to state aid to schools.

Read first and second times and placed on the calendar.

Senate File 389, by committee on motor vehicles, a bill for an act to amend section five thousand eight and seven hundredths (5008.07), Code, 1939, relating to registration of converted motor vehicles.

Read first and second times and placed on the calendar.

Senate File 390, by committee on ways and means, a bill for an act to extend the time for making annual statements and payment of premium taxes due for the calendar year 1944 by insurance companies and exchanges.

Read first and second times and placed on the calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 122, a bill for an act relating to the minimum wages of teachers in the public schools.

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

House File 130, a bill for an act to permit school districts to discontinue facilities and contract with other districts to furnish such facilities under certain conditions.

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

House File 132, a bill for an act relating to tuition rates for pupils in the public schools.

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

House File 133, a bill for an act relating to kindergartens.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 149, a bill for an act relating to teachers' contracts, their continuation and termination.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 149

Amend by striking all of line 17 of the bill and the word and figure "April 15" in line 18, and insert in lieu thereof the following: "a registered letter mailed to the teacher not later than the tenth day of April".

Amend line 25 by inserting immediately preceding the word "hearing" the word "public".

Amend line 28 by inserting after the word "hearing" the words "on the protest".

HOUSE AMENDMENTS CONSIDERED

Senator Keir called up for consideration Senate File 149, a bill for an act to amend section four thousand two hundred twenty-nine (4229), Code, 1939, as amended by chapter 157, Acts of the 49th General Assembly, relating to teachers' contracts, their continuation and termination, amended by the House, and moved that the Senate concur in the following House amendments:

Amend by striking all of line 17 of the bill and the word and figures "April 15" in line 18, and insert in lieu thereof the following: "a registered letter mailed to the teacher not later than the tenth day of April."

Amend line 25 by inserting immediately preceding the word "hearing" the word "public".

Amend line 28 by inserting after the word "hearing" the words "on the protest".

The motion prevailed and the Senate concurred in the House amendments.

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	Faul	Klein	Ritchie
Barkley	Findlay	Leo	Rockhill
Bekman	Hart	Long	Schluter
Benson	Harvey	Love	Sharp
Berg	Henningsen	Lucas	Shaw
Byers	Hill	Lynes	Sjulin
Clem	Hultman	Mercer	Vittetoe
Cromwell	Jacobson	Miller	Vrba
Dewel	Jones	Mowry	Watson
Doud	Keir	Newsome	White
Dykhousc	Kirketeg	Reilly	Zastrow

Nays, none.

Absent or not voting, 6:

Elthon	Hawkins	Martin	Pine
Foster	Knudson		

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.

RECONSIDERATION OF HOUSE FILE 208

Senator Hill asked and received unanimous consent to reconsider House File 208, a bill for an act creating an Iowa development commission, providing for the appointment of its members, defining its powers and duties, providing for a director and other necessary employees, providing for office space therefor, and making appropriations for its work, providing for the transfer of funds from Iowa industrial and defense commission to the use of the Iowa development commission, and extending the powers and duties of the Iowa industrial and defense commission and county defense councils for the duration of the war.

Senator Hill moved that House File 208 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 208 from the table carried by a two-thirds majority.

Senator Hill moved that the vote by which House File 208 passed the Senate be reconsidered.

On the question "Shall the vote by which House File 208 passed the Senate be reconsidered?" the vote was:

Ayes, 46:

Augustine	Hart	Leo	Reilly
Barkley	Harvey	Long	Ritchie
Bekman	Hawkins	Love	Rockhill
Benson	Henningsen	Lucas	Schluter
Berg	Hill	Lynes	Sharp
Byers	Hultman	Martin	Shaw
Clem	Jacobson	Mercer	Sjulin
Cromwell	Jones	Miller	Vittetoe
Dewel	Keir	Mowry	Vrba
Doud	Kirketeg	Newsome	White
Dykhouse	Klein	Pine	Zastrow
Findlay	Knudson		

Nays, none.

Absent or not voting, 4:

Elthon	Faul	Foster	Watson
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The motion, having received a constitutional majority, prevailed.

Senator Hill moved that the vote by which House File 208 went to its third reading be reconsidered, which motion prevailed.

Senator Hill offered the following amendments and moved their adoption :

Amend House File 208 as follows:

In section 2, line 4, strike the words "a member" and insert the word "members".

In section 7, line 5, correct the spelling of "agricultural".

In section 8, line 11, change "board" to "boards"; and in line 16 strike the letter "(a)".

In section 9, line 1, correct the spelling of "supersede".

In section 10, line 2, make one word of "not withstanding".

In section 11 strike from lines 1, 2, and 3 the following: "The Auditor of the State is hereby authorized and directed to draw his warrants, on the approval and under the direction of the Comptroller." and insert in lieu thereof "The Comptroller is authorized and directed to draw warrants".

The amendments were 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	Findlay	Leo	Reilly
Barkley	Hart	Long	Ritchie
Bekman	Harvey	Love	Rockhill
Benson	Hawkins	Lucas	Schluter
Berg	Henningsen	Lynes	Sharp
Byers	Hill	Martin	Shaw
Clem	Hultman	Mercer	Vitteloe
Cromwell	Jacobson	Miller	Vrba
Dewel	Keir	Mowry	Watson
Doud	Kirketeg	Newsome	White
Dykhous	Klein	Pine	Zastrow
Faul	Knudson		

Nays, none.

Absent or not voting, 4:

Elthon	Foster	Jones	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 that House File 208 be immediately messaged to the House, which request was complied with.

Senator Dykhous asked and received unanimous consent that

the rules be suspended and that Senate File 390 be taken up at this time.

THIRD READING OF BILLS

On motion of Senator Dykhousé, Senate File 390, a bill for an act to extend the time for making annual statements and payments of premium taxes due for the calendar year 1944 by insurance companies and exchanges, was taken up and considered.

Senator Dykhousé offered the following amendments and moved their adoption:

Amend Senate File 390 by inserting in line 3 of section 2 after the word "the" the following: "Daily Times Herald".

Amend line 4 of said section by inserting the word "Carroll" preceding the comma. Further amend by inserting "Lyon County Reporter" following the word "the".

Further amend said section by inserting the word "Rock Rapids" in line 5 following the word "at".

The amendments were 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, 48:

Augustine	Findlay	Knudson	Reilly
Barkley	Hart	Leo	Ritchie
Bekman	Harvey	Long	Rockhill
Benson	Hawkins	Love	Schluter
Berg	Henningsen	Lucas	Sharp
Byers	Hill	Lynes	Shaw
Clem	Hultman	Martin	Sjulin
Cromwell	Jacobson	Mercer	Vittetoe
Dewel	Jones	Miller	Vrba
Doud	Keir	Mowry	Watson
Dykhousé	Kirketeg	Newsome	White
Elthon	Klein	Pine	Zastrow

Nays, none.

Absent or not voting, 2:

Faul Foster

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.

Senator Dykhouse asked and received unanimous consent that Senate File 390 be immediately messaged to the House, which request was complied with.

Senator Long asked and received unanimous consent to take up at this time the following appropriation bills:

On motion of Senator Long, House File 144, a bill for an act to appropriate to the state comptroller from motor vehicle fuel tax fund, 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	Findlay	Knudson	Reilly
Barkley	Hart	Leo	Ritchie
Bekman	Harvey	Long	Rockhill
Benson	Hawkins	Love	Schluter
Berg	Henningsen	Lynes	Sharp
Byers	Hill	Martin	Shaw
Clem	Hultman	Mercer	Sjulin
Cromwell	Jacobson	Miller	Vittetoe
Dewel	Jones	Mowry	Watson
Doud	Keir	Newsome	White
Elthon	Kirketeg	Pine	Zastrow
Faul	Klein		

Nays, none.

Absent or not voting, 4:

Dykhouse	Foster	Lucas	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 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 Long, House File 212, a bill for an act authorizing expenditures by the state highway commission from the primary road fund for the biennium beginning July 1, 1945, and ending June 30, 1947, 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	Findlay	Knudson	Reilly
Barkley	Foster	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Benson	Harvey	Love	Schluter
Berg	Henningsen	Lynes	Sharp
Byers	Hill	Martin	Shaw
Clem	Hultman	Mercer	Sjulin
Cromwell	Jacobson	Miller	Vittetoe
Dewel	Jones	Mowry	Vrba
Doud	Keir	Newsome	Watson
Elthon	Kirketeg	Pine	White
Faul	Klein		

Nays, none.

Absent or not voting, 4:

Dykhous	Hawkins	Lucas	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 Sjulin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Long, House File 213, a bill for an act making an appropriation to defray expenses of the inaugural ceremonies, 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, 48:

Augustine	Findlay	Klein	Reilly
Barkley	Foster	Knudson	Ritchie
Bekman	Hart	Leo	Rockhill
Benson	Harvey	Long	Schluter
Berg	Hawkins	Love	Sharp
Byers	Henningsen	Lynes	Shaw
Clem	Hill	Martin	Sjulin
Cromwell	Hultman	Mercer	Vittetoe
Doud	Jacobson	Miller	Vrba
Dykhous	Jones	Mowry	Watson
Elthon	Keir	Newsome	White
Faul	Kirketeg	Pine	Zastrow

Nays, none.

Absent or not voting, 2:

Dewel	Lucas
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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 Long, House File 214, a bill for an act to appropriate funds from primary road fund to the industrial commissioner for the payment of workmen's compensation claims of employees of the state highway commission, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Sjulín moved that the bill be read a third 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	Kirketeg	Pine
Barkley	Findlay	Klein	Reilly
Bekman	Foster	Knudson	Ritchie
Benson	Hart	Leo	Rockhill
Berg	Harvey	Long	Schluter
Byers	Hawkins	Love	Sharp
Clem	Henningsen	Lynes	Shaw
Cromwell	Hultman	Martin	Sjulín
Dewel	Hill	Mercer	Vittetoe
Doud	Jacobson	Miller	Vrba
Dykhouse	Jones	Mowry	Watson
Elthon	Keir	Newsome	White

Nays, none.

Absent or not voting, 2:

Lucas	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 Sjulín moved that the vote by which the 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 296, 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, 1945, and ending June 30, 1947, 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 Long offered the following amendment and moved its adoption:

Amend House File 296 by adding at the end thereof the following:

Sec. 17. "Grand total of all appropriations to the board of control of state institutions for all purposes for all institutions under said board of control\$5,286,700.00"

The amendment was 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	Faul	Kirketeg	Pine
Barkley	Findlay	Klein	Reilly
Bekman	Foster	Knudson	Ritchie
Benson	Hart	Leo	Rockhill
Berg	Harvey	Long	Schluter
Byers	Hawkins	Love	Sharp
Clem	Henningsen	Lynes	Shaw
Cromwell	Hill	Martin	Vittetoe
Dewel	Hultman	Mercer	Vrba
Doud	Jacobson	Miller	Watson
Dykhouse	Jones	Mowry	White
Elthon	Keir	Newsome	

Nays, none.

Absent or not voting, 3:

Lucas	Sjulin	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 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 Long, House File 297, a bill for an act to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1945, and ending June 30, 1947, to the board of education for the support, maintenance, repairs, replacements or alterations of institutions under said board of education, 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, 49:

Augustine	Findlay	Klein	Reilly
Barkley	Foster	Knudson	Ritchie
Bekman	Hart	Leo	Rockhill
Benson	Harvey	Long	Schluter
Berg	Hawkins	Love	Sharp
Byers	Henningsen	Lynes	Shaw
Clem	Hill	Martin	Sjulin
Cromwell	Hultman	Mercer	Vittetoe
Dewel	Jacobson	Miller	Vrba
Doud	Jones	Mowry	Watson
Dykhouse	Keir	Newsome	White
Elthon	Kirketeg	Pine	Zastrow
Faul			

Nays, none.**Absent or not voting, 1:**

Lucas

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.

UNFINISHED BUSINESS

Senator Dykhouse called up for further consideration Senate File 192, a bill for an act to amend section thirty-five (35) of chapter one hundred sixty-five (165), Acts of the 50th General Assembly, relating to distribution of proceeds of motor vehicle fuel license fees and penalties.

Senator Hawkins moved that the bill be read a third 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	Ritchie
Barkley	Foster	Long	Rockhill
Bekman	Harvey	Love	Schluter
Benson	Hawkins	Lynes	Sharp
Berg	Hill	Martin	Shaw
Clem	Hultman	Mercer	Sjulin
Dewel	Jacobson	Miller	Vittetoe
Doud	Jones	Mowry	Vrba
Dykhouse	Keir	Newsome	Watson
Elthon	Kirketeg	Pine	White
Faul	Klein	Reilly	Zastrow

Nays, none.

Absent or not voting, 6:

Byers	Hart	Knudson	Lucas
Cromwell	Henningsen		

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

Senator Hawkins moved that the 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 Reilly, Senate File 90, a bill for an act to legalize the proceedings by the Board of Directors of the Independent School District of Dubuque, Dubuque county, Iowa, in submitting to the voters of said district at the school election in said district on March 13, 1944, the proposition of establishing a pension and annuity retirement system for the employees of said district who are under written contract to said district, the said election and the establishment of said pension and annuity retirement system, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 49:

Augustine	Findlay	Knudson	Reilly
Barkley	Hart	Leo	Ritchie
Bekman	Harvey	Long	Rockhill
Benson	Hawkins	Love	Schluter
Berg	Henningsen	Lucas	Sharp
Byers	Hill	Lynes	Shaw
Clem	Hultman	Martin	Sjulin
Cromwell	Jacobson	Mercer	Vittetoe
Dewel	Jones	Miller	Vrba
Doud	Keir	Mowry	Watson
Dykhouse	Kirketeg	Newsome	White
Elthon	Klein	Pine	Zastrow
Faul			

Nays, none.

Absent or not voting, 1:

Foster

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

Senator Reilly moved that the vote by which the 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 154, a bill for an act to amend section one (1) of chapter two hundred forty-seven (247) of the Acts of the Forty-fourth General Assembly, which amended section one (1) of chapter one hundred nineteen (119) of the Acts of the Fortieth General Assembly, relating to the extension of time for levying a tax for park improvement purposes for the sole and only purpose of grading, beautifying and otherwise improving certain lands acquired for park purposes and for acquiring and improving any driveways or boulevards connecting one park with another, with report of committee recommending amendment and passage, was taken up and considered.

The following committee amendment was considered:

Amend Senate File 154 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Chapter one hundred nineteen (119), Acts of the 40th General Assembly as amended by chapter two hundred forty-seven (247), Acts of the 44th General Assembly, is hereby repealed and the following enacted in lieu thereof:

"In all cities including cities acting under special charter where the board of park commissioners have, prior to January 1, 1914, made purchase of property for park purposes by means of the additional tax of one mill authorized by special Acts of the General Assembly the said board is authorized in its discretion to certify to the county auditor each year and cause to be collected an additional tax of one mill each year to be used for the sole and only purpose of grading, beautifying, and otherwise improving any lands acquired for park purposes by means of the tax so authorized or other lands then owned and used for park purposes or for acquiring and improving any driveways or boulevards connecting one park with another."

Further amend said Senate File 154 by striking from the title beginning with the words "An Act" all down to and including the word "relating" and inserting in lieu thereof the following:

"An Act to repeal chapter one hundred nineteen (119), Acts of the 40th General Assembly as amended by chapter two hundred forty-seven (247), Acts of the 44th General Assembly, and to enact a substitute therefor, relating".

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, 48:

Augustine	Faul	Klein	Reilly
Barkley	Findlay	Knudson	Ritchie
Bekman	Hart	Leo	Rockhill
Benson	Harvey	Long	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Lynes	Shaw
Clem	Hill	Martin	Sjulin
Cromwell	Hultman	Mercer	Vittetoe
Dewel	Jacobson	Miller	Vrba
Doud	Jones	Mowry	Watson
Dykhouse	Keir	Newsome	White
Elthon	Kirketeg	Pine	Zastrow

Nays, none.

Absent or not voting, 2:

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 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 155, a bill for an act to amend section one (1) of chapter two hundred forty-eight (248) of the Acts of the Forty-fourth General Assembly, which amended section one (1) of chapter one hundred twenty-one (121), Acts of the Fortieth General Assembly, relating to the extension of time for levying a park tax for the improvement of lakes by dredging or otherwise deepening the same, constructing dikes and levees for the protection of the same and for changing the form and size thereof, improving such lakes and park lands surrounding the same for other purposes, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Senator Watson offered the following amendment and moved its adoption:

Amend Senate File 155 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Chapter one hundred twenty-one (121), Acts of the 40th General Assembly as amended by chapter two hundred forty-eight (248), Acts of the 44th General Assembly, is hereby repealed and the following enacted in lieu thereof:

"That where any city has, prior to July 1st, eighteen hundred eighty (1880), received a grant of the title from the United States to a meandered lake within its corporate limits, to be held and used for public uses, recreation and park purposes, and where such city has, for more

than twenty years devoted the same to the public use, recreation and park purposes, its board of park commissioners is authorized, in the discretion of said board to certify to the county auditor and cause to be collected an additional tax of not exceeding one mill each year, to be used for the sole and only purpose of improving such lake by dredging or otherwise deepening the same, constructing dikes and levees for the protection of the same and for changing the form and size thereof, and for the regulation, control and improvement of the water supply and for the improvement and beautifying of such lake, the park land surrounding the same and for the furnishing of suitable equipment thereof for public use and pleasure."

Further amend said Senate File 155 by striking from the title beginning with the words "An Act" all down to and including the word "relating" and inserting in lieu thereof the following:

"An Act to repeal chapter one hundred twenty-one (121), Acts of the 40th General Assembly as amended by chapter two hundred forty-eight (248), Acts of the 44th General Assembly, and to enact a substitute therefor, relating".

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	Klein	Ritchie
Barkley	Findlay	Knudson	Rockhill
Bekman	Hart	Leo	Schluter
Benson	Harvey	Lucas	Sharp
Berg	Hawkins	Lynes	Shaw
Byers	Henningsen	Mercer	Sjulin
Clem	Hill	Miller	Vittetoe
Cromwell	Hultman	Mowry	Vrba
Dewel	Jacobsan	Newsome	Watson
Doud	Jones	Pine	White
Dykhouse	Keir	Reilly	Zastrow
Elthon	Kirketeg		

Nays, none.

Absent or not voting, 4:

Foster	Long	Love	Martin
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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 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 156, a bill for an act to amend section one (1), paragraph two (2), of chapter three hun-

dred twelve (312) of the Acts of the Thirty-eighth General Assembly, as amended by section one (1), chapter one hundred twenty-five (125) of the Acts of the Thirty-ninth General Assembly, relating to the levy of a tax for park purposes to be used for the sole and only purpose of grading, road building, building retaining walls, or riprap along watercourses and otherwise permanently improving by the construction of buildings in public parks any and all lands acquired for park purposes prior to 1919, or improving any driveway or boulevard connecting one park with another, with report of committee recommending amendment and passage, was taken up and considered.

The following committee amendment was considered:

Amend Senate File 156 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section one (1), paragraph two (2) of chapter three hundred twelve (312), Acts of the 38th General Assembly as amended by section one (1), chapter one hundred twenty-five (125), Acts of the 39th General Assembly, is hereby repealed and the following enacted in lieu thereof:

"In all cities where said board shall have, prior to January first, 1919, acquired property for park purposes, the said board is further authorized to certify to the county auditor in all succeeding years and cause to be collected an additional tax of one mill each year, to be used for the sole and only purpose of grading, road-building, building retaining walls, or riprap along watercourses and otherwise permanently improving by the construction of buildings in public parks any and all lands theretofore acquired for park purposes or improving any driveway or boulevard connecting one park with another."

Further amend said Senate File 156 by striking from the title beginning with the words "An Act" all down to and including the word "relating" and inserting in lieu thereof the following:

"An Act to repeal section one (1), paragraph two (2) of chapter three hundred twelve (312), Acts of the 38th General Assembly as amended by section one (1), chapter one hundred twenty-five (125), Acts of the 39th General Assembly, and to enact a substitute therefor, relating".

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
Barkley
Bekman

Benson
Berg
Byers

Clem
Cromwell
Dewel

Doud
Dykhouse
Elthon

Faul	Jones	Mercer	Sharp
Findlay	Keir	Miller	Shaw
Hart	Kirketeg	Newsome	Sjulin
Harvey	Klein	Pine	Vittetoe
Hawkins	Leo	Reilly	Vrba
Henningsen	Long	Ritchie	Watson
Hill	Lucas	Rockhill	White
Hultman	Lynes	Schluter	Zastrow
Jacobson	Martin		

Nays, none.

Absent or not voting, 4:

Foster	Knudson	Love	Mowry
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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 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 Berg, Senate File 175, a bill for an act to legalize certain stock dividend issues of capital stock of Iowa corporations, with report of committee recommending the adoption of the following amendment by Senator Berg and Senator Lynes, and passage, was taken up, considered and the report of the committee adopted.

The following amendment by Senators Berg and Lynes was considered:

Amend Senate File 175 as follows:

1. By striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Any corporation organized under the laws of this state which, prior to January 1, 1943, issued capital stock for property without complying with section 8413, Code, 1939, and obtaining approval pursuant to section 8414, Code, 1939, may within ninety (90) days after the effective date of this Act, make application for the approval of the issuance of such stock.

The Executive Council of the State of Iowa shall have the power to receive, consider and act upon any such application as though said application had been duly filed prior to the issuance of such stock.

Sec. 2. Any corporation organized under the laws of this state which prior to January 1, 1943, failed to comply with the provisions of section 8416, Code, 1939, but which subsequently did in the first annual corporation report filed by such corporation following such failure, correctly report the amount of its capital stock issued, may within ninety (90) days after the effective date of this act, filed with the Secretary of State of Iowa a certificate as to unreported issues; and such certificate shall have the same force and effect as certificates filed within the time required by the provisions of said section 8416.

Sec. 3. Nothing in this act contained shall affect or be construed as affecting pending litigation.

Sec. 4. This act being deemed of immediate importance, shall be effective from and after the date of its publication, as required by law in the Baxter New Era, a newspaper published at Baxter, Iowa, and in the Waterloo Courier, a newspaper published at Waterloo, Iowa, without expense to the State of Iowa."

2. By striking the title thereof and substituting the following:

"An act to legalize certain issues of capital stocks of Iowa corporations, upon compliance herewith."

The amendment was adopted.

Senator Cromwell asked and received unanimous consent to withdraw the amendment to Senate File 175, filed by him on February 8th and found on page 298 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, 42:

Augustine	Findlay	Lucas	Rockhill
Bekman	Hart	Lynes	Schluter
Benson	Hawkins	Martin	Sharp
Berg	Henningsen	Mercer	Shaw
Byers	Hill	Miller	Sjulin
Clem	Hultman	Mowry	Vittetoe
Cromwell	Jones	Newsome	Vrba
Doud	Kier	Pine	Watson
Dykhous	Kirketeg	Reilly	White
Elthon	Leo	Ritchie	Zastrow
Faul	Long		

Nays, none.

Absent or not voting, 8:

Barkley	Foster	Jacobson	Knudson
Dewel	Harvey	Klein	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.

HOUSE MESSAGES CONSIDERED

House File 122, a bill for an act to amend section four thousand three hundred forty-one (4341), Code, 1939, as amended by chapter one hundred sixty-five (165), Acts of the Forty-ninth

General Assembly, relating to the minimum wages of teachers in the public schools.

Read first and second times and passed on file.

House File 130, a bill for an act to permit school districts to discontinue facilities and contract with other districts to furnish such facilities under certain conditions.

Read first and second times and passed on file.

House File 132, a bill for an act to amend section four thousand two hundred thirty-three and three tenths (4233.3) and four thousand two hundred seventy-seven (4277), Code, 1939, relating to tuition rates for pupils in the public schools.

Read first and second times and passed on file.

House File 133, a bill for an act to amend section four thousand two hundred sixty-six (4266), Code, 1939, relating to kindergartens.

Read first and second times and passed on file.

PRESENTATION OF VISITORS

Senator Faul asked and received unanimous consent to present to the Senate, the American government class of Urbandale high school; the 9-A class of Valley high school, and the Economics class of Valley high school of West Des Moines; and the 7-A class in social study of Byron Rice school of Des Moines, who were present in the balcony.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 20th he had approved the following bill:

Senate File 82, relating to seining fish in the Mississippi river.

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

AFTERNOON SESSION

The Senate resumed regular session, President Evans presiding.

THIRD READING OF BILLS

On motion of Senator Clem, Senate File 189, a bill for an act to repeal section thirty-six hundred sixteen and one tenth (3616.1),

Code, 1939, and to amend section thirty-six hundred sixteen (3616), Code, 1939, 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 offered the following amendment and moved its adoption:

Amend Senate File 189 as follows:

Amend the title to Senate File 189 by striking from lines 1 and 2 thereof the words "to repeal section thirty-six hundred sixteen and one tenth (3616.1), Code, 1939, and".

Further amend Senate File 189 by striking section 1 therefrom.

Further amend Senate File 189 by renumbering section 2 as section 1.

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, 47:

Augustine	Findlay	Klein	Ritchie
Barkley	Foster	Leo	Rockhill
Bekman	Hart	Long	Schluter
Benson	Harvey	Lucas	Sharp
Berg	Hawkins	Lynes	Shaw
Byers	Henningsen	Martin	Sjulin
Clem	Hill	Mercer	Vittetoe
Cromwell	Hultman	Miller	Vrba
Dewel	Jacobson	Mowry	Watson
Dykhouse	Jones	Newsome	White
Elthon	Keir	Pine	Zastrow
Faul	Kirketeg	Reilly	

Nays, none.

Absent or not voting, 3:

Doud	Knudson	Love
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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 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

Senator Pine called up House File 49, a bill for an act to amend section five thousand eight and thirteen hundredths (5008.13), Code, 1939, relating to the fees for ambulances and hearses.

Senator Pine offered the following amendment and moved its adoption:

Amend House File 49 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1 Section five thousand eight and thirteen hundredths (5008.13) Code, 1939, is hereby amended by inserting at the end of line 6 the following: "The annual registration fee for combination ambulances and hearses shall be the same as provided for motor vehicles generally in section five thousand eight and five hundredths (5008.05) of the Code."

Further amend the title by striking the words, "motor vehicles and hearses" and inserting in lieu thereof the words, "combination ambulances and hearses".

The amendment was 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, 45:

Barkley	Findlay	Klein	Ritchie
Bekman	Foster	Long	Rockhill
Benson	Hart	Lucas	Schluter
Berg	Harvey	Lynes	Sharp
Byers	Henningsen	Martin	Shaw
Clem	Hill	Mercer	Sjulin
Cromwell	Hultman	Miller	Vittetoe
Dewel	Jacobson	Mowry	Vrba
Doud	Jones	Newsome	Watson
Dykhouse	Keir	Pine	White
Elthon	Kirketeg	Reilly	Zastrow
Faul			

Nays, 1:

Hawkins

Absent or not voting, 4:

Augustine	Knudson	Leo	Love
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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 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 Hawkins called up the following House concurrent resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION 11

Whereas, Justice of peace courts were provided under the law some 75 or 80 years ago when townships were important governmental units and courts of that type were necessary in the administration of civil and criminal procedure; and

Whereas, The law still provides for the election of two justices and two constables in each township, making a total of 32 justices of peace and 32 constables in the average 16 township county; and,

Whereas, The nomination and election of said justices and constables add to the length of the ballot and time of counting boards at each biennial election; and,

Whereas, That type of court is no longer necessary and has been superseded in some instances by superior and municipal courts; and,

Whereas, In some localities adjacent to larger towns and cities said justice courts have been misused; and,

Whereas, Justice of peace courts and procedure are entirely outmoded and of no further practical benefit to the public;

Be It Therefore Resolved by the House, the Senate Concurring: That a committee of six be appointed, three by the President of the Senate from the Senate, and three by the Speaker of the House from the House, said committee to investigate said situation and report to this General Assembly, or the one following, making recommendations for the improvement and betterment of said conditions and making proposals to change, amend or substitute laws or procedure so as to attain practical efficiency and satisfactory administration of the law.

The motion prevailed and the resolution was adopted.

THIRD READING OF BILLS

On motion of Senator Faul, Senate File 25, a bill for an act to provide for a pension and annuity retirement system for employees of municipally owned waterworks in any city having a population of five thousand or more, and to authorize city council or board of waterworks trustees, whichever is authorized to manage and operate such waterworks, to formulate and establish such plan and adopt appropriate rules and regulations therefor, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Berg asked and received unanimous consent to withdraw the amendment to Senate File 25, filed by him on February 14 and found on pages 363 and 364 of the Senate Journal.

SENATE CONCURRENT RESOLUTION 14

Whereas, Major Robert Lapham of Davenport, Iowa, has displayed great heroism, courage and initiative in the service of our armed forces in the Philippines, and

Whereas, Major Lapham and his brave band of Rangers and Filipino guerillas rescued five hundred and thirteen veterans of Bataan and Corregidor from the Japanese prison camp near Cabu on Luzon Island, and

Whereas, Every member of the Fifty-first General Assembly of Iowa admires the courage and heroism on the part of Major Lapham, and desires to record their highest tribute and respect to Major Lapham, and

Whereas, This gallant Iowa officer has brought great honor to our state and nation, it is the desire of the General Assembly of Iowa to express, not only the gratitude of the General Assembly, but that of the families and friends of the brave men of our armed forces who have been liberated.

Therefore, Be It Resolved by the Senate, the House Concurring: That the Secretary of the Senate be authorized and directed to forward three copies of this resolution to Mr. and Mrs. C. E. Lapham, the father and mother of this gallant officer of our armed forces, to their home at Davenport, Iowa, with the request that each of them keep one copy and that a copy be forwarded to their son, Major Robert Lapham.

BILL ASSIGNED TO COMMITTEE

President Evans announced the following assignment of bill to committee:

Bill No.	Committee Assignment
H. F. 198	Judiciary 1.

REPORTS OF COMMITTEES

Senator Kirketeg submitted the following report:

MR. PRESIDENT: Your committee on mines and mining, to which was referred House File 84, a bill for an act to amend section one thousand two hundred ninety-seven and one-tenth (1297.1), Code, 1939, relating to the firing of blasting shots in coal mines, begs leave to report it has had the same under consideration and returns the bill for consideration of Senate.

O. J. KIRKETEG, *Chairman*.

Ordered passed on file.

Senator Vittetoe submitted the following report:

MR. PRESIDENT: Your committee on public health, to which was referred Senate File 212, a bill for an act relating to the practice of dentistry, further defining the practice of dentistry, providing that certain persons making prosthetic dentures, bridges, artificial restorations, or other structures to be used or worn as substitutes for natural teeth, shall perform such work upon written order, etc., begs leave to report it has had the same under consideration and recommends the same do pass.

LUKE VITTETOE, *Chairman*.

Ordered passed on file.

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 230, a bill for an act to amend section 10013, Code, 1939, relating to pledges or assignments of life insurance policies and the proceeds and avails thereof, as collateral security, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 247, a bill for an act to repeal section 12772 and 12772.1, Code, 1939, as amended, and to enact a substitute therefor relating to the investment, reinvestment, exchange, retention, sale and management of property held in trust by fiduciaries, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *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 10348 and 10351, Code, 1939, relating to hotel keepers' lien and to extending the scope of said lien to include apartment houses, homes, rooming houses, and multiple dwelling houses, begs leave to report it has had the same under consideration and recommends the same do pass

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 171, a bill for an act to amend section 12018, Code, 1939, relating to appraisal of intestate estates of decedents without issue but leaving surviving spouses, and to provide for proof of value of such estates showing net value of \$7500 or less by sworn inventory of administrator by proof other than appraisals as now required, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Senate File 171 by striking from section 1, lines 16, 17, 18, and 19 and inserting in lieu thereof the following: "determine the actual value of any such estate and direct distribution accordingly."

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 274, a bill for an act to amend section 7328, Code, 1939, relating to inheritance tax and avoidance of administration, begs leave

to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Senator Faul submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred House File 217, a bill for an act relating to evidence of presumed death of persons missing in action, interned, beleaguered, besieged or captured by an enemy, 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 judiciary 1, to which was referred House File 216, a bill for an act relating to powers of attorney granted by persons serving in or present in the armed forces of the United States and others, 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 judiciary 1, to which was referred Senate File 217, a bill for an act to amend Code, 1939, by inserting a chapter (612.1) making it a criminal offense for any one to harbor or conceal any person for whose arrest a warrant or process has been issued, and defining the meaning of such offense and prescribing a penalty 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 judiciary 1, to which was referred Senate File 304, a bill for an act to repeal chapter 259, Laws of the 49th General Assembly, and amending section 7311, Code, 1939, relating to liens for inheritance taxes, 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 Pine submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles, to which was referred House File 38, a bill for an act to amend section five thousand one and fifteen hundredths (5001.15), Code, 1939, relating to the records required in connection with the original and renewal of registration of

motor vehicles, 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 Sharp submitted the following report:

MR. PRESIDENT: Your committee on social security, to which was referred Senate File 220, a bill for an act to amend chapter 71, Acts of 50th General Assembly of Iowa, relating to unemployment compensation, 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 220 by striking all of section 5 and inserting in lieu thereof the following:

"Sec. 5. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Gravity Independent, a newspaper published at Gravity, Iowa, and in the Madrid Register News, a newspaper published at Madrid, Iowa."

F. E. SHARP, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on social security, to which was referred Senate File 223, a bill for an act to amend chapter 77.2, Code, 1939; to amend section 1551.25-G-7, Code, 1939; all relating to unemployment compensation, begs leave to report it has had the same under consideration and recommends the same do pass.

F. E. SHARP, *Chairman*.

Ordered passed on file.

Senator Leo submitted the following report:

MR. PRESIDENT: Your committee on agriculture, to which was referred Senate File 313, a bill for an act to amend sections seven thousand five hundred sixty-three (7563), seven thousand five hundred sixty-four (7564), seven thousand five hundred sixty-five (7565), and seven thousand five hundred sixty-six (7566), relating to the clean-out of an outlet drainage district ditch and to the assessment of drainage districts outletting into said outlet ditch, 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.

Also:

MR. PRESIDENT: Your committee on agriculture, to which was referred Senate File 318, a bill for an act to amend the law as it appears in section seventy-five hundred fifty-six (7556), Code, 1939, relating to the repair and improvement of drainage ditches, 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.

Senator Henningsen submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 264, a bill for an act to amend section 6610.45, Code, 1939, relating to street improvements and sewers in commission governed cities and fixing a default and deficiency fund; and amending section 6610.10, Code, 1939, relating to the fixing of assessment values; and amending section 6610.60, Code, 1939, relating to the payment of deficits both known and undetermined, 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 cities and towns, to which was referred Senate File 41, a bill for an act to amend paragraph 2 of section 1, chapter 201 of the Acts of the Forty-ninth General Assembly, relating to the salaries of city assessors and deputy city assessors in cities under the commission form of government having a population of more than 60,000 and less than 125,000, begs leave to report it has had the same under consideration and returns the bill as amended without recommendation.

Amended in accordance with the amendment filed January 22, 1945 by Senator Berg.

O. H. HENNINGSEN, *Chairman.*

Ordered passed on file.

Senator Sjulin submitted the following report:

MR. PRESIDENT: Your committee on highways, to which was referred Senate Joint Resolution 3, a resolution for an act designating a part of U. S. highway 6 as "Grand Army of the Republic Highway", 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 highways, to which was referred Senate File 242, a bill for an act relating to secondary road maintenance, 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 highways, to which was referred Senate File 243, a bill for an act relating to a levy by board of supervisors for secondary road construction, 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 highways, to which was referred Senate File 275, a bill for an act relating to county boards of supervisors to operate county road machinery, 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 highways, to which was referred Senate File 378, a bill for an act relating to primary road fund, 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 highways, to which was referred Senate File 379, a bill for an act relating to the weighing and inspection of motor vehicles, 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.

AMENDMENTS FILED

Amend House File 25 as follows:

By striking from lines 5 and 6 the following words: "a particular park or portion thereof" and substituting in lieu thereof the following: "a portion of any park".

JOHN P. BERG.

Amend House File 101 as follows:

1. Amend section 2 by adding at the end thereof the following: Code section one thousand three hundred ninety (1390), Code, 1939, is amended by striking from lines 8 and 10 the word "six", and inserting in lieu thereof the word "eight".

2. Further amend House File 101 by adding a new section as follows: Code section one thousand three hundred ninety (1390), Code, 1939, is amended by striking from line 6 the word "sixty", and inserting in lieu thereof the words "sixty-six and two-thirds".

3. Further amend section 2 of House File 101 by striking from line 4 the word "eighteen" and inserting in lieu thereof the word "twenty".

E. K. BEKMAN.

GEORGE FAUL

A. D. CLEM.

Amend House File 101 by striking all of section 6.

FRANK D. MARTIN.

Amend Senate File 103 as follows:

1. Amend section 1 by striking from line 15 thereof, the word "earned" and substituting in lieu thereof the word "paid".

2. Amend section 4, subsection (A), by striking from lines 14 and 15 thereof the following: "prior to the expiration of his first payroll period".

3. Amend by renumbering the sections on page 5 of the bill from sections 6, 7 and 8 to 7, 8 and 9 respectively. F. E. SHARP.

Amend Senate File 171 by striking from section 1, lines 16, 17, 18 and 19, and inserting in lieu thereof the following: "determine the actual value of any such estate and direct distribution accordingly."

O. J. KIRKETEG.

Amend Senate File 220 by striking all of section 5 and inserting in lieu thereof the following:

"Sec. 5. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Gravity Independent, a newspaper published at Gravity, Iowa, and in the Madrid Register News, a newspaper published at Madrid, Iowa."

O. J. KIKETEG.

Amend Senate File 298 by striking from lines 8 and 9 of section 2 the following: "a period (.) after the word 'gift' in line 14 of said section." and inserting in lieu thereof the following: "in lieu thereof the words 'of any article of merchandise or other thing of value'."

LEO ELTHON.

Amend Senate File 293 as follows:

Add the following at the end of section 1:

"This paragraph shall in no wise be construed as prohibiting state, county, city and eleemosynary hospitals from arranging for, or employing the services of, medical and osteopathic interneers for the purpose of completing their education, or prohibiting the employment of pathologists and nurses in such institutions, nor shall this paragraph be construed to prevent lay owned drug stores, barber and cosmetology shops from employing licensed pharmacists, barbers or cosmetologists as the case may be; nor shall the provisions of this paragraph be construed to preclude utilities, industrial or railroad corporations from employing practitioners licensed under this title for the purpose of serving the health requirements of their employees." FRED CROMWELL.

Amend Senate File 309 as follows:

1. By striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section one thousand four hundred twenty-one (1421), Code, 1939, is amended by adding thereto a new paragraph as follows:

'Failure on the part of the employer to comply with the Child Labor Laws of this state shall not operate to relieve the employer from liability under this chapter and chapters seventy-one (71) and seventy-two (72), Code, 1939.'

2. By striking from the title all words after the words "An Act to amend" and inserting in lieu thereof the following:

"section one thousand four hundred twenty-one (1421), Code, 1939, by adding thereto a new paragraph relating to Workmen's Compensation for minors employed in violation of the Child Labor Laws of the State of Iowa, Code of 1939."

GEORGE FAUL.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 22, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Minister Ruby I. Jones, pastor of the Christian church, Van Wert, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file.

By Senator Byers, from residents of Marion, Polk and Linn counties, favoring local option.

By Senator Hart, from residents of Lee county, favoring revision of the school code.

By Senator Knudson, from residents of Cerro Gordo county, favoring veteran legislation.

By Senator Foster, from county officers of Henry county, favoring an increase in salaries of county officials.

By Senator Jacobson, from residents of Fayette county, favoring civil service and pension legislation.

INTRODUCTION OF BILLS

Senate File 391, by committee on public health, a bill for an act to amend chapters one hundred seven (107) and two hundred eighty-three (283), Code, 1939, relating to local boards of health and providing for a county board of health.

Read first and second times and placed on the calendar.

Senate File 392, by committee on motor vehicles, a bill for an act to amend section five thousand thirteen and nineteen hundredths (5013.19), Code, 1939, as amended by chapter one hundred fifty-eight (158), section nine (9), Acts of the 50th General Assembly, relating to the issuance of restricted licenses to minors who are under the age of sixteen (16) years.

Read first and second times and placed on the calendar.

Senate File 393, by committee on motor vehicles, a bill for an act to amend section five thousand thirteen and four hundredths (5013.04), subsection two (2), Code, 1939, section one (1), chapter one hundred seventy-three (173), Acts of the 49th General Assembly, relating to the operation of special types of motor vehicles.

Read first and second times and placed on the calendar.

Senate File 394, by committee on motor vehicles, a bill for an act to amend section five thousand thirty-two and five hundredths (5032.05), Code, 1939, by striking part of section as pertaining to chauffeurs over the age of sixteen (16) years and under the age of eighteen (18) years.

Read first and second times and placed on the calendar.

Senate File 395, by committee on social security, a bill for an act to extend the compensatory provisions of the workmen's compensation act to employers who have employees engaged in agriculture or agricultural pursuits and other employment not excluded from the act, and the employees of such employers.

Read first and second times and placed on the calendar.

Senate File 396, by committee on agriculture, a bill for an act to repeal chapter one hundred fifty-four and one tenth (154.1), Code, 1939, and to enact a substitute therefor, relating to agricultural lime.

Read first and second times and placed on the calendar.

Senate File 397, by committee on special school code, a bill for an act to amend chapter one hundred ninety-three (193), Code, 1939, and to repeal chapter one hundred ninety-four (194), Code, 1939, all relating to the board of educational examiners, certification of teachers, and high school normal training courses.

Read first and second times and placed on the calendar.

Senator Martin called up the following Senate concurrent resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 14

Whereas, Major Robert Lapham of Davenport, Iowa, has displayed great heroism, courage and initiative in the service of our armed forces in the Philippines, and

Whereas, Major Lapham and his brave band of Rangers and Filipino

guerillas rescued five hundred and thirteen veterans of Bataan and Corregidor from the Japanese prison camp near Cabu on Luzon Island, and

Whereas, Every member of the Fifty-first General Assembly of Iowa admires the courage and heroism on the part of Major Lapham, and desires to record their highest tribute and respect to Major Lapham, and

Whereas, This gallant Iowa officer has brought great honor to our state and nation, it is the desire of the General Assembly of Iowa to express, not only the gratitude of the General Assembly, but that of the families and friends of the brave men of our armed forces who have been liberated.

Therefore, Be It Resolved by the Senate, the House Concurring: That the Secretary of the Senate be authorized and directed to forward three copies of this resolution to Mr. and Mrs. C. E. Lapham, the father and mother of this gallant officer of our armed forces, to their home at Davenport, Iowa, with the request that each of them keep one copy and that a copy be forwarded to their son, Major Robert Lapham.

The resolution was adopted.

Senator Shaw called up the following Senate concurrent resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 13

Whereas, Congress annually for a long period has appropriated substantially more money than taxes levied; and

Whereas, The Federal government debt and need for operating funds in the postwar period will strain the fiscal foundations of our government; and

Whereas, Fiscal stability under these conditions demands a constitutional directive which within definite limitations would compel the levying of taxes in at least an amount sufficient to equal expenditures: Now, therefore,

Be It Resolved by the Senate of the State of Iowa, the House of Representatives concurring:

1. That the Congress of the United States be memorialized and urged to take immediate favorable action on Senate Joint Resolution 8, establishing a procedure by which Federal spending and Federal income would be balanced except in specified emergencies.

2. That a copy of this resolution be forwarded to the Vice President of the United States, the Speaker of the House of Representatives, and to each Iowa Senator and Member of the House of Representatives in the Congress of the United States.

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 178, a bill for an act making an appropriation to Muscatine county, Iowa.

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 the unexpended funds of appropriations made for aid to the blind.

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 the unexpended funds of appropriations made for aid to dependent children.

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

House File 328, a bill for an act relating to the allocation of revenue for old-age assistance.

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

House File 329, a bill for an act to make an appropriation for the payment of the cost of printing for the Fifty-first General Assembly.

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

Senate File 390, a bill for an act to extend the time for making annual statements and payment of premium taxes due for the calendar year 1944 by insurance companies and exchanges.

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

House Joint Resolution 4, providing that a survey be made of drainage district number 13 in Muscatine county.

Also: That the House has concurred in Senate amendments to and passed House File 208, creating an Iowa development commission.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 178, a bill for an act making an appropriation to Muscatine county, Iowa.

Read first and second times and passed on file.

House File 326, a bill for an act to amend section three thousand six hundred eighty-four and twenty-one hundredths (3684.21), Code, 1939, and to provide what shall be done at the end of each biennium with the unexpended funds remaining from any appropriations or allocation made by the state to the fund for aid to the blind.

Read first and second times and passed on file.

House File 327, a bill for an act to amend chapter one hundred thirty (130), Acts of the Fiftieth General Assembly, and to provide what shall be done at the end of each biennium with the unexpended funds remaining from any appropriation or allocation made by the state to the fund for aid to dependent children.

Read first and second times and passed on file.

House File 328, a bill for an act to amend chapter two hundred thirty-seven (237), Acts of the Forty-ninth General Assembly, relative to the allocation of revenue for old age assistance.

Read first and second times and passed on file.

House File 329, a bill for an act to make an appropriation for the payment of the cost of printing for the Fifty-first General Assembly.

Read first and second times and passed on file.

House Joint Resolution 4, a joint resolution to provide that a survey be made of drainage district No. 13 in Muscatine county with the purpose of abandoning said district and converting the area into a wildlife refuge.

Read first and second times and passed on file.

THIRD READING OF BILLS

On motion of Senator Cromwell, House Joint Resolution 2, a joint resolution establishing the rights of Des Moines county, Iowa, in the money judgment in favor of the state of Iowa and Des Moines county, Iowa, rendered May 17, 1944, in an action entitled United States of America, plaintiff, vs. Des Moines county, Iowa and the state of Iowa, defendants, in the district court of the United States for the southern district of Iowa, eastern division, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Cromwell 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, 47:

Augustine	Findlay	Leo	Ritchie
Barkley	Hart	Long	Rockhill
Bekman	Harvey	Love	Schluter
Benson	Hawkins	Lucas	Sharp
Berg	Henningsen	Lynes	Shaw
Byers	Hill	Martin	Sjulin
Clem	Jacobson	Mercer	Vittetoe
Cromwell	Jones	Miller	Vrba
Dewel	Keir	Mowry	Watson
Doud	Kirkeleg	Newsome	White
Dykhouse	Klein	Pine	Zastrow
Elthon	Knudson	Reilly	

Nays, none.

Absent or not voting, 3:

Paul	Foster	Hultman
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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 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.

On motion of Senator Berg, House File 25, a bill for an act to amend section five thousand seven hundred ninety-eight and one tenth (5798.1), Code, 1939, relating to the powers of park commissioners, and authorizing park commissioners to lease parks or portions thereof for the playing of professional baseball or other professional games, 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 House File 25 as follows:

By striking from lines 5 and 6 the following words: "a particular park or portion thereof" and substituting in lieu thereof the following: "a portion of any park".

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, 50:

Augustine	Benson	Clem	Doud
Barkley	Berg	Cromwell	Dykhouse
Bekman	Byers	Dewel	Elthon

Faul	Jones	Martin	Schluter
Findlay	Keir	Mercer	Sharp
Foster	Kirketeg	Miller	Shaw
Hart	Klein	Mowry	Sjulin
Harvey	Knudson	Newsome	Vittetoe
Hawkins	Leo	Pine	Vrba
Henningsen	Long	Reilly	Watson
Hill	Love	Ritchie	White
Hultman	Lucas	Rockhill	Zastrow
Jacobson	Lynes		

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 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 Byers, Senate File 177, a bill for an act to amend section eight thousand nine hundred nineteen (8919), Code, 1939, relating to the time for the holding of annual meeting for election of directors of insurance companies organized under chapter four hundred four (404), Code, 1939, 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, 50:

Augustine	Findlay	Knudson	Reilly
Barkley	Foster	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Benson	Harvey	Love	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Lynes	Shaw
Clem	Hill	Martin	Sjulin
Cromwell	Hultman	Mercer	Vittetoe
Dewel	Jacobson	Miller	Vrba
Doud	Jones	Mowry	Watson
Dykhouse	Keir	Newsome	White
Elthon	Kirketeg	Pine	Zastrow
Faul	Klein		

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 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 Shaw, Senate File 129, a bill for an act to amend section one thousand seven hundred ninety-four and ninety-eight thousandths (1794.098), Code, 1939, relating to requirements for fish and game licenses, 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, 50:

Augustine	Findlay	Knudson	Reilly
Barkley	Foster	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Benson	Harvey	Love	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Lynes	Shaw
Clem	Hill	Martin	Sjulin
Cromwell	Hultman	Mercer	Vittetoe
Dewel	Jacobson	Miller	Vrba
Doud	Jones	Mowry	Watson
Dykhouse	Keir	Newsome	White
Elthon	Kirketeg	Pine	Zastrow
Faul	Klein		

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 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 pro tempore Hart took the chair at 10:53 a. m.

On motion of Senator Cromwell, Senate File 54, a bill for an act to amend section six thousand nine hundred forty-three and seventy-six thousandths (6943.076), and section six thousand nine hundred forty-three and one hundred and three thousandths (6943.103), Code of Iowa, 1939, and providing for the imposition of a use tax upon sales of tangible personal property by the Government of the United States or any of its agencies to ultimate

consumers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Cromwell asked and received unanimous consent that further action on Senate File 54 be deferred and that it retain its place on the calendar.

On motion of Senator Sharp, Senate File 224, a bill for an act to amend chapter seventy-six and one tenth (76.1), Code, 1939, relating to Iowa commission for the blind, was taken up and considered.

Senator Sharp offered the following amendment and moved its adoption:

Amend Senate File 224 by adding the following: "Sec. 2. 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 the blind as provided in this act."

The amendment was adopted.

Senator Sharp moved that the bill be read a third 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	Klein	Reilly
Barkley	Foster	Knudson	Ritche
Bekman	Hart	Leo	Rockhill
Benson	Harvey	Long	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Lynes	Shaw
Clem	Hill	Martin	Sjulin
Cromwell	Hultman	Mercer	Vittetoe
Dewel	Jacobson	Miller	Vrba
Doud	Jones	Mowry	Watson
Dykhouse	Keir	Newsome	White
Faul	Kirketeg	Pine	Zastrow

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 Sharp moved that the vote by which the 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 40, a bill for an

act to amend section six thousand nine hundred forty-three and ninety-seven thousandths (6943.097), Code, 1939, as amended by chapter 236, Acts of the 49th General Assembly, relating to tax refunds, 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 40 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Chapter two hundred thirty-six (236), Acts of the Forty-ninth General Assembly, is amended by inserting after the word "refund" in line four (4) of section one (1) and after the word "refund" in line five (5) of section one (1) the words "or credit".

Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in The Cedar Rapids Gazette, a newspaper published in Cedar Rapids, Iowa, and in the Des Moines Daily Record, a newspaper published in Des Moines, Iowa."

Amend the title to House File 40 by striking all after the word "amend" in line one (1) thereof, and substituting in lieu thereof the following:

"chapter two hundred thirty-six (236), Acts of the Forty-ninth General Assembly, relating to tax refunds".

The amendment was adopted.

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

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

Ayes, 50:

Augustine	Findlay	Knudson	Reilly
Barkley	Foster	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Benson	Harvey	Love	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Lynes	Shaw
Clem	Hill	Martin	Sjulin
Cromwell	Hultman	Mercer	Vittetoe
Dewel	Jacobson	Miller	Vrba
Doud	Jones	Mowry	Watson
Dykhouse	Keir	Newsome	White
Elthon	Kirketeg	Pine	Zastrow
Faul	Klein		

Nays, none.

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

Senator Hill asked and received unanimous consent that Senate Rules 21 and 23 be suspended and that Senate File 199 be taken up at this time.

On motion of Senator Sjulín, Senate File 199, a bill for an act to provide facilities for qualified electors of the state of Iowa serving in the armed forces of the United States to vote at the primary and general elections in the year 1946 and each election year thereafter during the continuance of the present war and for one year thereafter, by casting absent voter's ballots and to that end to advance the dates for filing nomination papers, affidavits of candidacy, certificates of candidacies and nominations by modifying the provisions of sections five hundred thirty-seven (537), five hundred thirty-nine (539), five hundred forty-seven (547), five hundred forty-eight (548), six hundred one (601), and six hundred seventeen (617), Code, 1939, to modify the provisions of chapters 37.1 and 37.2, Code, 1939, as to time of filing nominations and candidacies, objections, withdrawals, making certifications which are provided for in sections six hundred fifty-five and four hundredths (655.04), six hundred fifty-five and nine hundredths (655.09), and six hundred fifty-five and fourteen hundredths (655.14), Code, 1939; also amending section seven hundred seventy-four (774), Code 1939, relating to cost of printing absent voter's ballots; also amending section nine hundred thirty-seven (937), Code, 1939, relating to time when qualified voters in the armed forces may vote personally; to modify the provisions as to registration and absent voting insofar as it shall apply to voters in the armed forces of the United States by making sections nine hundred twenty-eight (928), nine hundred thirty (930) and nine hundred thirty-one (931), Code, 1939, inapplicable to such voting, and providing the method of obtaining ballots and authorizing specially printed war ballots; creating and prescribing the duties and powers of the Iowa war ballot commission; providing for obtaining and distributing by the state printing board of specially required materials, and making appropriations for carrying out the provisions of this act, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

1. Amend section 8, line 10, by striking the word and figures "eighty (80)" and inserting in lieu thereof the word and figures "seventy (70)".
2. Amend section 9 as follows:
 - a. In line 7 strike the words and figures "eighty-five (85)" and insert in lieu thereof the words and figures "seventy-five (75)".
 - b. In lines 9 and 10 strike the words and figures "seventy-five (75)" and insert in lieu thereof the words and figures "sixty-five (65)".
 - c. In lines 11 and 12 strike therefrom the words and figures "eighty-five (85) or seventy-five (75)" and insert in lieu thereof the words and figures "eighty (80) or seventy (70)".
 - d. In line 14 strike the word and figures "eighty (80)" and insert in lieu thereof the words and figures "seventy-five (75)".
 - e. In line 17 strike the word and figures "seventy (70)" and insert in lieu thereof the words and figures "sixty-five (65)".
3. Amend section 10 as follows:
 - a. In line 7 strike the words and figures "eighty-five (85)" and insert in lieu thereof the words and figures "seventy-five (75)".
 - b. In line 8 strike the words and figures "seventy-five (75)" and insert in lieu thereof the words and figures "sixty-five (65)".
4. Amend section 21 as follows:
Amend by striking the word "at" at the end of line 9.
5. Amend section 22 as follows:
Amend by striking the word "to" at the end of line 1.

The amendment was adopted.

Senator Sjulín moved that the bill be read a third 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	Kirketeg	Pine
Barkley	Findlay	Klein	Reilly
Bekman	Foster	Knudson	Ritchie
Benson	Hart	Leo	Rockhill
Berg	Harvey	Long	Schluter
Byers	Hawkins	Love	Sharp
Clem	Henningsen	Lynes	Shaw
Cromwell	Hill	Martin	Sjulín
Dewel	Hultman	Mercer	Vittetoe
Doud	Jacobson	Miller	Vrba
Dykhouse	Jones	Mowry	Watson
Elthon	Keir	Newsome	White

Nays, none.

Absent or not voting, 2:

Lucas Zastrow

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

Senator Sjulín moved that the 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 that Senate Rules 21 and 23 be suspended and that House File 329 be taken up at this time.

On motion of Senator Long, House File 329, a bill for an act to make an appropriation for the payment of the cost of printing for the Fifty-first General Assembly, 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, 49:

Augustine	Findlay	Klein	Pine
Barkley	Foster	Knudson	Reilly
Bekman	Hart	Leo	Ritchie
Benson	Harvey	Long	Rockhill
Berg	Hawkins	Love	Schluter
Byers	Henningsen	Lucas	Sharp
Clem	Hill	Lynes	Shaw
Cromwell	Hultman	Mercer	Sjulin
Dewel	Jacobson	Martin	Vittetoe
Doud	Jones	Miller	Vrba
Dykhouse	Keir	Mowry	Watson
Elthon	Kirketeg	Newsome	White
Faul			

Nays, none.

Absent or not voting, 1:

Zastrow

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.

President Evans took the chair at 11:41 a. m.

On motion of Senator Byers, Senate File 57, a bill for an act to amend sections nine thousand three hundred twenty-nine (9329), nine thousand three hundred forty and one hundredth (9340.01) as amended by chapter two hundred forty-five (245), Acts of the Fiftieth General Assembly, nine thousand three hundred forty and eight hundredths (9340.08), nine thousand three hundred forty-seven (9347), nine thousand three hundred forty-seven and one tenth (9347.1), nine thousand three hundred fifty-

three (9353), nine thousand three hundred fifty-four and one tenth (9354.1), nine thousand three hundred sixty-three (9363), and nine thousand three hundred sixty-eight (9368), Code, 1939, relating to loans, investments, powers, operation, and supervision of building and loan and savings and loan associations, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Byers offered the following amendment and moved its adoption:

Amend Senate File 57 by striking all after the enacting clause, and substituting in lieu thereof the following:

Section 1. Section nine thousand three hundred forty and eight hundredths (9340.08), Code, 1939, is hereby amended by striking the word "fifteen" in line 5 thereof and inserting in lieu thereof the word "twenty", and by striking the period (.) in line 32 thereof, and inserting in lieu thereof a semicolon (;), and inserting following said semicolon the following: "also provided, however, that loans may be made under and in compliance with the Service Men's Re-Adjustment Act of 1944, and pursuant to all of the provisions thereof."

Sec. 2. Section nine thousand three hundred twenty-nine (9329), Code, 1939, is hereby amended by adding thereto the following subsection:

"11. Any such association which is a member of a federal home loan bank shall have power to act as fiscal agent of the United States and, when designated for the purpose by the Secretary of the Treasury, it shall perform under such regulations as he may prescribe all such reasonable duties as fiscal agent of the United States as he may require, and shall have power to act as agent for any United States Government instrumentality."

Sec. 3. Chapter two hundred forty-five (245), Acts of the Fiftieth General Assembly, is hereby amended by striking from line 6 thereof the figure "25%" and inserting in lieu thereof the figure "50%".

Sec. 4. This act, being deemed of immediate importance, shall take effect from and after its publication in the Cedar Rapids Tribune, a newspaper published at Cedar Rapids, Iowa, and the Ames Daily Tribune, a newspaper published at Ames, Iowa.

Further amend Senate File 57 by striking the entire title and inserting in lieu thereof the following:

"An Act to amend section nine thousand three hundred forty and eight hundredths (9340.08), section nine thousand three hundred twenty-nine (9329), Code, 1939, and chapter two hundred forty-five (245), Acts of the Fiftieth General Assembly, relating to loans, investments, and powers of building and loan and savings and loan associations."

The amendment was adopted.

The following committee amendment was considered:

Amend Senate File 57 by striking lines 42 to 51, inclusive, from section 1 thereof.

Senator Clem asked and received unanimous consent to withdraw the committee amendment.

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, 49:

Augustine	Findlay	Knudson	Reilly
Barkley	Foster	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Benson	Harvey	Love	Schluter
Berg	Henningsen	Lucas	Sharp
Byers	Hill	Lynes	Shaw
Clem	Hultman	Martin	Sjulin
Cromwell	Jacobson	Mercer	Vittetoe
Dewel	Jones	Miller	Vrba
Doud	Keir	Mowry	Watson
Dykhouse	Kirketeg	Newsome	White
Elthon	Klein	Pine	Zastrow
Faul			

Nays, none.

Absent or not voting, 1:

Hawkins

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

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

PRESENTATION OF VISITORS

Senator Jones asked and received unanimous consent to present to the Senate eighty students of the Indianola high school who were present in the balcony.

On motion of Senator Elthon, the Senate recessed until 1:00 p. m.

AFTERNOON SESSION

The Senate resumed regular session, President Evans presiding.

THIRD READING OF BILLS

On motion of Senator Sharp, Senate File 101, a bill for an act to amend the law as it appears in chapters seventy (70) and seventy-one (71), Code, 1939, and sections one thousand three hun-

dred eight-seven (1387), one thousand three hundred ninety (1390), one thousand three hundred ninety-one (1391), one thousand three hundred ninety-three (1393), one thousand three hundred ninety-four (1394), and one thousand four hundred fifty-seven (1457) thereof, relating to workmen's compensation, fixing the maximum amount of weekly compensation, fixing the time when compensation shall be payable, reducing the waiting period before commencement of payments, and fixing the time within which an award or settlement may be reviewed, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Sharp asked and received unanimous consent that House File 101 be substituted for Senate File 101, a companion bill.

On motion of Senator Sharp, House File 101, a bill for an act to amend the law as it appears in chapters seventy (70) and seventy-one (71), Code, 1939, and sections one thousand three hundred eighty-seven (1387), one thousand three hundred ninety (1390), one thousand three hundred ninety-one (1391), one thousand three hundred ninety-three (1393), one thousand three hundred ninety-four (1394), and one thousand four hundred fifty-seven (1457) thereof, relating to workmen's compensation, fixing the maximum amount of weekly compensation, fixing the time when compensation shall be payable, reducing the waiting period before commencement of payments, and fixing the time within which an award or settlement may be reviewed, was taken up and considered.

Senator Bekman offered the following amendments by Senators Bekman, Faul and Clem:

1. Amend section 2 by adding at the end thereof the following: Code section one thousand three hundred ninety (1390), Code, 1939, is amended by striking from lines 8 and 10 the word "six", and inserting in lieu thereof the word "eight".

2. Further amend House File 101 by adding a new section as follows: Code section one thousand three hundred ninety (1390), Code, 1939, is amended by striking from line 6 the word "sixty", and inserting in lieu thereof the words "sixty-six and two-thirds".

3. Further amend section 2 of House File 101 by striking from line 4 the word "eighteen" and inserting in lieu thereof the word "twenty".

Senator Bekman moved the adoption of section 1 of the amendment.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 23:

Augustine	Clem	Klein	Shaw
Barkley	Faul	Martin	Vrba
Bekman	Findlay	Mowry	Watson
Benson	Hawkins	Reilly	White
Berg	Jacobson	Rockhill	Zastrow
Byers	Jones	Schluter	

Nays, 21:

Cromwell	Hill	Long	Pine
Doud	Hultman	Love	Ritchie
Dykhouse	Keir	Lucas	Sharp
Elthon	Kirketeg	Mercer	Sjulin
Foster	Leo	Newsome	Vittetoe
Harvey			

Absent or not voting, 6:

Dewel	Henningsen	Lynes	Miller
Hart	Knudson		

Section 1 of the amendment was adopted.

Senator Bekman moved the adoption of section 2 of the amendment.

Roll call was demanded.

Rule 8 was invoked.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 24:

Augustine	Faul	Klein	Schluter
Barkley	Findlay	Martin	Shaw
Bekman	Hawkins	Miller	Vrba
Benson	Henningsen	Mowry	Watson
Byers	Jacobson	Reilly	White
Clem	Jones	Rockhill	Zastrow

Nays, 26:

Berg	Hart	Leo	Newsome
Cromwell	Harvey	Long	Pine
Dewel	Hill	Love	Ritchie
Doud	Hultman	Lucas	Sharp
Dykhouse	Keir	Lynes	Sjulin
Elthon	Kirketeg	Mercer	Vittetoe
Foster	Knudson		

Absent or not voting, none.

Section 2 of the amendment was lost.

Senator Bekman moved the adoption of section 3 of the amendment.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 19:

Augustine	Clem	Martin	Vrba
Barkley	Faul	Miller	Watson
Bekman	Findlay	Mowry	White
Benson	Henningsen	Reilly	Zastrow
Byers	Klein	Shaw	

Nays, 31:

Berg	Harvey	Knudson	Pine
Cromwell	Hawkins	Leo	Ritchie
Dewel	Hill	Long	Rockhill
Doud	Hultman	Love	Schluter
Dykhouse	Jacobson	Lucas	Sharp
Elthon	Jones	Lynes	Sjulin
Foster	Keir	Mercer	Vittetoe
Hart	Kirketeg	Newsome	

Absent or not voting, none.

Section 3 of the amendment was lost.

Senator Martin offered the following amendment and moved its adoption:

Amend House File 101 by striking all of section 6.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 22:

Augustine	Elthon	Jacobson	Reilly
Barkley	Faul	Jones	Ritchie
Bekman	Findlay	Lynes	Rockhill
Benson	Foster	Martin	Vrba
Clem	Hawkins	Mowry	Watson
Doud	Henningsen		

Nays, 21:

Dewel	Kirketeg	Love	Sharp
Dykhouse	Klein	Lucas	Shaw
Harvey	Knudson	Mercer	Sjulin
Hill	Leo	Newsome	Vittetoe
Hultman	Long	Schluter	White
Keir			

Absent or not voting, 7:

Berg	Cromwell	Miller	Zastrow
Byers	Hart	Pine	

The amendment was adopted.

Senator Sharp asked and received unanimous consent to correct the title.

Senator Sharp moved that the bill be read a third 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	Knudson	Pine
Barkley	Foster	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Benson	Harvey	Love	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Lynes	Shaw
Clem	Hill	Martin	Sjulin
Cromwell	Hultman	Mercer	Vittetoe
Dewel	Jacobson	Miller	Vrba
Doud	Jones	Mowry	Watson
Dykhouse	Keir	Newsome	White
Elthon	Kirketeg	Reilly	Zastrow
Faul	Klein		

Nays, none.

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 Sharp submitted the following amendment to the title:

Substitute a period in place of the comma after the word "payment" in line 11 and strike the remainder of the title.

Senator Sharp moved that the 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 WITHDRAWN FROM FURTHER CONSIDERATION

Senator Sharp asked and received unanimous consent to withdraw from further consideration of the Senate, Senate File 101.

Senator Sharp called up Senate File 105, a bill for an act to amend section one thousand five hundred fifty-one and thirteen hundredths (1551.13), Code, 1939, relating to unemployment compensation contributions so as to permit voluntary payments or contributions by employers.

Senator Sharp asked and received unanimous consent that House File 103 be substituted for Senate File 105, a companion bill.

On motion of Senator Sharp, House File 103, a bill for an act to amend section one thousand five hundred fifty-one and thirteen hundredths (1551.13), Code, 1939, relating to unemployment compensation contributions so as to permit voluntary payments or contributions by employees, was taken up and considered.

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

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

Ayse, 47:

Augustine	Findlay	Leo	Reilly
Barkley	Hart	Long	Rockhill
Bekman	Harvey	Love	Schluter
Benson	Hawkins	Lucas	Sharp
Berg	Henningsen	Lynes	Shaw
Byers	Hill	Martin	Sjulin
Clem	Hultman	Mercer	Vittetoe
Cromwell	Jacobson	Miller	Vrba
Dewel	Jones	Mowry	Watson
Doud	Kirketeg	Newsome	White
Dykhouse	Klein	Pine	Zastrow
Elthon	Knudson		

Nays, none.

Absent or not voting, 3:

Faul	Foster	Ritchie
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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 Sharp moved that the 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 WITHDRAWN FROM FURTHER CONSIDERATION

Senator Sharp asked and received unanimous consent to withdraw from further consideration of the Senate, Senate File 105.

On motion of Senator Sharp, Senate File 102, a bill for an act to amend the law as it appears in chapter seventy (70), Code, 1939, and also sections one thousand three hundred ninety-two (1392) and one thousand three hundred ninety-seven (1397), relating to workmen's compensation so as to provide for the payment of compensation to certain employees for certain second injuries, to provide for a second injury fund and for the making of contributions thereto and providing for the administration of the act, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Sharp moved that the bill be read a third 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:

Barkley	Hart	Leo	Ritchie
Bekman	Harvey	Long	Rockhill
Benson	Hawkins	Love	Schluter
Berg	Henningsen	Lucas	Sharp
Byers	Hill	Lynes	Shaw
Clem	Hultman	Martin	Sjulin
Cromwell	Jacobson	Mercer	Vittetoe
Dewel	Jones	Miller	Vrba
Doud	Keir	Mowry	Watson
Dykhouse	Kirketeg	Newsome	White
Elthon	Klein	Pine	Zastrow
Findlay	Knudson	Reilly	

Nays, none.

Absent or not voting, 3:

Augustine	Faul	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 Sharp moved that the vote by which the 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 three thousand eight hundred twenty-eight and fifty-one thousandths (3828.051), to repeal section three thousand eight hundred twenty-eight and fifty-three thousandths (3828.053), to amend section three thousand eight hundred twenty-eight and fifty-five thousandths (3828.055), to amend section three thousand eight hundred twenty-eight and fifty-six thousandths (3828.056), to repeal section three thousand eight hundred twenty-eight and fifty-seven thousandths (3828.057), to amend section three thousand eight hundred twenty-eight and fifty-eight thousandths (3828.058), to amend section three thousand eight hundred twenty-eight and sixty-one thousandths (3828.061), to amend section three thousand eight hundred twenty-eight and sixty-four thousandths (3828.064), and to amend section three thousand eight hundred twenty-eight and sixty-five thousandths (3828.065), Code, 1939, relating to relief for honorably discharged men and women of the United States who have served in the military or naval forces of the United States during any war in which the United States was engaged, 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 2 by striking from line 5, section 4, thereof the word "secretarial" and inserting in lieu thereof the word "administrative".

The amendment was adopted.

Senator Berg offered the following amendment and moved its adoption:

Amend Senate File 2 as follows:

Amend Senate File 2 by inserting in line four (4) of section ten (10) thereof after the word "prepare" the words "sample copies of", and by striking after the word "commissions" in line seven (7) of section ten (10) the rest of said section and by inserting in lieu thereof the following:

"and this uniform system of accounting and case records shall be used by the several counties."

The amendment was adopted.

Senator Cromwell offered the following amendment and moved its adoption:

Amend Senate File 2 as follows:

1. In line 12, of section 5, after the word "year" insert the following: "together with a list of those found to be entitled to relief and sum to be paid in each case,"

2. In line 13, of section 5, after the word "budget" insert the following: "and said list".

3. Strike section 6.

Senator Cromwell asked and received unanimous consent that further action on Senate File 2 be deferred and that it retain its place on the calendar.

On motion of Senator Kirketeg, Senate File 64, a bill for an act relating to firing blasting shots in coal mines, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bekman asked and received unanimous consent that House File 84 be substituted for Senate File 64, a companion bill.

On motion of Senator Bekman, House File 84, a bill for an act to amend section one thousand two hundred ninety-seven and one tenth (1297.1), Code, 1939, relating to the firing of blasting shots in coal mines, 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:

1. Amend House File 84 by striking out the words "mine inspector in the district where the mine is located", occurring in section 1, paragraph 1 thereof, and substituting in lieu thereof "mine inspectors of the State of Iowa".

2. By striking out the words "mine inspector in the district where the mine is located" occurring in section 1, paragraph 2 thereof, and substituting in lieu thereof "mine inspectors of the State of Iowa".

3. By striking out the word "insure" occurring in section 1, paragraph 2 thereof, and substituting in lieu thereof the word "safeguard".

In accordance with House Concurrent Resolution 11, the President announced the following committee on justice of peace courts: Hawkins, chairman; Shaw and White.

SIFTING COMMITTEE APPOINTED

In accordance with Senate Rule 38, the President appointed the following Senators on the sifting committee: Hart, chairman; Lynes, ranking member; Byers, Cromwell, Dewel, Hill, Hultman, Keir, Klein, Mowry and Watson.

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 149, and House Files 144, 212, 213, 214, and 297.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *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 149, and House Files 144, 212, 213, 214, and 297.

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 22nd day of February, 1945, sent to the governor for his approval, Senate File 149.

ROBERT C. REILLY, *Chairman.*

Passed on file.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 22nd he had approved the following bill:

Senate File 149, relating to teachers' contracts, their continuation and termination.

BILLS ASSIGNED TO COMMITTEES

President Evans announced the following assignment of bills to committees:

Bill No.	Committee Assignment
S. F. 349	Appropriations.
H. F. 122	Special School Code.
H. F. 130	Special School Code.
H. F. 132	Special School Code.
H. F. 133	Special School Code.

REPORTS OF COMMITTEES

Senator Bekman submitted the following report:

MR. PRESIDENT: Your committee on insurance, to which was referred Senate File 345, a bill for an act to amend sections 8684.02 and 8685.03, Code, 1939, as amended, to authorize incorporated nonprofit industrial associations, organized for purposes other than obtaining insurance, to procure group insurance on the lives of employees of the members of such associations subject to certain restrictions, 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 insurance, to which was referred Senate File 361, a bill for an act authorizing any department, board, commission, institution (educational or otherwise) or other body of the state of Iowa supported in whole or in part by public funds, to procure group insurance for their respective employees, and authorizing the officials in charge of any such bodies to use moneys appropriated for administrative purposes in the respective bodies, and to make salary deductions from employees under their supervision in payment of premium for such 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.

Senator Lucas submitted the following report:

MR. PRESIDENT: Your committee on printing, to which was referred

Senate File 321, a bill for an act to amend section five thousand seven hundred twenty-three (5723), Code, 1939, relating to the costs of official publications, begs leave to report it has had the same under consideration and recommends the same do pass.

J. G. LUCAS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on printing, to which was referred Senate File 323, a bill for an act to amend section five thousand four hundred twelve (5412), Code, 1939, relating to the costs of official publications, begs leave to report it has had the same under consideration and recommends the same do pass.

J. G. LUCAS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on printing, to which was referred Senate File 340, a bill for an act to authorize the governing body of any municipality or other subdivision of the state to publish notices of matters of general public importance, begs leave to report it has had the same under consideration and recommends the same do pass.

J. G. LUCAS, *Chairman*.

Ordered passed on file.

Senator Ritchie submitted the following report:

MR. PRESIDENT: Your committee on governmental affairs, to which was referred Senate File 267, a bill for an act to amend chapter 189.5, Code, 1939, relating to the death of inmates of a county home, begs leave to report it has had the same under consideration and recommends the same do pass.

FRED J. RITCHIE, *Chairman*.

Ordered passed on file.

Senator Martin submitted the following report:

MR. PRESIDENT: Your committee on labor, to which was referred Senate File 119, 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, begs leave to report it has had the same under consideration and recommends the same be amended in accordance with the Kirketeg amendment, filed February 15, and the Doud amendment, filed February 15, and when so amended the bill do pass.

FRANK D. MARTIN, *Chairman*.

Ordered passed on file.

Senator Dykhouse submitted the following report:

MR. PRESIDENT: Your committee on ways and means, to which was

referred Senate File 229, a bill for an act to amend section 4644.11, Code, 1939, relating to secondary roads and optional maintenance levies, 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 ways and means, to which was referred Senate File 300, a bill for an act to amend section 6943.149, Code, 1939, relating to preservation of records on homestead tax credits, 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 ways and means, to which was referred Senate File 368, a bill for an act relating to the tax levy for maintaining secondary roads, 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 ways and means, to which was referred Senate File 377, a bill for an act to amend chapter 240, Code, 1939, relating to constructing, repairing, and maintaining the secondary road and bridge systems of the county and to provide for an assessment or levy of taxes therefor, 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.

AMENDMENTS FILED

Amend House Joint Resolution 4 as follows:

1. By striking the word "is" in section 1, line 1, and inserting in lieu thereof the words "and the Committee on Retrenchment and Reform are".
2. By inserting after the word "Commission" in section 2, line 1, the words "on recommendation of the Committee on Retrenchment and Reform".

ROSS R. MOWBY.

HOUSE JOINT RESOLUTION 4

Amend House Joint Resolution 4 as follows:

Strike from line 1 of section 1 the words "state conservation commission" and insert in lieu thereof the words "committee on retrenchment and reform".

Strike from line 1 of section 2 the words "state conservation commis-

sion" and insert in lieu thereof the words "committee on retrenchment and reform".

ALDEN L. DOUD.

J. KENDALL LYNES.

Amend Senate File 2 by adding the following section:

"The soldiers relief commission of each county shall be charged with securing the information requested by the Adjutant General's office of every person having a service record buried in that county. Such information shall be secured from the undertaker in charge of the burial and shall be transmitted by him to the soldiers relief commission of the county where burial is made and shall be recorded alphabetically and by description of location in the cemetery where buried, in a book as prescribed by the Adjutant General and kept for that purpose in the office of the commission."

HERMAN M. KNUDSON.

Amend Senate File 2 as follows:

1. Add the following at the end of section 5:

"At such annual meeting it shall likewise submit to the board of supervisors a certified list of those to whom relief has been granted and the sum paid to each person or estate of deceased veteran, during the preceding fiscal year and under the provisions of this chapter."

2. Striking section 6.

3. Renumbering the remaining sections.

FRED CROMWELL.

Amend Senate File 54 by striking from line 4 of section 1 the word "sales" and substituting in lieu thereof the word "purchases". Also by striking from line 4 the word "by" and inserting in lieu thereof the word "from".

Further amend by striking from line 4 of section 2 the word "sales" and substituting in lieu thereof the word "purchases", also by striking from line 4 the word "by" and inserting in lieu thereof the word "from".

Further amend the title by striking from line 5 the word "sales" and substituting in lieu thereof the word "purchases" and by striking from line 6 the word "by" following the word "property" and substituting in lieu thereof the word "from".

EDWIN C. SCHLUTER.

Amend Senate File 54 by adding thereto the following:

Sec. 3. This act shall not apply to purchases made by counties or municipal corporations.

Further amend by renumbering the following section.

IRVING D. LONG.

Amend Senate File 54 by adding to section two (2) thereof, the following: "Industrial materials and equipment owned by the Federal Government within the State of Iowa of a character not ordinarily readily obtainable within the state, shall not be subject to use tax when sold, if such industrial materials and equipment would not be subject to use tax if such were sold outside of the state for use in Iowa."

FRED CROMWELL.

Amend Senate File 93 by striking from lines 6 and 7 thereof the

words and figures "three thousand five hundred dollars (\$3,500)" and inserting in lieu thereof "four thousand dollars (\$4,000)."

Further amend by striking from line 11 the words "five hundred".

Further amend by striking from line 12 the figures "\$4,500" and inserting in lieu thereof the figures "\$4,000".

Further amend by striking the entire last sentence of the bill beginning with the word "Upon" in line 13 thereof. O. H. HENNINGSEN.

Amend House File 122 by striking all after the enacting clause and by inserting in lieu thereof the following:

"Section 1. Section four thousand three hundred forty-one (4341), Code, 1939, as amended by chapter one hundred sixty-five (165), Acts of the forty-ninth General Assembly, is amended by striking all of said section and by inserting in lieu thereof the following:

"1. A teacher holding a limited elementary certificate who has not completed any standard college work shall be paid a minimum wage of not less than eighty (\$80) dollars per month.

2. A teacher holding a limited elementary certificate who has completed at least fifteen (15) semester hours of standard college work shall be paid a minimum wage of not less than eighty-five (\$85) dollars per month.

3. A teacher holding a limited elementary certificate who has completed at least thirty (30) semester hours of standard college work shall be paid a minimum wage of not less than ninety (\$90) dollars per month.

4. A teacher holding a limited elementary certificate who has completed at least forty-five (45) semester hours of standard college work shall be paid a minimum wage of not less than ninety-five (\$95) dollars per month.

5. A teacher holding a limited elementary certificate who has completed sixty (60) or more semester hours of standard college work shall be paid a minimum wage of not less than one hundred (\$100) dollars per month."

Provided, that nothing herein shall be construed as limiting the right of a school board to make a contract for a higher wage than herein specified as a minimum.

JOHN P. BERG.

ROBERT KEIR.

Amend Senate File 141 by striking section 5 and substituting in lieu thereof as section 5 the following:

"Sec. 5. The county recorder may from time to time by published notice, request the filing of such documents as are referred to herein for the purpose of recording. Any expense incident to such notice shall be paid as an expense of the county recorder's office upon bills filed with the board of supervisors."

R. A. ROCKHILL.

Amend Senate File 220 as follows:

Strike the word and figure "eight (8)" in line 3 of section 1, and insert in lieu thereof the word and figure "nine (9)". F. E. SHARP.

On motion of Senator Hill, the Senate adjourned unail 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 23, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend Russell G. Nye, pastor of the Methodist church, Wapello, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Love, from residents of Madison county, favoring revision of the school code.

By Senator Ritchie, from residents of Davis county, favoring proposed pension legislation.

By Senator Hart, from residents of Lee county, favoring revision of the school code.

By Senator Barkley, from residents of Davis county, favoring proposed pension legislation; also, from residents of Appanoose county, favoring local option.

By Senator Pine, from residents of Louisa county, favoring an increase in salaries for county officials.

By Senator Vittetoe, from residents of Poweshiek county, favoring revision of the school code.

INTRODUCTION OF BILLS

Senate Joint Resolution 7, by committee on public lands and buildings, a joint resolution providing for the appointment of a state building code council by the Governor to prepare a modern and uniform state building code together with a proposed revision and codification of the laws of Iowa relating to building construction, providing for the scope of the work of the council, providing for a report of the council to the Governor, and making an appropriation to carry out the provisions of the resolution.

Read first and second times and passed on file.

Senator Mowry called up the following House concurrent resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION 9

Whereas, The 49th General Assembly memorialized the Congress of the United States, by the passage of House Concurrent Resolution 15, urging the submission of an amendment to the Federal Constitution for ratification by three-fourths of the various states, which amendment among other things proposed to place a limit of twenty-five per cent on the amount of tax that might be levied and collected on incomes, inheritances, and transfers of property; and

Whereas, Said House Concurrent Resolution may be found set out in full on pages 395 and 396 of the House Journal of 1941; and

Whereas, In the 2d session of the 78th Congress a similar amendment was proposed for ratification known as Senate Joint Resolution 160; and

Whereas, Since the adoption of said memorial to Congress known as House Concurrent Resolution 15, events and circumstances have arisen which have increased the National debt to unprecedented heights the payment of which will be greatly jeopardized if such limitation is placed upon the taxing power of Congress since a substantial source of revenue from those persons with large incomes will be irretrievably lost; and

Whereas, The size of the National debt is a matter of great concern to the people of the state of Iowa, the ultimate payment of which is deemed imperatively necessary, and the General Assembly, as now constituted, believes it would be a grave mistake to place such limitation on the taxing power of Congress; now, therefore,

Be It Resolved by the House of Representatives of the State of Iowa, the Senate Concurring: That the Congress of the United States is hereby memorialized that the General Assembly of the State of Iowa is opposed to any constitutional limitation being placed on the taxing power of Congress under present conditions. The action of the 49th General Assembly heretofore referred to is rescinded.

Senator Byers moved that action on the motion by Senator Mowry be deferred, which motion prevailed.

UNFINISHED BUSINESS

Senator Faul called up Senate File 2, a bill for an act to amend section three thousand eight hundred twenty-eight and fifty-one thousandths (3828.051), to repeal section three thousand eight hundred twenty-eight and fifty-three thousandths (3828.053), to amend section three thousand eight hundred twenty-eight and fifty-five thousandths (3828.055), to amend section three thousand eight hundred twenty-eight and fifty-six thousandths (3828.056), to repeal section three thousand eight hundred twenty-eight and fifty-seven thousandths (3828.057), to amend section three thousand eight hundred twenty-eight and

fifty-eight thousandths (3828.058), to amend section three thousand eight hundred twenty-eight and sixty-one thousandths (3828.061), to amend section three thousand eight hundred twenty-eight and sixty-four thousandths (3828.064), and to amend section three thousand eight hundred twenty-eight and sixty-five thousandths (3828.065), Code, 1939, relating to relief for honorably discharged men or women of the United States who have served in the military or naval forces of the United States during any war in which the United States was engaged.

Senator Cromwell asked and received unanimous consent to withdraw the amendment to Senate File 2 filed by him on February 7 and found on page 284 of the Senate Journal.

Senator Cromwell offered the following amendment and moved its adoption:

1. Add the following at the end of section 5:

"At such annual meeting it shall likewise submit to the board of supervisors a certified list of those to whom relief has been granted and the sum paid to each person or estate of deceased veteran, during the preceding fiscal year and under the provisions of this chapter."

2. Striking section 6.

3. Renumbering the remaining sections.

The amendment was adopted.

Senator Knudson offered the following amendment and moved its adoption:

Amend Senate File 2 by adding the following section:

"The soldiers relief commission of each county shall be charged with securing the information requested by the Adjutant General's office of every person having a service record buried in that county. Such information shall be secured from the undertaker in charge of the burial and shall be transmitted by him to the soldiers relief commission of the county where burial is made and shall be recorded alphabetically and by description of location in the cemetery where buried, in a book as prescribed by the Adjutant General and kept for that purpose in the office of the commission."

The amendment was adopted.

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

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

Ayes, 50:

Augustine
Barkley
Bekman

Benson
Berg
Byers

Clem
Cromwell
Dewel

Doud
Dykhouse
Elthon

Faul	Jones	Martin	Schluter
Findlay	Keir	Mercer	Sharp
Foster	Kirketeg	Miller	Shaw
Hart	Klein	Mowry	Sjulin
Harvey	Knudson	Newsome	Vittetoe
Hawkins	Leo	Pine	Vrba
Henningsen	Long	Reilly	Watson
Hill	Love	Ritchie	White
Hultman	Lucas	Rockhill	Zastrow
Jacobson	Lynes		

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 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 Bekman called up House File 84, a bill for an act to amend section one thousand two hundred ninety-seven and one tenth (1297.1), Code, 1939, relating to the firing of blasting shots in coal mines.

Senator Bekman called up the following amendments and moved their adoption:

1. Amend House File 84 by striking out the words "mine inspector in the district where the mine is located", occurring in section 1, paragraph 1 thereof, and substituting in lieu thereof "mine inspector of the State of Iowa".
2. By striking out the words "mine inspector in the district where the mine is located" occurring in section 1, paragraph 2 thereof, and substituting in lieu thereof "mine inspector of the State of Iowa".
3. By striking out the word "insure" occurring in section 1, paragraph 2 thereof, and substituting in lieu thereof the word "safeguard".

The amendments were adopted.

Senator Klein offered the following amendment and moved its adoption:

Amend House File 84 by adding to section 1 thereof an additional subsection as follows:

3. Firing of shots while others than those firing the shots are in the mine, shall in no case be permitted in any coal mine except in mines where the coal is mechanically undercut.

The amendment was adopted.

Senator Clem offered the following amendment and moved its adoption:

Amend House File 84 by striking all after the enacting clause and by inserting in lieu thereof the following:

"Section 1. Section one thousand two hundred ninety-seven and one-tenth (1297.1), Code, 1939, is amended by striking the period at the end of said section and substituting therefor a comma and adding thereto the following: 'except that the mine inspectors of the State of Iowa shall grant a license to permit the firing of shot while others than those firing the shot are in the mine, upon application therefor by the operator upon forms to be furnished by the office of the inspector of mines and which application shall contain information relating to the physical facts of the mine and mechanical arrangements thereof and which license or authority to use 'permissible explosives' on shift shooting shall not be granted unless it be shown to the satisfaction of the state mine inspector that the mine is physically fit, properly developed and mechanical units so arranged as will make the use of such explosives on shift shooting free from hazard to health and life.

Any explosives so used shall be of the type known as 'permissible explosives' and shall be on the approved list of permissible explosives of the United States Bureau of Mines and shall be subject to the approval of the mine inspectors of the State of Iowa.

The mine inspectors of the State of Iowa shall revoke licenses for the use of permissible explosives on shift shooting when conditions of, or in, the mine shall change causing a hazard to arise to health and life, or upon the failure of the operator to comply with the law relating to the operation of mines.

Sec. 2. This Act being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in the Ottumwa Daily Courier, a newspaper published at Ottumwa, Iowa, and in the Madrid Register-News, a newspaper published at Madrid, Iowa."

Senator Cromwell asked unanimous consent that further action on House File 84 be deferred and that it retain its place on the calendar.

Objection was raised.

Senator Cromwell moved that further action on House File 84 be temporarily deferred and that it retain its place on the calendar.

The motion was lost.

Senator Bekman 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, 17:

Barkley	Findlay	Love	Rockhill
Benson	Foster	Martin	Shaw
Berg	Jones	Mowry	Vittetoe
Clem	Klein	Pine	Watson
Cromwell			

Nays, 30:

Bekman	Harvey	Leo	Ritchie
Byers	Henningsen	Long	Schluter
Dewel	Hill	Lucas	Sharp
Doud	Hultman	Mercer	Sjulin
Dykhouse	Jacobson	Miller	Vrba
Elthon	Keir	Newsome	White
Faul	Kirketeg	Reilly	Zastrow
Hart	Knudson		

Absent or not voting, 3:

Augustine	Hawkins	Lynes
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The amendment 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, 39:

Barkley	Foster	Kirketeg	Reilly
Bekman	Hart	Knudson	Ritchie
Benson	Harvey	Leo	Schluter
Berg	Hawkins	Long	Sharp
Byers	Henningsen	Love	Shaw
Cromwell	Hill	Lucas	Sjulin
Dewel	Hultman	Lynes	Vittetoe
Doud	Jacobson	Mercer	Vrba
Dykhouse	Jones	Miller	White
Elthon	Keir	Pine	

Nays, 8:

Augustine	Findlay	Martin	Newsome
Clem	Klein	Mowry	Watson

Absent or not voting, 3:

Faul	Rockhill	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 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.

BILL WITHDRAWN FROM FURTHER CONSIDERATION

Senator Bekman asked and received unanimous consent to withdraw from further consideration of the Senate, Senate File 64.

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 25, a bill for an act authorizing park commissioners to lease parks for the playing of professional games.

Also: That the House has concurred in Senate amendments to and passed House File 40, a bill for an act relating to tax funds.

Also: That the House has concurred in Senate amendments to and passed House File 296, making an appropriation to the board of control.

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

Senate Concurrent Resolution 14, relating to heroism and courage displayed by Major Robert Lapham of Davenport, Iowa.

Also: That the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File 34, a bill for an act relating to exemption of household furniture and equipment from taxation of personal property.

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

Senate Joint Resolution 5, providing for the exercise and acceptance of the option to purchase by the state of Iowa certain real estate situated in Des Moines, Polk county, Iowa.

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

Senate File 90, a bill for an act to legalize the proceedings of the board of directors of the independent school district of Dubuque, Dubuque county, Iowa.

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

Senate File 165, a bill for an act to make appropriation in payment of certain claims against the state of Iowa.

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

Senate File 166, a bill for an act to make appropriations to certain named persons to recover 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 168, a bill for an act to make appropriations to Big Four Agricultural Society, Benton County Agricultural Association, and Lyon County Fair Association.

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

Senate File 169, a bill for an act to make appropriations for the payment of certain claims against the state of Iowa.

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 provision for vocational instruction for high school pupils whose districts do not provide therefor.

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 state aid for farmers' short courses.

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

House File 292, a bill for an act to protect the public against milk borne disease.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 125, a bill for an act relating to exemptions from chauffeur's license requirements.

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 to make appropriations to certain named persons in settlement of damages sustained by them on account of accidents on primary roads. A. C. GUSTAFSON, *Chief Clerk*.

HOUSE AMENDMENT TO SENATE FILE 125

Amend by adding the following after the period in line seventeen (17): "The driver of any panel or special delivery truck or pickup truck where gross weight of the truck is five thousand (5,000) pounds or less shall not be deemed a chauffeur."

HOUSE AMENDMENT TO SENATE FILE 167

Amend Senate File 167 by striking from line 1 of section 1 and line 5 of section 2 the words "Primary Road" and inserting in lieu thereof the word "General".

HOUSE AMENDMENTS CONSIDERED

Senator Pine called up for consideration Senate File 125, a bill for an act to amend section five thousand and one hundredth (5000.01), Code, 1939, paragraph forty (40), as amended by chapter one hundred fifty-five (155), Acts of the 50th General Assembly, relating to certain exemptions from the chauffeur's license requirements, amended by the House, and moved that the Senate refuse to concur in the following House amendment:

Amend by adding the following after the period in line 17: "The driver of any panel or special delivery truck or pickup truck where gross weight of the truck is five thousand (5,000) pounds or less shall not be deemed a chauffeur."

The motion prevailed and the Senate refused to concur in the House amendment to Senate File 125.

Senator Jacobson called up for consideration Senate File 167, 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, amended by the House, and moved that the Senate concur in the following House amendment:

Amend Senate File 167 by striking from line 1 of section 1 and line 5 of section 2 the words "Primary Road" and inserting in lieu thereof the word "General".

The motion prevailed and the Senate concurred in the House amendment.

Senator Jacobson moved that the bill be read a third 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	Klein	Pine
Barkley	Foster	Knudson	Reilly
Bekman	Hart	Leo	Rockhill
Benson	Harvey	Long	Schluter
Berg	Hawkins	Love	Sharp
Byers	Henningsen	Lucas	Shaw
Clem	Hill	Lynes	Sjulin
Cromwell	Hultman	Martin	Vittetoe
Dewel	Jacobson	Mercer	Vrba
Dykhouse	Jones	Miller	Watson
Elthon	Keir	Mowry	White
Faul	Kirketeg	Newsome	

Nays, none.

Absent or not voting, 3:

Doud	Ritchie	Zastrow
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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.

Senator Jacobson moved that the 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 82, a bill for an act to amend section one (1), chapter one hundred seventeen (117), Acts of the Fiftieth General

Assembly, relating to state aid for farmers' short courses where there are two (2) farm aid associations in the same county.

Read first and second times and passed on file.

House File 131, a bill for an act to amend section four thousand two hundred seventy-five (4275), Code, 1939, relating to making provision for vocational instruction for high school pupils whose districts do not provide therefor, and for the payment of tuition in such cases.

Read first and second times and passed on file.

House File 292, a bill for an act to protect the public against milk borne disease and for this purpose to provide, within the department of agriculture, for dairy specialists and bacteriologists for the purpose of efficient control of sanitary production, processing and marketing of dairy products and to provide adequate laboratory facilities for this purpose.

Read first and second times and passed on file.

PROOF OF PUBLICATION

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

Senate File 255, a proposed bill relating to the powers and duties of Dock Boards.

W. J. SCARBOROUGH.

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 390.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *Chairman House Committee.*

Report adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed, in the presence of the Senate, Senate File 390.

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 23rd day of February, 1945, sent to the governor for his approval, Senate File 390.

ROBERT C. REILLY, *Chairman*.

Passed on file.

BILL ASSIGNED TO COMMITTEE

President Evans announced the following assignment of bill to committee:

No. Bill	Committee Assignment
S. F. 116	Appropriations. •

Senator Sjulín moved that the Senate now adjourn until 2:00 p. m., Monday, March 5, 1945.

Senator Hill moved as a substitute that upon adjournment today, February 23, 1945, that all bills on the calendar and in committees be referred to the sifting committee.

The substitution was made.

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 54	Senate File 274	Senate File 397
Senate File 255	Senate File 24	Senate File 329
Senate File 141	Senate File 230	Senate File 330
House File 39	House File 216	Senate File 148
Senate File 203	House File 38	

STANLEY L. HART, *Chairman*.

AMENDMENTS FILED

Amend Senate File 93, section 1, line 6, by striking the words "three thousand five hundred dollars" and inserting in lieu thereof the words and figures "four thousand (4,000) dollars"; and further amend by striking the remainder of the section, beginning with line seven (7).

O. H. HENNINGSEN.

Amend Senate File 140 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section five thousand thirteen and sixteen hundredths (5013.16), Code, 1939, as amended by section 1 of chapter 160, Acts 50th General Assembly, is hereby repealed, and the following enacted in lieu thereof:

"The fee for an operator's license shall be one dollar. The fee for a chauffeur's license shall be three dollars. Provided that for operators' licenses issued to expire July 5, 1946 the fee shall be seventy-five cents

and for chauffeurs' licenses issued to expire December 31, 1945 the fee shall be two dollars."

Sec. 2. Section 2 of chapter 160, Acts 50th General Assembly, is hereby repealed and the following enacted in lieu thereof:

"Every operator's license shall expire on July 5 of each even-numbered calendar year and shall be renewed on or before its expiration upon application on forms provided by the department, and examination, and payment of the license fee; provided that a person holding a license previously issued and against whom no notation appears of a traffic violation or against whom no accident has been reported during the preceding two years may be issued an operator's license without examination."

Further amend said Senate File 140 by striking all of the title beginning with the words, "An Act" and inserting in lieu thereof the following:

"An Act relating to the expiration, renewal, and fees for operators' and chauffeurs' licenses."

FRANK C. BYERS.

Amend Senate File 207 as follows:

Amend the title by striking all of line 1 after the word "amend" therein, and further amend said title by striking all of lines 2, 3, and 4 thereof.

Further amend Senate File 207 by striking all of said bill after the enacting clause and inserting in lieu thereof the following:

Section 1. Amend section thirteen thousand nine hundred eighty-six (13986), Code, 1939, by striking in lines 8 and 9 the words "by hanging by the neck until dead." and inserting in lieu thereof the following: "by gassing with lethal gas until dead."

A. D. CLEM.

Amend Senate File 219 by substituting in line 6 thereof for the words, "it is being wholly supported", the words, "fifty (50%) per cent or more of its support is provided".

ED. S. WHITE.

Amend Senate File 222 as follows:

Strike section 6 and insert in lieu thereof the following:

"Sec. 6. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Clayton County Register, a newspaper published at Elkader, Iowa, and in the Wapello Republican, a newspaper published at Wapello, Iowa."

F. E. SHARP.

1. Amend Senate File 287 by striking from section 1, line 6, the words "six thousand" and insert therein the words "five thousand".

2. Further amend Senate File 287 by striking lines 7 and 8 of section 1, and insert in lieu thereof the following: Further amend said section by striking the period (.) at the end of line 17 and adding the words "per annum, except of the deputy superintendent of banking which shall not exceed a maximum of six thousand (\$6,000) dollars per annum."

E. K. BEKMAN.

On motion of Senator Dykhouse, and in accordance with House Concurrent Resolution 14, duly adopted, the Senate adjourned until 2:00 p. m., Monday, March 5, 1945.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 5, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend G. L. Hufstader, pastor of the First Methodist church, Bedford, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Byers, from residents of Appanoose, Hardin, Marshall and O'Brien counties, favoring local option.

By Senator Berg, from residents of Black Hawk county, favoring veteran legislation.

By Senator Findlay, from residents of Webster county, favoring proposed pension legislation.

By Senator Harvey, from residents of Crawford county, favoring proposed school legislation.

By Senator Henningsen, from residents of Clinton county, favoring veteran legislation.

By Senator Lucas, from residents of Story county, in opposition to proposed pension legislation.

By Senator Mercer, from residents of Johnson county, favoring an increase in salaries for county officers.

By Senator Mowry, from residents of Jasper county, favoring proposed game legislation.

By Senator Pine, from residents of Muscatine county, favoring proposed pension legislation.

By Senator Reilly, from 1,200 members of Metal Trades Locals of Dubuque, in opposition to fixing penalties on games.

By Senator Sjulín, from residents of Page county, favoring proposed school legislation.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Shaw for the day, on request of Senator Pine; Senator Long for the day, on request of Senator Love; Senator Knudson for the day, on request of Senator Findlay; Senator Rockhill for the day, on request of Senator Leo; Senator Lynes for the day, on request of Senator Jones.

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 43, a bill for an act relating to foreign corporations having permits to transact business in Iowa.

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 private use of public property by public officials.

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

House File 68, a bill for an act providing for the investment of proceeds from sale of Mitchell County Hospital in U. S. Government Bonds.

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

Senate File 62, a bill for an act legalizing corporate acts of Smith Brothers and Burdick Company.

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 providing individual income tax payers return may be made on any fiscal year basis.

A. C. GUSTAFSON, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Schluter, Senate File 54, a bill for an act to amend section six thousand nine hundred forty-three and seventy-six thousandths (6943.076), and section six thousand nine hundred forty-three and one hundred and three thousandths (6943.103), Code of Iowa, 1939, and providing for the imposition of a use tax upon sales of tangible personal property by the Government of the United States or any of its agencies to ultimate consumers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Schluter asked and received unanimous consent that

further action on Senate File 54 be deferred and that it retain its place on the the calendar.

On motion of Senator Reilly, Senate File 255, a bill for an act to amend subdivisions one (1) and three (3) of section five thousand nine hundred and two (5902), Code, 1939, relating to the powers and duties of dock boards; providing that sections six thousand five hundred and eighty (6580), six thousand six hundred seventy-nine and one tenth (6679.1) and six thousand seven hundred eighty-one and two tenths (6781.2), Code, 1939, do not apply to leases by dock boards; and making this act effective upon publication, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Clem offered the following amendment and moved its adoption:

Amend Senate File 255 by adding after the comma after the word "Board" in line 9 of section 2 thereof the following: "but this section shall in no way apply to cities organized and operating under the commission form of government,"

The amendement was adopted.

Senator Reilly moved that the bill be read a third 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
Barkley	Findlay	Kirketeg	Reilly
Bekman	Foster	Klein	Ritchie
Berg	Hart	Leo	Schluter
Byers	Harvey	Love	Sharp
Clem	Hawkins	Lucas	Sjulin
Cromwell	Henningsen	Martin	Vittetoe
Dewel	Hill	Mercer	Vrba
Doud	Hultman	Miller	Watson
Dykhouse	Jacobson	Mowry	White
Elthon	Jones		

Nays, none.

Absent or not voting, 8:

Benson	Long	Newsome	Shaw
Knudson	Lynes	Rockhill	Zastrow

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

Senator Reilly moved that the vote by which the bill **passed**

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Hultman, Senate File 141, a bill for an act to amend section five thousand one hundred seventy-three (5173), Code, 1939, as amended, and providing for the free recording of certain documents issued to members of the armed forces, 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:

1. Amend Senate File 141, section one (1), as follows:

a. In line eleven (11) after the word "books" insert the words "of uniform type, kind and form approved by the Adjutant General of the State of Iowa".

b. In line twelve (12) after the word "record" insert the words "without charge".

c. In lines twelve (12) and thirteen (13) strike the words "all men and women" and insert in lieu thereof the words "any man or woman".

d. In line fourteen (14) strike the word "were" and insert in lieu thereof the word "was".

e. In line sixteen (16) strike the word "are" and insert in lieu thereof the word "is".

f. In line seventeen (17) strike the words "all men and women" and insert in lieu thereof the words "any man or woman".

2. Amend Senate File 141, section two (2), line four (4), by striking the word "the".

The amendment was adopted.

Senator Berg called up the following amendment by Senator Rockhill and moved its adoption:

Amend Senate File 141 by striking section 5 and substituting in lieu thereof as section 5 the following:

"Sec. 5. The county recorder may from time to time by published notice, request the filing of such documents as are referred to herein for the purpose of recording. Any expense incident to such notice shall be paid as an expense of the county recorder's office upon bills filed with the board of supervisors."

The amendment was adopted.

Senator Hultman moved that the bill be read a third 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
Barkley
Bekman

Berg
Byers
Clem

Cromwell
Dewel
Doud

Dykhouse
Elthon
Faul

Findlay	Jacobson	Martin	Schluter
Foster	Jones	Mercer	Sharp
Hart	Keir	Miller	Sjulin
Harvey	Kirketeg	Mowry	Vittetoe
Hawkins	Klein	Newsome	Vrba
Henningsen	Leo	Pine	Watson
Hill	Love	Reilly	White
Hultman	Lucas	Ritchie	

Nays, none.

Absent or not voting, 7:

Benson	Long	Rockhill	Zastrow
Knudson	Lynes	Shaw	

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

Senator Hultman moved that the vote by which the 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 39, a bill for an act to amend section seven thousand seventeen and eleven hundredths (7017.11), Code, 1939, and repealing section seven thousand one hundred eighty-three and one tenth (7183.1), section seven thousand one hundred eighty-three and two tenths (7183.2), section seven thousand one hundred eighty-three and three tenths (7183.3) and section seven thousand one hundred eighty-three and four tenths (7183.4), Code, 1939, relating to levies authorized for payment of soldiers' bonuses to veterans of World War I, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 42:

Augustine	Faul	Keir	Pine
Barkley	Findlay	Klein	Reilly
Bekman	Foster	Leo	Ritchie
Berg	Hart	Love	Schluter
Byers	Harvey	Lucas	Sharp
Clem	Hawkins	Martin	Sjulin
Cromwell	Henningsen	Mercer	Vittetoe
Dewel	Hill	Miller	Vrba
Doud	Hultman	Mowry	Watson
Dykhouse	Jacobson	Newsome	White
Elthon	Jones		

Nays, none.

Absent or not voting, 8:

Benson	Knudson	Lynes	Shaw
Kirketeg	Long	Rockhill	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 Leo, Senate File 203, a bill for an act to amend section eleven (11), chapter one hundred thirty (130), Acts of the Fiftieth General Assembly, and to provide that the assistance and benefits for dependent children shall be paid by the state of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Leo offered the following amendment and moved its adoption:

Amend Senate File 203 by striking the word "of" in line five (5) and inserting in lieu thereof the word "in".

Further amend Senate File 203 by inserting following the word "children" in line five (5) the following: "living on an Indian reservation".

The amendment was adopted.

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

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

Ayes, 42:

Augustine	Faul	Keir	Pine
Barkley	Findlay	Kirketeg	Reilly
Bekman	Foster	Klein	Ritchie
Berg	Hart	Leo	Schluter
Byers	Harvey	Love	Sharp
Clem	Hawkins	Lucas	Sjulin
Cromwell	Henningsen	Martin	Vittetoe
Dewel	Hill	Miller	Vrba
Doud	Hultman	Mowry	Watson
Dykhouse	Jacobson	Newsome	White
Elthon	Jones		

Nays, none.

Absent or not voting, 8:

Benson	Long	Mercer	Shaw
Knudson	Lynes	Rockhill	Zastrow

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 24, a bill for an act to amend section ten thousand fifty-four (10054), Code, 1939, relating to conveyances of real estate to two or more persons and the tenancy created thereby, 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 further action on Senate File 24 be deferred and that it retain its place on the calendar.

On motion of Senator Berg, Senate File 230, a bill for an act to amend section ten thousand thirteen (10013), Code, 1939, relating to pledges or assignments of life insurance policies and the proceeds and avails thereof, as collateral security, 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 230 by striking from line 4 of the title the word "collateral".

Further amend Senate File 230 by striking from line 5 of section 1 the word "collateral".

The amendment was adopted.

President pro tempore Hart took the chair at 3:03 p. m.

Senator Berg asked and received unanimous consent that further action on Senate File 230 be deferred and that it retain its place on the calendar.

COMMUNICATION RECEIVED

March 2, 1945

MR. W. J. SCARBOROUGH
Secretary of the Senate
State of Iowa
Des Moines, Iowa
Dear Mr. Scarborough:

On behalf of our son, Major Robert B. Lapham, Mrs. Lapham and I

wish to thank the Legislature of the State of Iowa for the honor it has conferred upon our son as expressed by the Joint Resolution presented to us this week by Senator Martin of Davenport, Iowa.

We have just received a letter from him stating he had been very busy on many assignments but that it was necessary for him to go back into the mountains with his men for some time yet. As soon as the assignment is completed he felt sure he would be allowed to come home for awhile.

Therefore, we are holding his copy of his Resolution pending his return which we know he will treasure greatly.

Sincerely yours,

C. E. LAPHAM.

2805 Scott Street

Davenport, Iowa.

The following communication was received from the State Appeal Board:

To Wm. J. Scarborough

Secretary of the Senate

In accordance with the provisions of section 3 of chapter 61, Acts of the 49th General Assembly, I hand you herewith claims acted upon by the State Appeal Board. Each claim bears the recommendation of the Board.

List of claims as follows:

Funeral Claims

Claim No.	Claimant	Amt. Claimed	Amt. Recommended
66	Pella Cooperative Burial Assn.....	\$ 95.00	\$ 95.00
68	Curl Furniture & Undertaking Co.	100.00	100.00
69	McLaren Funeral Home.....	100.00	100.00
70	Tyler Funeral Home.....	100.00	100.00
71	O'Brien Cooperative Burial Assn...	99.00	99.00
64	Percy E. McCluen.....	No stated amount	Recommen- dation \$300.00 and ex- amination and treatment at Uni- versity Hospital, Iowa City, Iowa, at expense of state.
67	Leo Logan	356.25	Referred to Claims Commit- tee without recommendation.
72	Tecla Hutton	5,250.00	Referred to Claims Commit- tee without recommendation.

73	Harvey Heath	Between \$188 and \$235	Rejected
74	Cramblit & Poling.....	50.00	50.00

Highway Claims

H-59-45	Mrs. Agnes Anderlik.....	4,000.00	Rejected
H-60-45	S. W. Madison.....	360.00	180.00
H-61-45	Joe Schmitt	150.51	Rejected
H-62-45	Alfred Homer Jennings.....	3,200.00	Rejected

C. FRED PORTER, *Chairman, State Appeal Board.*

Received of C. Fred Porter, Chairman, State Appeal Board, the above claims numbered as follows: Funeral claims from No. 66 to 71, inc. excepting 67; claims numbered 64, 67, 72, 73 and 74, highway claims numbered from H-59-45 to H-62-45, inclusive.

W. J. SCARBOROUGH.

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 bill respectfully reports that it has examined and finds correctly enrolled: House Files 208 and 329.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *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 208 and 329.

HOUSE MESSAGES CONSIDERED

House File 43, a bill for an act to amend, revise and codify section eight thousand four hundred twenty-four (8424), Code, 1939, relating to fees to be paid on increase of capital by foreign corporations having permits to transact business in the state of Iowa.

Read first and second times and referred to the sifting committee.

House File 51, a bill for an act to amend section thirteen thousand three hundred sixteen and one tenth (13316.1), Code, 1939, relating to the private use of public property by public officials.

Read first and second times and referred to the sifting committee.

House File 68, a bill for an act to amend section five thousand three hundred fifty-four (5354), Code, 1939, by adding thereto a section providing for the reinvestment of the funds derived from the sale of such bonds, in United States Government bonds at par, and to hold the same, pending such time as in the judgment of the board of supervisors, construction of the county hospital may be commenced.

Read first and second times and referred to the sifting committee.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 23rd he had approved the following bill:

Senate File 390, relating to extension of time for making annual statements, etc., by insurance companies.

RESIGNATION OF EMPLOYEE

I hereby tender my resignation as committee clerk for Senator Keir, effective March 5, 1945.

MARIE E. MARTIN.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

House File 82	Senate File 3	Senate File 146
Senate File 229	Senate File 347	Senate File 248
Senate File 247	Senate File 151	Senate File 337
Senate File 200	Subject to being referred to the appropriations committee under Rule 21.	

STANLEY L. HART, *Chairman*.

BILL ASSIGNED TO COMMITTEE

President Evans announced the following assignment of bill to committee:

Bill No.	Committee Assignment
S. F. 200	Committee on Appropriations.

AMENDMENTS FILED

Amend Senate File 54 by striking from line 5 of section 1 and from line 5 of section 2 the word "to" and inserting in lieu thereof the word "by".

Amend the title by striking from line 7 the word "to" and inserting in lieu thereof the word "by".

EDWIN C. SCHLUTER.

Amend Senate File 268 by striking all of said bill after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section five thousand thirty-five and five hundredths (5035.05), Code, 1939, is hereby amended by inserting after the word 'feet' and preceding the period (.) in line 3 of said section the following: 'six inches'."

"Sec. 2. Section five thousand thirty-five and six hundredths (5035.06), Code, 1939, is hereby amended by striking from line 3 of said section the word 'thirty-three' and substituting in lieu thereof the word 'thirty-five'."

"Sec. 3. Section five thousand thirty-five and twelve hundredths (5035.12), Code, 1939, as amended by chapter 178, Laws of the Forty-ninth (49th) General Assembly, is hereby repealed and the following is enacted in lieu thereof:

'5035.12. Axle. Maximum Gross Weight. An axle may be divided into two or more parts, provided, however, that all parts in the same vertical transverse plane shall be considered as one axle.

The gross weight on any one axle of a vehicle, or a combination of vehicles, operated on the highways of this state, shall not exceed eighteen thousand (18,000) pounds on an axle equipped with pneumatic tires, and shall not exceed fourteen thousand (14,000) pounds on an axle equipped with solid rubbered tires.

Provided, however, that the total gross weight (a) of a vehicle, (b) of a combination of vehicles, or (c) of any group of two or more consecutive axles of a vehicle or a combination of vehicles, operated on the highways of this state, shall not exceed:

1. Thirteen (13) tons plus six hundred fifty (650) pounds per foot or fraction thereof, of distance between the first and last axles of the group, or between the front and rear axles of the vehicle or of the combination of vehicles, where the distance between the first and last axle of the group, or between the front and rear axles of the vehicle or the combination of vehicles, is less than eighteen (18) feet, or

2. Fifteen (15) tons plus seven hundred fifty (750) pounds per foot or fraction thereof, of distance between the first and last axles of the group, or between the front and rear axles of the vehicle or the combination of vehicles, where the distance between the first and last axles of the group, or between the front and rear axles of the vehicle or the combination of vehicles, is eighteen (18) feet or more."

"Sec. 4. Provided further, that any vehicle or combination of vehicles, equipped with pneumatic tires, which is in operation when this act becomes effective, and which at that time contains a group of two or more axles in which group the distance between the first and the

last axle is less than ten (10) feet, may operate on the highways of this state until July 1, 1946, with a gross weight not greater than thirty-two thousand (32,000) pounds on such group of axles."

"Sec. 5. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Cedar Valley Times, a newspaper published at Vinton, Iowa, and in the LeMars Globe Post, a newspaper published at LeMars, Iowa."

Further amend Senate File 268 by striking the title of said bill and substituting the following in lieu thereof:

"A bill for an act to amend section five thousand thirty-five and five hundredths (5035.05) and section five thousand thirty-five and six hundredths (5035.06), Code, 1939, relating to the size of motor vehicles, and to repeal section five thousand thirty-five and twelve hundredths (5035.12), Code, 1939, as amended by chapter one hundred seventy-eight (178), Laws of the 49th General Assembly, relating to the weight of motor vehicles and to enact a substitute therefor."

LEO ELTHON and A. D. CLEM.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 6, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend R. J. Vandenberg, pastor of the Second Reformed church, Pella, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Harvey, from residents of Monona county, in opposition to the revision of insurance premium tax laws.

By Senator Findlay, from residents of Calhoun county, favoring veteran legislation.

By Senator Foster, from residents of Washington county, in opposition to licensing and regulation of community sale barns.

By Senator Lucas, from residents of Story county, in opposition to a pension and retirement plan.

By Senator Vrba, from residents of Winneshiek county, favoring proposed veteran legislation.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Knudson for the day, on request of Senator Schluter; Senator Benson for the day, on request of Senator Newsome.

UNFINISHED BUSINESS

Senator Schluter called up Senate File 54, a bill for an act to amend section six thousand nine hundred forty-three and seventy-six thousandths (6943.076), and section six thousand nine hundred forty-three and one hundred and three thousandths (6943.103), Code of Iowa, 1939, and providing for the imposition of a use tax upon sales of tangible personal property by the Government of the United States or any of its agencies to ultimate consumers.

Senator Cromwell asked and received unanimous consent to withdraw the amendment to Senate File 54 filed by him on February 8 and found on page 298 of the Senate Journal.

Senator Cromwell offered the following amendment and moved its adoption:

Amend Senate File 54 by adding to section two (2) thereof, the following: "Industrial materials and equipment owned by the Federal Government within the State of Iowa of a character not ordinarily readily obtainable within the state, shall not be subject to use tax when sold, if such industrial materials and equipment would not be subject to use tax if such were sold outside the state for use in Iowa."

The amendment was adopted.

Senator Schluter offered the following amendment and moved its adoption:

Amend Senate File 54 by striking from line 4 of section 1 the word "sales" and substituting in lieu thereof the word "purchases". Also by striking from line 4 the word "by" and inserting in lieu thereof the word "from".

Further amend by striking from line 4 of section 2 the word "sales" and substituting in lieu thereof the word "purchases", also by striking from line 4 the word "by" and inserting in lieu thereof the word "from".

Further amend the title by striking from line 5 the word "sales" and substituting in lieu thereof the word "purchases" and by striking from line 6 the word "by" following the word "property" and substituting in lieu thereof the word "from".

The amendment was adopted.

Senator Long offered the following amendment and moved its adoption:

Amend Senate File 54 by adding thereto the following:

Sec. 3. This act shall not apply to purchases made by counties or municipal corporations.

Further amend by renumbering the following section.

The amendment was adopted.

Senator Schluter offered the following amendment and moved its adoption:

Amend Senate File 54 by striking from line 5 of section 1 and from line 5 of section 2 the word "to" and inserting in lieu thereof the word "by".

Amend the title by striking from line 7 the word "to" and inserting in lieu thereof the word "by".

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, 43:

Augustine	Findlay	Leo	Ritchie
Barkley	Hart	Long	Rockhill
Bekman	Harvey	Lucas	Schluter
Berg	Henningsen	Lynes	Sharp
Clem	Hill	Martin	Shaw
Cromwell	Hultman	Mercer	Sjulin
Dewel	Jacobson	Miller	Vittetoe
Doud	Jones	Mowry	Vrba
Dykhouse	Keir	Newsome	Watson
Elthon	Kirketeg	Pine	White
Faul	Klein	Reilly	

Nays, none.

Absent or not voting, 7:

Benson	Foster	Knudson	Zastrow
Byers	Hawkins	Love	

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.

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 158, a bill for an act relating to liability insurance on certificated motor vehicle carriers.

Also: That the House has concurred in Senate amendment to and passed House File 84, relating to the wiring of blasting shots in coal mines.

Also: That the House requests the return of House File 203, a bill for an act relating to the liability insurance on certified motor vehicle carriers.

Also: That the House refuses to concur in Senate amendments to House File 49, relating to fee for ambulances and hearses.

Also: That the House insists upon its amendments to Senate File 125, a bill for an act relating to certain exemptions from chauffeur's license requirements and requests a conference, and the Speaker of the

House appoints as such conference committee on the part of the House: Representatives Van Eaton, Watson, Blatti and Simonsen.

Also: That the House has concurred in amendments 1 and 3 and refused to concur in amendment 2 to House File 101, relating to workmen's compensation.

A. C. GUSTAFSON, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Rockhill, Senate File 274, a bill for an act to amend section seven thousand three hundred twenty-eight (7328), Code, 1939, relating to inheritance tax and avoidance of administration, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Rockhill moved that the bill be read a third 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	Ritchie
Barkley	Foster	Long	Rockhill
Bekman	Hart	Love	Schluter
Berg	Harvey	Lynes	Shaw
Byers	Hawkins	Martin	Sjulin
Clem	Henningsen	Miller	Vittetoe
Cromwell	Hill	Mowry	Vrba
Dewel	Jones	Newsome	Watson
Doud	Keir	Pine	White
Elthon	Kirketeg	Reilly	Zastrow
Faul	Klein		

Nays, 1:

Jacobson

Absent or not voting, 7:

Benson	Hultman	Lucas	Sharp
Dykhouse	Knudson	Mercer	

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

Senator Rockhill moved that the vote by which the 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 216, a bill for an act relating to powers of attorney granted by persons serving in or present in the armed forces of the United States and others, 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	Findlay	Klein	Reilly
Barkley	Foster	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Berg	Harvey	Love	Schluter
Byers	Hawkins	Lucas	Shaw
Clem	Henningsen	Lynes	Sjulin
Cromwell	Hill	Martin	Vittetoe
Dewel	Hultman	Mercer	Vrba
Doud	Jacobson	Miller	Watson
Dykhouse	Jones	Mowry	White
Elthon	Keir	Newsome	Zastrow
Faul	Kirketeg	Pine	

Nays, none.

Absent or not voting, 3:

Benson	Knudson	Sharp
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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 Pine, House File 38, a bill for an act to amend section five thousand one and fifteen hundredths (5001.15), Code, 1939, relating to the records required in connection with the original and renewal of registration of motor vehicles.

Senator Pine asked and received unanimous consent that House File 38 be rereferred to the sifting committee.

On motion of Senator Keir, Senate File 397, a bill for an act to amend chapter one hundred ninety-three (193), Code, 1939, and to repeal chapter one hundred ninety-four (194), Code, 1939, all relating to the board of educational examiners, certification of teachers, and high school normal training courses, was taken up and considered.

Senator Elthon took the chair at 10:55 a. m.

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, 48:

Augustine	Findlay	Klein	Reilly
Barkley	Foster	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Berg	Harvey	Love	Schluter
Byers	Hawkins	Lucas	Sharp
Clem	Henningsen	Lynes	Shaw
Cromwell	Hill	Martin	Sjulin
Dewel	Hultman	Mercer	Vittetoe
Doud	Jacobson	Miller	Vrba
Dykhouse	Jones	Mowry	Watson
Elthon	Keir	Newsome	White
Faul	Kirketeg	Pine	Zastrow

Nays, none.

Absent or not voting, 2:

Benson Knudson

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 Keir, Senate File 148, a bill for an act to amend section four thousand three hundred forty-one (4341), Code, 1939, as amended by chapter one hundred sixty-five (165), Acts of the 49th General Assembly, relating to the minimum wages of teachers in the public schools, was taken up and considered.

Senator Keir asked and received unanimous consent that House File 122 be substituted for Senate File 148, a companion bill.

On motion of Senator Keir, House File 122, a bill for an act to amend section four thousand three hundred forty-one (4341), Code, 1939, as amended by chapter one hundred sixty-five (165), Acts of the Forty-ninth General Assembly, relating to the minimum wages of teachers in the public schools, was taken up and considered.

Senator Berg offered the following amendment by Senators Berg and Keir and moved its adoption:

Amend House File 122 by striking all after the enacting clause and by inserting in lieu thereof the following:

"Section 1. Section four thousand three hundred forty-one (4341), Code, 1939, as amended by chapter one hundred sixty-five (165), Acts of the Forty-ninth General Assembly, is amended by striking all of said section and by inserting in lieu thereof the following:

"1. A teacher holding a limited elementary certificate who has not completed any standard college work shall be paid a minimum wage of not less than eighty (\$80) dollars per month.

2. A teacher holding a limited elementary certificate who has completed at least fifteen (15) semester hours of standard college work shall be paid a minimum wage of not less than eighty-five (\$85) dollars per month.

3. A teacher holding a limited elementary certificate who has completed at least thirty (30) semester hours of standard college work shall be paid a minimum wage of not less than ninety (\$90) dollars per month.

4. A teacher holding a limited elementary certificate who has completed at least forty-five (45) semester hours of standard college work shall be paid a minimum wage of not less than ninety-five (\$95) dollars per month.

5. A teacher holding a limited elementary certificate who has completed sixty (60) or more semester hours of standard college work shall be paid a minimum wage of not less than one hundred (\$100) dollars per month."

Provided, that nothing herein shall be construed as limiting the right of a school board to make a contract for a higher wage than herein specified as a minimum.

Senator Clem offered the following amendment to the amendment and moved its adoption:

Amend the Berg and Keir amendment to House File 122 by inserting after the word "certificate" in line 1 of each subsection, 1 to 5 inclusive, the words "or any other certificate".

The amendment to the amendment was adopted.

The amendment as amended 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, 47:

Augustine	Findlay	Klein	Reilly
Barkley	Foster	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Berg	Harvey	Love	Schluter
Byers	Hawkins	Lucas	Sharp
Clem	Henningsen	Lynes	Shaw
Cromwell	Hill	Martin	Sjulin
Dewel	Hultman	Mercer	Vittetoe
Doud	Jacobson	Miller	Vrba
Dykhous	Jones	Mowry	Watson
Elthon	Keir	Newsome	White
Faul	Kirketeg	Pine	

Nays, none.

Absent or not voting, 3:

Benson	Knudson	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 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.

BILL WITHDRAWN FROM FURTHER CONSIDERATION

Senator Keir asked and received unanimous consent to withdraw from further consideration of the Senate, Senate File 148.

On motion of Senator Watson, House File 82, a bill for an act to amend section one (1), chapter one hundred seventeen (117), Acts of the Fiftieth General Assembly, relating to state aid for farmers' short courses where there are two (2) farm aid associations in the same 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, 46:

Augustine	Findlay	Klein	Pine
Barkley	Foster	Leo	Reilly
Bekman	Hart	Long	Ritchie
Berg	Harvey	Love	Rockhill
Byers	Hawkins	Lucas	Schluter
Clem	Henningsen	Lynes	Shaw
Cromwell	Hill	Martin	Sjulin
Dewel	Hultman	Mercer	Vittetoe
Doud	Jacobson	Miller	Vrba
Dykhause	Jones	Mowry	Watson
Elthon	Keir	Newsome	White
Faul	Kirketeg		

Nays, none.**Absent or not voting, 4:**

Benson	Knudson	Sharp	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 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 347, a bill for an act to

legalize and validate the proceedings authorizing and providing for the issuance and delivery of airport bonds of the city of Webster City, Iowa, and the provisions made for taxes for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said city, was taken up and considered.

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

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

Ayes, 46:

Augustine	Findlay	Klein	Pine
Barkley	Foster	Leo	Reilly
Bekman	Hart	Long	Rockhill
Berg	Harvey	Love	Schluter
Byers	Hawkins	Lucas	Sharp
Clem	Henningsen	Lynes	Shaw
Cromwell	Hill	Martin	Sjulin
Dewel	Hultman	Mercer	Vittetoe
Doud	Jacobson	Miller	Vrba
Dykhouse	Jones	Mowry	Watson
Elthon	Keir	Newsome	White
Faul	Kirketeg		

Nays, none.

Absent or not voting, 4:

Benson	Knudson	Ritchie	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 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 Lucas, Senate File 229, a bill for an act to amend section four thousand six hundred forty-four and eleven hundredths (4644.11), Code, 1939, relating to secondary roads and optional maintenance levies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Sharp offered the following amendment and moved its adoption:

Amend Senate File 229 by adding thereto the following:

Further amend by striking the word "three" in line 10 and substituting in lieu thereof the word "five" (5).

The amendment was adopted.

Senator Lucas moved that the bill be read a third 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	Klein	Reilly
Barkley	Foster	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Berg	Harvey	Love	Schluter
Byers	Hawkins	Lucas	Sharp
Clem	Henningsen	Lynes	Shaw
Cromwell	Hill	Martin	Sjulin
Dewel	Hultman	Mercer	Vittetoe
Doud	Jacobson	Miller	Vrba
Dykhouse	Jones	Mowry	Watson
Elthon	Keir	Newsome	White
Faul	Kirketeg	Pine	Zastrow

Nays, none.

Absent or not voting, 2:

Benson Knudson

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

Senator Lucas moved that the 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

Senator Pine called up House File 49, a bill for an act to amend section five thousand eight and thirteen hundredths (5008.13), Code, 1939, relating to the fees for ambulances and hearses, the House having refused to concur in the Senate amendments.

Senator Pine moved that the Senate insist on its amendments to House File 49.

The motion prevailed and the Senate insisted on its amendments to House File 49.

The President appointed on the conference committee, Senators Pine, Watson, Lynes and Love.

Senator Faul asked and received unanimous consent that House File 203 be messaged back to the House.

CONFERENCE COMMITTEE APPOINTED

The President appointed Senators Pine, Watson, Lynes and Love on the part of the Senate on Senate File 125.

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 62, 90, 165, 166, 167, 168, 169, and 233; and Senate Joint Resolution 5, and House Files 25, 40, 103, 296, and House Joint Resolution 2.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed, in the presence of the Senate, Senate Files 62, 90, 165, 166, 167, 168, 169, and 233; and Senate Joint Resolution 5; and House Files 25, 40, 103, 296, and House Joint Resolution 2.

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 6th day of March, 1945, sent to the governor for his approval, Senate Files 62, 90, 165, 166, 167, 168, 169 and 233, and Senate Joint Resolution 5.

ROBERT C. REILLY, *Chairman.*

Passed on file.

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

AFTERNOON SESSION

The Senate resumed regular session, President Evans presiding.

HOUSE MESSAGES CONSIDERED

Senator Sharp called up House File 101, a bill for an act to amend the law as it appears in chapters seventy (70) and seventy-one (71), Code, 1939, and sections one thousand three hundred eighty-seven (1387), one thousand three hundred ninety (1390), one thousand three hundred ninety-one (1391), one thousand three hundred ninety-three (1393), one thousand three hundred ninety-four (1394), and one thousand four hundred fifty-seven (1457)

thereof, relating to workmen's compensation, fixing the maximum amount of weekly compensation, fixing the time when compensation shall be payable, reducing the waiting period before commencement of payments, and fixing the time within which an award or settlement may be reviewed, and moved that the Senate recede from its amendment 2.

Roll call was demanded.

Senator Sjulín moved the previous question on the motion, which motion prevailed.

On the question "Shall the Senate recede from its amendment?" the vote was:

Ayes, 21:

Cromwell	Hultman	Mercer	Shaw
Dewel	Jacobson	Newsome	Sjulín
Doud	Keir	Pine	Vittetoe
Dykhouse	Leo	Ritchie	Vrba
Foster	Love	Sharp	White
Hart			

Nays, 25:

Augustine	Faul	Jones	Mowry
Barkley	Findlay	Klein	Reilly
Bekman	Harvey	Lucas	Rockhill
Berg	Hawkins	Lynes	Schluter
Byers	Henningsen	Martin	Watson
Clem	Hill	Miller	Zastrow
Elthon			

Absent or not voting, 4:

Benson	Kirketeg	Knudson	Long
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The motion was lost and the Senate insisted on its amendment to House File 101.

The President appointed on the conference committee Senators Sharp, Hill, White, and Martin.

THIRD READING OF BILLS

On motion of Senator Pine, Senate File 151, a bill for an act to amend section five thousand thirty-nine and two hundredths (5039.02), Code, 1939, by changing the definition of the term "place of business" contained therein; and to amend section five thousand thirty-nine and five hundredths (5039.05), Code, 1939, by increasing the license fee provided for therein from five dollars (\$5.00) to fifteen dollars (\$15.00), with report of committee rec-

ommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

Strike from Senate File 151, lines 17 and 18, and insert in lieu thereof the following:

"if repair, accessory, gasoline and oil, storage, parts or service departments are maintained thereat, if".

The amendment was adopted.

Senator Bekman offered the following amendment and moved its adoption:

Amend Senate File 151 by striking from line 7 all after the word "vehicles". And all of lines 8, 9, 10 and 11.

REPORT OF COMMITTEE ON CLERKS

Senator Watson 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 that Helen Holehan of Polk county is competent for the position of committee clerk for Senator Keir.

DE VERE WATSON.

ROBT. W. HARVEY.

RICHARD V. LEO.

The report was adopted.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

House File 132	Senate File 114	House File 217
House File 170	Senate File 309	Senate File 220
Senate File 391	Senate File 310	Senate File 222
House File 34	Senate File 311	Senate File 197

STANLEY L. HART, *Chairman*.

AMENDMENTS FILED

Amend Senate File 24 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Section ten thousand fifty-four (10054), Code, 1939, is hereby amended by adding thereto the following: "Where a contrary intent is expressed in the conveyance or instrument, it shall be deemed to create an estate in joint tenancy, even though one or more of the grantors or vendors are also grantees or vendees."

GEORGE FAUL and FRANK BYERS.

Amend Senate File 220, section 2, lines 3 and 4, by striking the words and figures "one hundred thousand dollars (\$100,000.00)" and inserting in lieu thereof the words and figures "two hundred thousand dollars (\$200,000.00)".

RICHARD V. LEO.

Amend Senate File 230 by inserting after the word "policies" in line 4 the words "where the insured has reserved the right to change the beneficiary or beneficiaries".

ALDEN L. DOUD.

Amend Senate File 321 as follows:

Sec. 2. Section 5723, Code, 1939, as amended by this act, shall apply to special charter cities.

FRANK D. MARTIN.

Amend Senate File 328 by adding after the word "Amend" in line 1 of section 3 the words "Chapter three hundred sixty-seven by adding thereto".

Further amend section 3 by striking from line 2 the words "Code, 1939, by adding thereto a new sentence".

Further amend section 3 by inserting after the word "follows" in line 3, the words "Section seven thousand eight hundred sixty-four and one tenth (7864.1) Abandonment of Railroad".

Further amend section 3 by striking the period and quotation marks after the word "years" in line 6 and inserting in lieu thereof a comma and the words "after abandonment".

J. R. BARKLEY.

Amend Senate File 329, section 2, line 3, by inserting after the word "villages" the words "or school townships".

Further amend Senate File 329, section 2, line 6, by inserting after the word "district" the words "or school township that maintains a high school".

C. V. FINDLAY.

Amend Senate File 329 as follows:

1. Amend by striking from section 13, line 4 the figures and words "\$4,200.00 per year" and inserting in lieu thereof the words "the yearly salary of the county treasurer".

2. Amend by striking from section 13, line 8, the figures and words "\$3,000.00 per year" and inserting in lieu thereof the words "two-thirds of the yearly salary of the county superintendent".

3. Amend section 13, line 11, by inserting after the period following the word "superintendent" the following: "The salary of the county superintendent, deputy superintendent and clerical help employed in the county superintendent's office shall be subject to the approval of the county board of supervisors."

4. Amend by striking from section 15, line 6, the semicolon and words following the word "work" and all of lines 7, 8 and 9 and inserting a period after the word "work".

ROSS R. MOWRY.

Amend Senate File 151 by striking the title and substituting the following:

"An act to amend section five thousand thirty-nine and five hundredths (5039.05), Code, 1939, by increasing the license fee provided for therein

House File 243, a bill for an act to amend section five thousand thirty-five and five hundredths (5035.05) and section five thousand thirty-five and six hundredths (5035.06), Code, 1939, relating to the size of motor vehicles, and to repeal section five thousand thirty-five and twelve hundredths (5035.12), Code, 1939, as amended by chapter one hundred seventy-eight (178), Acts of the Forty-ninth General Assembly, relating to the weight of motor vehicles and to enact a substitute therefor.

Read first and second times and referred to sifting committee.

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

AFTERNOON SESSION

The Senate resumed regular session, President Evans presiding.

THIRD READING OF BILLS

On motion of Senator Vrba, Senate File 146, a bill for an act to repeal section eight thousand three hundred twenty-eight (8328), Code, 1939, and to amend section eight thousand three hundred twenty-six (8326), Code, 1939, relating to the manner of construction of electric transmission lines, with report of committee recommending passage, was taken up, considered, and the report of the committee 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, 45:

Augustine	Hart	Leo	Reilly
Bekman	Harvey	Long	Ritchie
Berg	Henningsen	Love	Schluter
Byers	Hill	Lucas	Sharp
Clem	Hultman	Lynes	Shaw
Cromwell	Jacobson	Martin	Sjulin
Dewel	Jones	Mercer	Vittetoe
Doud	Keir	Miller	Vrba
Dykhouse	Kirketeg	Mowry	Watson
Elthon	Klein	Newsome	White
Findlay	Knudson	Pine	Zastrow
Foster			

Nays, 4:

Barkley	Faul	Hawkins	Rockhill
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Absent or not voting, 1:
Benson

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 7, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend Charles C. Miller, pastor of the Church of Christ, Osceola, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Berg, from residents of Black Hawk county, favoring proposed game legislation.

By Senator Findlay, from residents of Webster county, favoring proposed pension legislation.

By Senator Hawkins, from county officers of Decatur county, favoring an increase in salaries.

By Senator Newsome, from residents of Lucas county, favoring local option.

By Senator Shaw, from residents of Pocahontas county, favoring local option.

By Senator Vrba, from residents of Linn county, favoring the resolution proposing the adoption of "Largo" as the official instrumental music of the state.

LEAVE OF ABSENCE

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

INTRODUCTION OF BILLS

Senate File 398, by committee on public lands and buildings, a bill for an act to appropriate additional funds for erecting and equipping an office building on the state capitol grounds.

Read first and second times and referred to sifting committee.

Senate File 399, by committee on public health, a bill for an act

to amend the law as it appears in paragraph seventeen (17) of section three thousand one hundred sixty-nine and one hundredth (3169.01) of the Code, 1939, as amended by section seven (7) of chapter one hundred thirty-two (132) of the Laws of the Forty-ninth General Assembly, relating to the form of orders for obtaining narcotics.

Read first and second times and referred to sifting committee.

PRESENTATION OF VISITORS

Senator Schluter asked and received unanimous consent to present to the Senate the members of the girls' basketball team of the Lowden high school who were present in the balcony with their coach.

Senator Vittetoe asked and received unanimous consent to present to the Senate the members of the girls' basketball team of the Deep River high school who were present in the balcony with their coach.

Senator Miller asked and received unanimous consent to present to the Senate the members of the girls' basketball team of the Yale high school who were present in the balcony with their coach.

Senator Love asked and received unanimous consent to present to the Senate the members of the girls' basketball team of the Adair high school who were present in the balcony with their coach.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the Speaker of the House has appointed as members of the conference committee on the part of the House for House File 49, relating to fees for ambulances and hearses, Representatives Lane, Sloane, Wormley and Jessen.

Also: That the Speaker of the House has appointed as members of the conference committee on the part of the House for House File 101, relating to workmen's compensation, Representatives Reed, Kruse, Dodds and Nielsen.

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

House Concurrent Resolution 15, memorializing Congress respecting the deferment of young men engaged in agricultural pursuits.

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

House Concurrent Resolution 16, providing for the payment of miscellaneous expenses of the Fifty-first General Assembly.

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 exemption from sales or use tax.

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

House File 220, a bill for an act providing unemployment compensation for maritime workers.

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

House File 240, a bill for an act relating to proof of wills.

Also: 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 the size and weight of motor vehicles.

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

Senate File 6, a bill for an act relating to veteran's newsstand in lobby of state capitol.

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 veterans' newsstands in county court houses.

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

Senate File 9, a bill for an act relating to wearing of uniforms.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 15

Whereas, The production of food during the coming year is one of the most important items in the winning of the war, and

Whereas, There now exists a shortage of farm labor to work for the coming year, and

Whereas, It is necessary to ever increase the production of food for the coming year to provide food for our Army, our Allies, liberated countries and our own civilian uses, and

Whereas, The Selective Service Headquarters in Washington, D. C., are insisting upon the induction of farm boys, and

Whereas, Under the orders from Washington, D. C., most farm boys are being taken into the Armed Services, and

Whereas, These farm boys should be left on the farm to increase food for Victory, now, therefore,

Be It Resolved by the House Of Representatives of the State of Iowa, the Senate Concurring: That the Congress of the United States is hereby memorialized, that the Fifty-first (51st) General Assembly of the State of Iowa, is opposed to the induction of any more farm boys at this time, and respectfully request Congress to immediately investigate and take the necessary steps to stop the induction of farm boys into the Armed Forces, on account of the necessity of producing more food, and,

It is Further Resolved, That the Chief Clerk of the House be instructed to send copies of this Resolution to the Vice President of the United States, the Speaker of the House of Representatives, the United States Senators from Iowa, and to all of the Representatives in Congress from Iowa.

HOUSE CONCURRENT RESOLUTION 16

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, Acts of the Forty-ninth General Assembly:

A. C. Gustafson, postage and miscellaneous expense (House).....	\$ 51.45
Bond Clothes, jackets for pages (House).....	207.20
Langan Paper Co., rubber bands (House).....	1.25
Koch Bros., desk lamps, office desk, equipment and supplies (House)	180.15
Des Moines Rubber Stamp Works, rubber stamp, (House).....	1.40
Storey-Kenworthy, supplies (House).....	.58
Stoner Piano Co., rental on piano, (House).....	20.00
American Institute of Business, rental of typewriters ($\frac{1}{2}$ of \$149.47) (House)	74.74
L. C. Smith & Corona Typewriters, supplies and typewriters (Senate)	384.91
American Institute of Business, rental of typewriters ($\frac{1}{2}$ of \$149.47) (Senate)	74.73
Remington Rand Inc., typewriters (Senate).....	150.00
Koch Bros., supplies (Senate).....	210.82
Artistic Cleaners, cleaning pages' jackets, (Senate).....	3.50
W. J. Scarborough, postage and miscellaneous expense, (Senate)....	17.50

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.

UNFINISHED BUSINESS

Senator Faul called up Senate File 24, a bill for an act to amend section ten thousand fifty-four (10054), Code, 1939, relating to conveyances of real estate to two or more persons and the tenancy created thereby.

Senator Faul asked and received unanimous consent to withdraw the amendment to Senate File 24 filed by him on February 2 and found on page 248 of the Senate Journal.

Senator Cromwell asked and received unanimous consent to withdraw the amendment to Senate File 24 filed by him on February 8 and found on page 298 of the Senate Journal.

Senator Faul Offered the following amendment by Senators Faul and Byers and moved its adoption:

Amend Senate File 24 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Section ten thousand fifty-four (10054), Code, 1939, is hereby amended by adding thereto the following: "Where a contrary intent is expressed in the conveyance or instrument, it shall be deemed to create an estate in joint tenancy, even though one or more of the grantors or vendors are also grantees or vendees."

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	Harvey	Long	Reilly
Bekman	Hawkins	Love	Rockhill
Berg	Henningsen	Lucas	Schluter
Byers	Hill	Lynes	Sharp
Clem	Hultman	Martin	Shaw
Dewel	Jacobson	Mercer	Sjulin
Doud	Jones	Miller	Vrba
Dykhousé	Keir	Mowry	Watson
Faul	Klein	Newsome	White
Findlay	Knudson	Pine	Zastrow
Hart	Leo		

Nays, none.

Absent or not voting, 8:

Barkley	Cromwell	Foster	Ritchie
Benson	Elthon	Kirketeg	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.

Senator Berg called up Senate File 230, a bill for an act to amend section ten thousand thirteen (10013), Code, 1939, relating to pledges or assignments of life insurance policies and the proceeds and avails thereof, as collateral security.

Senator Doud offered the following amendment and moved its adoption:

Amend Senate File 230 by inserting after the word "policies" in line 4 the words "wherein the insured has reserved the right to change the beneficiary or beneficiaries".

The amendment was adopted.

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

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

Ayes, 38:

Augustine	Hart	Love	Reilly
Barkley	Harvey	Lucas	Ritchie
Berg	Henningsen	Lynes	Rockhill
Byers	Hill	Martin	Schluter
Clem	Hultman	Mercer	Sharp
Dewel	Jones	Miller	Shaw
Doud	Keir	Mowry	Sjulin
Dykhouse	Klein	Newsome	Vrba
Findlay	Knudson	Pine	White
Foster	Leo		

Nays, 2:

Watson	Zastrow
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Absent or not voting, 10:

Bekman	Elthon	Jacobson	Long
Benson	Faul	Kirketeg	Vittetoe
Cromwell	Hawkins		

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.

THIRD READING OF BILLS

On motion of Senator Watson, Senate File 247, a bill for an act to repeal sections twelve thousand seven hundred seventy-two (12772) and twelve thousand seven hundred seventy-two and one tenth (12772.1), Code, 1939, as amended, and to enact a substitute therefor, relating to the investment, reinvestment, exchange, retention, sale and management of property held in trust by fiduciaries, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Watson offered the following amendment and moved its adoption:

Amend Senate File 247 by striking the word "Section" in line 30 and inserting in lieu thereof the word "Subsection".

The amendment was adopted.

Senator Hill offered the following amendment and moved its adoption:

Amend Senate File 247 by striking all after the word "obligation" in line 20 of subsection 2 and substituting a period (.).

Senator Watson asked and received unanimous consent that further action on Senate File 247 be deferred and that it retain its place on the calendar.

On motion of Senator Faul, Senate File 3, a bill for an act to amend subsection two (2) of section six thousand nine hundred forty-three and forty thousandths (6943.040), Code, 1939, relating to exemption from personal net income tax of members of the armed forces of the United States and those who have died as a result of service in the armed forces of the United States, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Watson asked and received unanimous consent to withdraw the amendment to Senate File 3, filed by him on January 23 and found on page 131 of the Senate Journal.

Senator Faul offered the following amendment:

Amend Senate File 3 by striking all after the enacting clause, and inserting in lieu thereof the following:

"Section 1. Subsection two (2) of section six thousand nine hundred forty-three and forty thousandths (6943.040), Code, 1939, is amended by adding the following subsections:

h. The first two thousand dollars (\$2,000) of compensation from the federal government each year to any person in the armed forces of the United States for services performed during the period beginning with the calendar year opening January 1, 1941 and continuing for six (6) months after the termination of World War II. There shall also be exempt from the gross income of any such person subsistence or dependency allowances made either to him or his dependents by the government of the United States as a result of his services in the armed forces, and any payments received by him in the form of pensions, disability allowances or for rehabilitation or educational purposes arising from his service. This exemption shall be in addition to the two thousand dollars (\$2,000) exempt by reason of compensation for services rendered and shall not be terminated upon his discharge from service.

i. Compensation of all kinds received by or payable to any person by reason of service in the armed forces of the United States from the period beginning January 1, 1941, who shall die while a member of the armed forces of the United States during World War II.

"Sec. 2. The State Tax Commission shall have the power to make refunds to persons affected by the provisions of subsections h. and i. of subsection two (2), section six thousand nine hundred forty-three and forty thousandths (6943.040), Code, 1939, as provided by this act, who have paid state individual income tax during the period covered by this act, which payments would be reduced or annulled through the application of these subsections. Such refunds shall be granted under such rules and regulations as the State Tax Commission may provide. Claims for such refunds shall not be barred by the provisions of section six thousand nine hundred forty-three and ninety-seven thousandths (6943.097). Claims for refunds made in behalf of any person who has died in service may be filed by the legally authorized administrator or executor of his estate.

Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in Madrid Register-News, a newspaper published at Madrid, Iowa, and in the Iowa By-stander, a newspaper published at Des Moines, Iowa."

Further amend Senate File 3 by striking the period (.) at the end of the title and substituting therefor a comma (,) and by adding thereto the following: "and to provide for refunds to eligible persons who have paid state individual income tax during the period covered by this act."

Senator Faul offered the following amendment to the amendment and moved its adoption:

Amend by changing the period (.) after the figures (6943.097) to a comma (,) in line 33 and inserting thereafter the following: "as amended by chapter two hundred thirty-six (236), Acts of the Forty-ninth General Assembly."

Senator Faul asked and received unanimous consent to strike the last sentence of section two (2) of the amendment.

The amendment to the amendment was adopted.

The amendment as amended was adopted.

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

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

Ayes, 46:

Augustine	Dewel	Hart	Jacobson
Bekman	Doud	Harvey	Jones
Berg	Dykhouse	Hawkins	Keir
Byers	Faul	Henningsen	Kirketeg
Clem	Findlay	Hill	Klein
Cromwell	Foster	Hultman	Leo

Long	Miller	Rockhill	Vittetoe
Love	Mowry	Schluter	Vrba
Lucas	Newsome	Sharp	Watson
Lynes	Pine	Shaw	White
Martin	Reilly	Sjulin	Zastrow
Mercer	Ritchie		

Nays, none.

Absent or not voting, 4:

Barkley	Benson	Elthon	Knudson
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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.

BILLS WITHDRAWN FROM FURTHER CONSIDERATION

Senator Berg asked and received unanimous consent to withdraw from further consideration of the Senate, Senate File 16.

Senator Shaw asked and received unanimous consent to withdraw from further consideration of the Senate, Senate File 325.

HOUSE MESSAGES CONSIDERED

House File 33, a bill for an act to amend sections sixty-nine hundred forty-three (6943), sixty-nine hundred forty-three and seventy-six thousandths (6943.076) and sixty-nine hundred forty-three and one hundred four thousandths (6943.104), Code, 1939, relating to exemption from sales tax or use tax of purchases of tax-certifying or tax-levying governmental bodies of Iowa, or any subdivision or branch thereof.

Read first and second times and referred to sifting committee.

House File 220, a bill for an act to amend section one thousand five hundred fifty-one and twenty-five hundredths (1551.25), as amended, subsection G, paragraph seven (7), (1551.25-G-7), Code, 1939, to provide unemployment compensation for maritime workers.

Read first and second times and referred to sifting committee.

House File 240, a bill for an act to amend chapter five hundred five (505), Code, 1939, relating to proof of wills.

Read first and second times and referred to sifting committee.

House File 243, a bill for an act to amend section five thousand thirty-five and five hundredths (5035.05) and section five thousand thirty-five and six hundredths (5035.06), Code, 1939, relating to the size of motor vehicles, and to repeal section five thousand thirty-five and twelve hundredths (5035.12), Code, 1939, as amended by chapter one hundred seventy-eight (178), Acts of the Forty-ninth General Assembly, relating to the weight of motor vehicles and to enact a substitute therefor.

Read first and second times and referred to sifting committee.

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

AFTERNOON SESSION

The Senate resumed regular session, President Evans presiding.

THIRD READING OF BILLS

On motion of Senator Vrba, Senate File 146, a bill for an act to repeal section eight thousand three hundred twenty-eight (8328), Code, 1939, and to amend section eight thousand three hundred twenty-six (8326), Code, 1939, relating to the manner of construction of electric transmission lines, with report of committee recommending passage, was taken up, considered, and the report of the committee 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, 45:

Augustine	Hart	Leo	Reilly
Bekman	Harvey	Long	Ritchie
Berg	Henningsen	Love	Schluter
Byers	Hill	Lucas	Sharp
Clem	Hultman	Lynes	Shaw
Cromwell	Jacobson	Martin	Sjulin
Dewel	Jones	Mercer	Vittetoe
Doud	Keir	Miller	Vrba
Dykhouse	Kirketeg	Mowry	Watson
Elthon	Klein	Newsome	White
Findlay	Knudson	Pine	Zastrow
Foster			

Nays, 4:

Barkley	Faul	Hawkins	Rockhill
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Absent or not voting, 1:

Benson

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

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

On motion of Senator Kirketeg, Senate File 248, a bill for an act to amend chapter seventy-seven and two tenths (77.2), Code, 1939, as amended, providing for unemployment compensation and regulating the collection of contributions and the payment of benefits thereunder; to amend section one thousand five hundred fifty-one and twenty hundredths (1551.20) relating to the rate of interest on past due contributions, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 47:

Augustine	Hart	Leo	Ritchie
Barkley	Harvey	Long	Rockhill
Bekman	Hawkins	Love	Schluter
Berg	Henningsen	Lucas	Sharp
Clem	Hill	Lynes	Shaw
Cromwell	Hultman	Martin	Sjulin
Dewel	Jacobson	Mercer	Vittetoe
Doud	Jones	Miller	Vrba
Dykhouse	Keir	Mowry	Watson
Elthon	Kirketeg	Newsome	White
Findlay	Klein	Pine	Zastrow
Foster	Knudson	Reilly	

Nays, none.

Absent or not voting, 3:

Benson	Byers	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.

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

On motion of Senator Keir, House File 132, a bill for an act to amend section four thousand two hundred thirty-three and three tenths (4233.3) and four thousand two hundred seventy-seven

(4277), Code, 1939, relating to tuition rates for pupils in the public schools, was taken up and considered.

Senator Ritchie offered the following amendment and moved its adoption:

Amend House File 132 as amended by the House by striking from line 10 of section 1 the word "nine" and by inserting in lieu thereof the word "ten".

Further amend House File 132 as amended by the House by striking from line 10 of section 2 the word "fifteen" and by inserting in lieu thereof the word "eighteen".

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, 47:

Augustine	Findlay	Klein	Reilly
Barkley	Foster	Knudson	Ritchie
Bekman	Hart	Leo	Rockhill
Berg	Harvey	Long	Schluter
Byers	Hawkins	Love	Shaw
Clem	Henningsen	Lucas	Sjulin
Cromwell	Hill	Lynes	Vittetoe
Dewel	Hultman	Martin	Vrba
Doud	Jacobson	Mercer	Watson
Dykhouse	Jones	Miller	White
Elthon	Keir	Mowry	Zastrow
Faul	Kirketeg	Newsome	

Nays, none.

Absent or not voting, 3:

Benson	Pine	Sharp
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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 Leo, House File 170, a bill for an act to protect and further the public health and welfare by promoting the development, expansion, economic stability, and prosperity of the dairy industry through the stimulation of an increased use and consumption of dairy products in the markets of the state, nation and foreign countries; to provide means and methods for research, education, advertising and sales stimulation relative to

the products of the dairy industry of Iowa; to provide funds for such purposes by an excise tax on dairy products, and for the collection and expenditure thereof; to create a commission with state authority to administer this act and to define its authority, duties and powers; and to prescribe penalties for violation of this act, 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 170 by inserting after section twelve (12) the following:

"Notwithstanding any provisions of this Act to the contrary, the provisions of this Act shall not be applicable to any county unless and until fifty-one per cent of the owners of dairy cattle in any county have petitioned the Secretary of Agriculture to make the provisions of this Act applicable to their county, and such petition shall include an agreement to apply the provisions of this Act and the levy of the excise tax for the period of time covered.

The Secretary of Agriculture shall then cause a notice to be published in the county for two consecutive weeks in two official county papers of the time, date, and place of hearing on said petition. The date of hearing shall not be less than five or more than ten days after the last publication and said hearing shall be held in the court house in the county seat of the respective county involved.

If after such published date of hearing no objections are filed to such petition on or before such date the petition shall be found sufficient and the Secretary or Agriculture shall enroll said county under the provisions of this Act. If objections are filed with the Secretary of Agriculture on or before the time and date fixed in the notice the Secretary shall hear the objectors and petitioners and determine the sufficiency of the petition and whether or not the county shall become an area covered by the provisions of this Act. If the petition is found sufficient the Secretary of Agriculture shall make an entry of record establishing the county as an area covered by the provisions of this Act, and all the provisions of this Act shall then apply within the county.

For the purpose of determining the number of owners of dairy cattle in the county constituting the per cent required as signers of the petition, the county auditor of each county shall certify to the Secretary of Agriculture from the last assessment in the county the number of owners of dairy cattle in such county as shown by the last assessment roll."

Further amend by renumbering the remaining sections.

The amendment was lost.

Senator Lynes offered the following amendment and moved its adoption:

Amend House File 170 as follows:

1. In section 2, line 25, change "elected" to "appointed".

2. In section 3, line 8, strike the word "such"; and in line 34, change "dealing" to "dealings".

3. In section 6, line 1, insert a virgule, (/), between the words "and" and "or".

4. In section 8, lines 2 and 3, strike the words "the State Treasury. Said Dairy Industry Fund" and insert in lieu thereof the following: "any funds in the state treasury except said Dairy Industry Fund which".

5. In section 11, lines 2 and 3, strike the words "upon conviction thereof,".

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, 42:

Augustine	Harvey	Long	Ritchie
Bekman	Henningsen	Lucas	Rockhill
Berg	Hill	Lynes	Schluter
Byers	Hultman	Martin	Sharp
Clem	Jacobson	Mercer	Shaw
Dewel	Jones	Miller	Vittetoe
Dykhousé	Keir	Mowry	Vrba
Elthon	Kirketeg	Newsome	Watson
Faul	Klein	Pine	White
Findlay	Knudson	Reilly	Zastrow
Hart	Leo		

Nays, 3:

Cromwell	Hawkins	Love
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Absent or not voting, 5:

Barkley	Doud	Foster	Sjulin
Benson			

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 Martin, Senate File 337, a bill for an act to authorize any city, including special charter cities, having a population of fifty thousand (50,000) or more, to acquire, construct, equip, own and operate a public coliseum and procure a site therefor, and to issue bonds and levy taxes in connection therewith, and providing for the creation of a coliseum commission to perform certain of the functions and duties thus authorized, was taken up and considered.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 337 by striking from line 5, section 5, the words "with or without notice" and inserting in lieu thereof the following: "with notice as provided in chapter sixty-three (63), Code of Iowa, 1939".

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	Knudson	Reilly
Barkley	Hart	Leo	Ritchie
Bekman	Harvey	Long	Schluter
Berg	Hawkins	Love	Sharp
Byers	Hill	Lynes	Shaw
Clem	Hultman	Martin	Sjulin
Cromwell	Jacobson	Mercer	Vittetoe
Dewel	Jones	Miller	Vrba
Dykhousé	Keir	Mowry	Watson
Elthon	Kirketeg	Newsome	White
Faul	Klein	Pine	Zastrow
Findlay			

Nays, none.

Absent or not voting, 5:

Benson	Henningsen	Lucas	Rockhill
Doud			

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 Files 6, 7, 9 and 158; and House Files 39, 82, 84 and 216.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed, in the presence of the Senate, Senate Files 6, 7, 9, and 158; and House Files 39, 82, 84, and 216.

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 March, 1945, sent to the governor for his approval, Senate Files 6, 7, 9, and 158. ROBERT C. REILLY, *Chairman*.

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 7th he had approved the following bills:

Senate Joint Resolution 5, relating to purchase of property from International Harvester Company.

Senate File 6, relating to veteran's newsstand in the capitol.

Senate File 7, relating to veterans' newsstands in courthouses.

Senate File 9, relating to the wearing of uniforms.

Senate File 62, relating to articles of incorporation of Smith Brothers and Burdick Company of Davenport.

Senate File 90, relating to independent school district of Dubuque.

Senate File 158, relating to liability insurance on motor vehicle carriers.

Senate File 165, relating to claims.

Senate File 166, relating to claims.

Senate File 167, relating to claims.

Senate File 168, relating to Big Four Agricultural Society, etc.

Senate File 169, relating to claims.

Senate File 233, relating to returns on income tax.

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 360

Senate File 63

Senate File 258

Senate File 195

Senate File 218

Senate File 314

House File 111

STANLEY L. HART, *Chairman*.

AMENDMENTS FILED

Amend House File 34 by striking all after the enacting clause and substituting the following:

Section 1. Section six thousand two hundred eleven (6211), Code, 1939, is hereby amended by striking from subsection 14 all of lines 1 and 2 and the words "fourths mill," in line 3 and substituting in lieu thereof the following:

"Any city, having a population of more than 30,000, not to exceed one-half mill; any city having a population of more than 5,000, but not more than 30,000, not to exceed one mill; any city having a population of 5,000 or less and any town, not to exceed two mills;" G. R. HILL.

Amend House File 34 as follows: Following the word "in" in line 4 of the title, insert the words "cities and".

Further amend by striking the period at the end of section 1 and after substituting a comma therefor, add the following: "also strike the word 'one-fourth' in line 2 of paragraph 14 of said section and insert in lieu thereof the word 'three-fourths'." FRANK C. BYERS.

Amend Senate File 309, line 3, by striking therefrom the word "All" and inserting in lieu thereof the following: "Notwithstanding any law prohibiting the employment of minors all". GEORGE FAUL.

Amend Senate File 311 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section one thousand four hundred thirty-six (1436), Code, 1939, is hereby amended by striking from line 5 thereof the word "employee" and by inserting in lieu thereof the words "the insurance carrier". Said section is further amended by inserting after the word "employer" in line 7 the words "or the insurance carrier".

Said section is further amended by striking from lines 15 and 16 thereof the words "may execute the memorandum of agreement and".

Said section is further amended by adding thereto a new paragraph as follows: "Any failure on the part of the employer or insurance carrier to file such memorandum of agreement with the Industrial Commissioner within thirty (30) days after the payment of weekly compensation is begun shall stop the running of section one thousand three hundred eighty-six (1386) as of the date of the first such payment."

Further amend said Senate File 311 by striking from the title all after the word "matters" in line 4. GEORGE FAUL.

Amend Senate File 114 as follows:

At the end of section 1 add a new paragraph as follows: "Further amend this section by adding at the end thereof the following: 'Wherever the term "deputy industrial commissioner" is used in this chapter it shall mean either the first or second deputy industrial commissioner'."

FRED CROMWELL.

Amend Senate File 151 by striking all of section 1 and inserting as section 1 the following:

Section 1. Section five thousand thirty-nine and two hundredths

(5039.02), Code, 1939, in paragraph 5, line 3, insert after the word "dis-playing" a comma and insert the words "reconditioning and repairing".

Further amend Senate File 151, in section 2 by striking the word "following" in line 4 and inserting in lieu thereof the word "word".

R. A. ROCKHILL.

Amend Senate File 202 by striking section 1 thereof, and substituting in lieu thereof the following:

"Section 1. Any county, city or town, including special charter cities and cities under the commission form of government, may establish and operate, with the approval of the State Adjutant General, information centers for service men and women of the armed forces, and may appropriate from any fund or funds available such sums as are necessary to pay the costs and expenses of maintaining and operating such information centers for service men and women of the armed forces."

JOHN P. BERG.

Amend Senate File 222 by striking therefrom all that part of section 1 that follows the period after the word "business" in line 20 thereof, and by inserting in lieu thereof the following:

"Provided, that in any case in which such sale, transfer, merger or reorganization has taken place in any year after the predecessor employer's rate of contribution (hereafter called rate) has been determined for such year the employer's rate for the remainder of such year, shall, upon his application to the Commission be determined in the following manner:

1. If the successor employer has no rate or if he has a rate and it is the same rate as that of his predecessor employer or employers, their rates being the same rate, his rate shall be that of the predecessor employer or employers.

2. If the rate or rates of the predecessor employers are not the same rate, and that of the successor employer if he has a rate is not the same rate as that of the predecessor employer then the rate of the successor employer shall be redetermined under the combined experience of the predecessor employer or employers and the successor employers."

F. E. SHARP.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 8, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend A. H. Nelson, pastor of the Bethel Baptist church, Harlan, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Knudson for the day on request of Senator Kirketeg; Senator Sjulín indefinitely on request of Senator Hultman.

INTRODUCTION OF BILLS

Senate File 400, by committee on judiciary 1, a bill for an act relating to bonds of state officers and providing for the payment by the state of the reasonable expense thereof, and of bonds required by section two thousand five hundred ninety-nine (2599), Code, 1939, in the department of agriculture.

Read first and second times and referred to sifting committee.

Senate File 401, by committee on judiciary 1, a bill for an act to amend section two thousand five hundred eighty-five and eighteen hundredths (2585.18), Code, 1939, relating to the renewal of licenses of cosmetology schools and providing for due notice and hearing in such cases.

Read first and second times and referred to sifting committee.

Senate Joint Resolution 8, by special committee on tax revision, a resolution to create a special committee to make a study of taxation in Iowa, embracing the entire structure of state and local methods or raising revenues, to make inquiries into the present system of assessment of real and personal property, to make a study of changes in the existing tax system which may be necessary or advisable, for the purpose of making recommendations to the Governor and to the General Assembly of such revisions as may be necessary to meet postwar emergencies and equitable tax distribution, prescribing the powers and authority of such committee and making an appropriation for its expenses.

Read first and second times and referred to sifting committee.

Senator Reilly called up the following concurrent resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 9

Whereas, Both Houses of the Legislature see fit to open their day's work with prayer, and it is unseemly that they should work during the time in which is commemorated the Passion and Death of the Lord to whom they dedicate their daily efforts;

Whereas, Many members will absent themselves from the legislative halls during that time to attend services in their respective churches; therefore,

Be It Resolved by the Senate, the House Concurring: That a special recess be held on Good Friday afternoon, March 30, during the hours of twelve to three o'clock, out of reverence to the Passion and Death of Our Lord.

The resolution was adopted.

UNFINISHED BUSINESS

On motion of Senator Pine, Senate File 151, a bill for an act to amend section five thousand thirty-nine and two hundredths (5039.02), Code, 1939, by changing the definition of the term "place of business" contained therein; and to amend section five thousand thirty-nine and five hundredths (5039.05), Code, 1939, by increasing the license fee provided for therein from five dollars (\$5.00) to fifteen dollars (\$15.00).

Senator Bekman asked and received unanimous consent to withdraw the amendment to Senate File 151 filed by him on March 6 and found on page 546 of the Senate Journal.

Seator Rockhill asked and received unanimous consent to withdraw the amendment to Senate File 151 filed by him on March 6 and found on pages 547 and 548 of the Senate Journal.

Senator Rockhill offered the following amendment and moved its adoption:

Amend Senate File 151 by striking all of section 1 and inserting as section 1 the following:

Section 1. Section five thousand thirty-nine and two hundredths (5039.02), Code, 1939, in paragraph 5, line 3, insert after the word "displaying" a comma and insert the words "reconditioning and repairing".

Further amend Senate File 151, in section 2 by striking the word "following" in line 4 and inserting in lieu thereof the word "word".

The amendment was 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:

Barkley	Foster	Love	Ritchie
Bekman	Hart	Lynes	Rockhill
Berg	Harvey	Martin	Schluter
Byers	Hawkins	Mercer	Sharp
Clem	Hill	Lucas	Shaw
Cromwell	Hultman	Miller	Vittetoe
Dewel	Jacobson	Mowry	Vrba
Doud	Kirketeg	Newsome	Watson
Dykhouse	Klein	Pine	White
Faul	Leo	Reilly	Zastrow
Findlay	Long		

Nays, 1:

Augustine

Absent or not voting, 7:

Benson	Henningsen	Keir	Sjulin
Elthon	Jones	Knudson	

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.

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 219, a bill for an act providing for taxing limited partnerships.

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

House File 228, a bill for an act relating to fees and taxes on trackless trolleys.

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

House File 315, a bill for an act providing for increases in compensation for public officers and employees.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 10, a bill for an act relating to preference in public employment of honorably discharged members of the military or naval forces.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 15, a bill for an act relating to cities under commission form of government.

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

Senate File 85, a bill for an act relating to payment of claims against State Sinking Fund.

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 estate of missing personnel.
A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 10

1. Amend by striking the comma (,) after the word "state" in line thirteen (13) of section one (1) and further amend by striking from lines thirteen (13) and fourteen (14) the following: "except in the position of school teachers,".

2. Amend section one (1) by striking from line six (6) the words "school boards", inserting in lieu thereof the words "school districts".

3. Amend section one (1), line ten (10), by inserting after the word "was" the words "or is now".

4. Amend section one (1) by striking from lines six (6) and seven (7) the following: "including those of cities acting under special charters,".

5. Amend by adding as a new section the following:

"Sec. 3. The provisions of this act shall apply to and be applicable to special charter cities in the State."

6. Amend the title by inserting after the word "was" in line eight (8) the following: "or is now".

HOUSE AMENDMENTS TO SENATE FILE 15

1. Amend section three (3) by striking subsections one (1), two (2) and three (3) thereof and substituting in lieu thereof the following:

1. By striking from lines three (3) and four (4) of said subsection the words "three thousand" and inserting in lieu thereof the words "four thousand".

2. By striking from line five (5) of said subsection the words "twenty-five hundred" and inserting in lieu thereof the words "thirty-two hundred".

2. Amend section four (4) by striking from line four (4) thereof the word "seventy" and inserting in lieu thereof the word "sixty".

3. Amend section five (5), lines three (3) and four (4), by striking

the words "sixty-five hundred", and inserting in lieu thereof the words "five thousand".

Further amend by striking from lines four (4) and five (5) the words "five thousand", and inserting in lieu thereof the words "forty-two hundred".

HOUSE AMENDMENTS CONSIDERED

Senator Faul called up for consideration Senate File 10, a bill for an act to amend section one thousand one hundred fifty-nine (1159) and section one thousand one hundred sixty-one (1161), Code, 1939, relating to preference in public employment of honorably discharged members of the military or naval forces of the United States, of any war in which the United States was engaged including the Philippine Insurrection and China Relief expedition, amended by the House, and moved that the Senate concur in the following House amendments:

1. Amend by striking the comma (,) after the word "state" in line thirteen (13) of section one (1) and further amend by striking from lines thirteen (13) and fourteen (14) the following: ", except in the position of school teachers,".

2. Amend section one (1) by striking from line six (6) the words "school boards", inserting in lieu thereof the words "school districts".

3. Amend section one (1), line ten (10), by inserting after the word "was" the words "or is now".

4. Amend section one (1) by striking from lines six (6) and seven (7) the following: "including those of cities acting under special charters,".

5. Amend by adding as a new section the following:

"Sec. 3. The provisions of this act shall apply to and be applicable to special charter cities in the state."

6. Amend the title by inserting after the word "was" in line eight (8) the following: "or is now".

The motion prevailed and the Senate concurred in the House amendments.

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

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

Ayes, 45:

Augustine	Dykhouse	Henningsen	Long
Barkley	Elthon	Hill	Love
Bekman	Faul	Hultman	Lucas
Berg	Findlay	Jacobson	Lynes
Byers	Foster	Jones	Martin
Clem	Hart	Kirketeg	Mercer
Dewel	Harvey	Klein	Miller
Doud	Hawkins	Leo	Mowry

Newsome
Pine
Reilly
Ritchie

Rockhill
Schluter
Sharp

Shaw
Vittetoe
Vrba

Watson
White
Zastrow

Nays, none.

Absent or not voting, 5:

Benson
Cromwell

Keir

Knudson

Sjulin

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 Cromwell called up for consideration Senate File 15, a bill for an act to amend section sixty-five hundred seventeen (6517), Code, 1939, relating to and providing for the salary of the mayor and councilmen of certain cities now or hereafter organized under chapter three hundred twenty-six (326), Code, 1939, relating to cities under the commission form of government, amended by the House, and moved that the Senate concur in the following House amendments:

1. Amend section three (3) by striking subsections one (1), two (2) and three (3) thereof and substituting in lieu thereof the following:

1. By striking from lines three (3) and four (4) of said subsection the words "three thousand" and inserting in lieu thereof the words "four thousand".

2. By striking from line five (5) of said subsection the words "twenty-five hundred" and inserting in lieu thereof the words "thirty-two hundred".

2. Amend section four (4) by striking from line four (4) thereof the word "seventy" and inserting in lieu thereof the word "sixty".

3. Amend section five (5), lines three (3) and four (4) by striking the words "sixty-five hundred", and inserting in lieu thereof the words "five thousand".

Further amend by striking from lines four (4) and five (5) the words "five thousand", and inserting in lieu thereof the words "forty-two hundred".

The motion prevailed and the Senate concurred in the House amendments.

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, 46:

Augustine	Findlay	Leo	Reilly
Barkley	Foster	Long	Ritchie
Bekman	Hart	Love	Rockhill
Berg	Harvey	Lucas	Schluter
Byers	Hawkins	Lynes	Sharp
Clem	Henningsen	Martin	Shaw
Cromwell	Hill	Mercer	Vittetoe
Dewel	Hultman	Miller	Vrba
Doud	Jacobson	Mowry	Watson
Dykhouse	Jones	Newsome	White
Elthon	Kirketeg	Pine	Zastrow
Faul	Klein		

Nays, none.

Absent or not voting, 4:

Benson	Keir	Knudson	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 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.

THIRD READING OF BILLS

On motion of Senator Vittetoe, Senate File 391, a bill for an act to amend chapters one hundred seven (107) and two hundred eighty-three (283), Code, 1939, relating to local boards of health and providing for a county board of health, 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.

President pro tempore Hart took the chair at 10:50 a. m.

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

Ayes, 42:

Augustine	Faul	Leo	Pine
Barkley	Findlay	Long	Reilly
Bekman	Hart	Love	Ritchie
Berg	Harvey	Lucas	Rockhill
Byers	Henningsen	Lynes	Schluter
Clem	Hill	Martin	Sharp
Cromwell	Hultman	Mercer	Shaw
Dewel	Jacobson	Miller	Vittetoe
Doud	Jones	Mowry	Vrba
Dykhouse	Kirketeg	Newsome	White
Elthon	Klein		

Nays, 1:

Watson

Absent or not voting, 7:

Benson
Foster

Hawkins
Keir

Knudson
Sjulin

Zastrow

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 Barkley, House File 34, a bill for an act to amend paragraph fourteen (14) of section six thousand two hundred eleven (6211), Code, 1939, by authorizing an increased levy for the cemetery fund in towns, was taken up and considered.

Senator Hill offered the following amendment and moved its adoption:

Amend House File 34 by striking all after the enacting clause and substituting the following:

Section 1. Section six thousand two hundred eleven (6211), Code, 1939, is hereby amended by striking from subsection 14 all of lines 1 and 2 and the words "fourths mill," in line 3 and substituting in lieu thereof the following:

"Any city, having a population of more than 30,000, not to exceed one-half mill; any city having a population of more than 5,000, but not more than 30,000, not to exceed one mill; any city having a population of 5,000 or less and any town, not to exceed two mills;"

The amendment was adopted.

Senator Byers asked and received unanimous consent to withdraw the amendment to House File 34 filed by him on March 7 and found on page 565 of the Senate Journal.

Senator Hill offered the following amendment to the title and moved its adoption:

Amend the title to House File 34 by adding following the word "in" in line 4 the words "cities and".

The amendment was adopted.

Senator Barkley moved that the bill be read a third 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:

Barkley
Bekman
Berg

Byers
Clem
Dewel

Doud
Dykhouse
Elthon

Faul
Findlay
Hart

Harvey	Klein	Miller	Sharp
Hawkins	Leo	Mowry	Shaw
Henningsen	Long	Newsome	Vittetoe
Hill	Love	Pine	Vrba
Hultman	Lucas	Reilly	Watson
Jacobson	Lynes	Ritchie	White
Jones	Martin	Rockhill	Zastrow
Kirketeg	Mercer	Schluter	

Nays, none.

Absent or not voting, 7:

Augustine	Cromwell	Keir	Sjulin
Benson	Foster	Knudson	

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 Byers, Senate File 114, a bill for an act to amend sections fourteen hundred twenty-four (1424), fourteen hundred twenty-five (1425), fourteen hundred thirty-seven (1437), fourteen hundred thirty-eight (1438), fourteen hundred forty (1440), fourteen hundred forty-one (1441), fourteen hundred forty-two (1442), fourteen hundred forty-three (1443), fourteen hundred forty-four (1444), fourteen hundred forty-six (1446), fourteen hundred forty-seven (1447), fourteen hundred sixty (1460) of the 1939 Code of Iowa, relating to Workmen's Compensation Law of Iowa, providing for additional deputy industrial commissioner and prescribing the powers and duties of the industrial commissioner, his deputies, and providing for procedure for hearings on application for arbitration before the deputy industrial commissioners and boards of arbitration, was taken up and considered.

Senator Cromwell offered the following amendment and moved its adoption:

Amend Senate File 114 as follows:

At the end of section 1 add a new paragraph as follows: "Further amend this section by adding at the end thereof the following: 'Wherever the term "deputy industrial commissioner" is used in this chapter it shall mean either the first or second deputy industrial commissioner'."

The amendment was adopted.

Senator Clem offered the following amendment to the title and moved its adoption:

Amend by inserting after the word "for" in line 10 the word "an".

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	Faul	Kirketeg	Pine
Barkley	Findlay	Klein	Reilly
Bekman	Hart	Leo	Ritchie
Benson	Harvey	Long	Rockhill
Berg	Hawkins	Love	Schluter
Byers	Henningsen	Lucas	Sharp
Clem	Hill	Lynes	Shaw
Cromwell	Hultman	Martin	Vittetoe
Dewel	Jacobson	Mercer	Watson
Doud	Jones	Mowry	White
Dykhouse	Keir	Newsome	Zastrow
Elthon			

Nays, none.

Absent or not voting, 5:

Foster	Miller	Sjulin	Vrba
Knudson			

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

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

On motion of Senator Bekman, Senate File 309, a bill for an act to amend subsection four (4) of section one thousand four hundred twenty-one (1421), Code, 1939, by adding thereto a new paragraph providing that all minor employees regularly employed should be entitled to all benefits of chapters seventy (70), seventy-one (71) and seventy-two (72) relating to workmen's compensation regardless of the age of such minors, was taken up and considered.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 309 as follows:

1. By striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section one thousand four hundred twenty-one (1421), Code, 1939, is amended by adding thereto a new paragraph as follows:

'Failure on the part of the employer to comply with the Child Labor Laws of this state shall not operate to relieve the employer from liability

under this chapter and chapters seventy-one (71) and seventy-two (72), Code, 1939.'"

2. By striking from the title all words after the words "An Act to amend" and inserting in lieu thereof the following:

"section one thousand four hundred twenty-one (1421), Code, 1939, by adding thereto a new paragraph relating to Workmen's Compensation for minors employed in violation of the Child Labor Laws of the State of Iowa, Code of 1939."

Senator Faul asked and received unanimous consent to withdraw all of the amendment except division 2.

Senator Faul moved the adoption of division 2 of the amendment.

The amendment was adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 309, line 3, by striking therefrom the word "All" and inserting in lieu thereof the following: "Notwithstanding any law prohibiting the employment of minors all".

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	Faul	Klein	Reilly
Barkley	Findlay	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Benson	Harvey	Love	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Lynes	Shaw
Clem	Hill	Martin	Vittetoe
Cromwell	Hultman	Mercer	Vrba
Dewel	Jacobson	Miller	Watson
Doud	Jones	Mowry	White
Dykhouse	Keir	Newsome	Zastrow
Elthon	Kirketeg		

Nays, none.

Absent or not voting, 4:

Foster	Knudson	Pine	Sjulin
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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 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 310, a bill for an act to repeal section one thousand four hundred thirty-five (1435), Code, 1939, and to enact a substitute therefor relating to a penalty for failure to file reports required under chapter seventy-one (71), Code, 1939, which may be required in workmen's compensation matters, was taken up and considered.

Senator White offered the following amendment and moved its adoption:

Amend Senate File 310 by inserting after the word "who" in line 3 of section 1 the word "wilfully".

The amendment was adopted.

Senator Faul offered the following amendment to the title and moved its adoption:

Amend the title to Senate File 310 by inserting after the word "for" in line 3 the word "wilful".

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, 47:

Augustine	Faul	Klein	Reilly
Barkley	Findlay	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Benson	Harvey	Love	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Lynes	Shaw
Clem	Hill	Martin	Vittetoe
Cromwell	Hultman	Mercer	Vrba
Dewel	Jacobson	Miller	Watson
Doud	Jones	Mowry	White
Dykhouse	Keir	Newsome	Zastrow
Elthon	Kirketeg	Pine	

Nays, none.

Absent or not voting, 3:

Foster	Knudson	Sjulin
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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 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 Schluter asked and received unanimous consent to present to the Senate the members of the girls' basketball team of the Olin high school who were present in the balcony with their coach.

Senator Dewel asked and received unanimous consent to present to the Senate members of the girls' basketball team of Center township high school, Emmet county, who were present in the balcony with their coach.

Senator Dewel also asked and received unanimous consent to present to the Senate the members of the girls' basketball team of Curlew high school who were present in the balcony with their coach.

Senator Shaw asked and received unanimous consent to present to the Senate the members of the senior class of the Plover high school who were present in the balcony with their principal.

HOUSE MESSAGES CONSIDERED

House File 219, a bill for an act to amend section six thousand nine hundred forty-three and forty-seven thousandths (6943.047); six thousand nine hundred forty-three and fifty-two thousandths (6943.052) and six thousand nine hundred forty-three and sixty-four thousandths (6943.064), Code, 1939, providing for taxation of limited partnerships under the state income tax law.

Read first and second times and referred to the sifting committee.

House File 228, a bill for an act to amend section six thousand six hundred ten and fifty-eight hundredths (6610.58), Code, 1939, relating to trackless trolleys, fees and taxes and to increase the license fee for tax.

Read first and second times and referred to the sifting committee.

House File 315, a bill for an act to provide for increases in compensation for public officers and employees in counties and subdivisions thereof during the period from July 1, 1945 to June 30, 1947 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.

Read first and second times and referred to the sifting committee.

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

AFTERNOON SESSION

The Senate resumed regular session, President Evans presiding.

THIRD READING OF BILLS

On motion of Senator Faul, Senate File 311, a bill for an act to amend section one thousand four hundred thirty-six (1436), Code, 1939, relating to filing memorandum of agreement for payment of weekly compensation in workmen's compensation matters and further providing for the filing of such agreement by the insurance carrier and estopping the employer or insurance carrier from setting up a defense on the failure to file such agreement when the employee seeks further compensation under the provisions of section one thousand four hundred fifty-seven (1457), Code, 1939, was taken up and considered.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 311 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section one thousand four hundred thirty-six (1436), Code, 1939, is hereby amended by striking from line 5 thereof the word "employee" and by inserting in lieu thereof the words "the insurance carrier". Said section is further amended by inserting after the word "employer" in line 7 the words "or the insurance carrier".

Said section is further amended by striking from lines 15 and 16 thereof the words "may execute the memorandum of agreement and".

Said section is further amended by adding thereto a new paragraph as follows: "Any failure on the part of the employer or insurance carrier to file such memorandum of agreement with the Industrial Commissioner within thirty (30) days after the payment of weekly compensation is begun shall stop the running of section one thousand three hundred eighty-six (1386) as of the date of the first such payment."

Further amend said Senate File 311 by striking from the title all after the word "matters" in line 4.

The amendment was adopted.

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

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

Ayes, 43:

Augustine	Faul	Leo	Ritchie
Bekman	Findlay	Long	Rockhill
Benson	Hart	Lucas	Schluter
Berg	Harvey	Lynes	Sharp
Byers	Hawkins	Martin	Shaw
Clem	Henningsen	Mercer	Vittetoe
Cromwell	Hill	Miller	Vrba
Dewel	Hultman	Mowry	Watson
Doud	Jacobson	Newsome	White
Dykhouse	Jones	Pine	Zastrow
Elthon	Klein	Reilly	

Nays, none.**Absent or not voting, 7:**

Barkley	Keir	Knudson	Sjulin
Foster	Kirketeg	Love	

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 Doud, Senate File 330, a bill for an act to provide for the study and survey by the county boards of education of the matter of reorganization of school districts, the submission of plans of reorganization to the voters of affected districts, and making effective any reorganization which may be authorized, was taken up and considered.

Senator Elthon offered the following amendment and moved its adoption:

Amend Senate File 330, section 4, line 6, by striking the word "are" and inserting in lieu thereof the following: "or 60% of the total vote cast on the proposition is".

President pro tempore Hart took the chair at 3:15 p. m.

Senator Hill moved the previous question on the amendment by Senator Elthon, which motion prevailed.

The amendment was lost.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 330 as follows:

1. By striking from line 1 of section 1 the following: ", 1947," and inserting in lieu thereof the words "following the termination of the present war".

2. By striking from line 2 of section 9 the following: "1946 for the year 1947, and each year thereafter" and inserting in lieu thereof the words "each year following the termination of the present war".

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was :

Ayes, 18:

Berg	Hawkins	Love	Newsome
Dykhousc	Kirkctcg	Lucas	Reilly
Faul	Klein	Martin	Ritchie
Findlay	Leo	Mowry	Vittctoe
Foster	Long		

Nays, 27:

Augustine	Dewel	Jacobson	Sharp
Barkley	Doud	Jones	Shaw
Bekman	Elthon	Keir	Vrba
Benson	Hart	Mercer	Watson
Byers	Harvey	Miller	White
Clem	Henningsen	Rockhill	Zastrow
Cromwell	Hill	Schluter	

Absent or not voting, 5:

Hultman	Lynes	Pine	Sjulin
Knudson			

The amendment was lost.

Senator Hill moved the previous question on the main bill, which motion prevailed.

Senator Doud moved that the bill be read a third 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	Elthon	Keir	Newsome
Barkley	Faul	Kirkctcg	Reilly
Bekman	Findlay	Klein	Rockhill
Benson	Foster	Leo	Schluter
Berg	Hart	Long	Sharp
Byers	Harvey	Love	Shaw
Clem	Henningsen	Lucas	Vittctoe
Cromwell	Hill	Lynes	Vrba
Dewel	Hultman	Martin	Watson
Doud	Jacobson	Mercer	White
Dykhousc	Jones	Miller	Zastrow

Nays, 2:

Mowry	Ritchie
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Absent or not voting, 4:

Hawkins	Knudson	Pine	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 Doud moved that the 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 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 396	Senate File 238	Senate File 145
Senate File 400	Senate File 244	Senate File 173
House File 243	House File 62	Senate File 196

Senate File 398, subject to being referred to appropriations committee under Rule 21.

STANLEY L. HART, *Chairman*.

BILL ASSIGNED TO COMMITTEE

President Evans announced the following assignment of bill to committee:

Bill No.	Committee Assignment
S. F. 398	Committee on appropriations.

AMENDMENTS FILED

Amend Senate Joint Resolution 7 as follows: Amend Senate Joint Resolution 7 by inserting after the comma in line 15 the following: "The State Board of Education,".

A. J. SHAW.

Amend Senate File 145, section 2, by striking all after the word "merchandise" in the seventh line and substituting the following:

"in a bonded warehouse operating under the supervision of the United States Government pending sale thereof. Nothing in this definition shall be construed to exempt the manufacturer or processor from taxation on his own merchandise, as provided for under section 6971 of the 1939 Code."

G. R. HILL.

Amend Senate File 218 by adding thereto another section as follows:

Sec. 3. Section thirteen thousand twenty-seven (13027), Code, 1939, is further amended by inserting after the word "of" in line 4 of subsection 4 thereof, the following: "larceny by".

Further amend Senate File 218 by inserting after the word "of" in line 8 of section 1 thereof the following: "larceny by".

FRANK C. BYERS.

Amend Senate File 277 as follows:

1. By striking in line 4 of section 6 the words "drawn by them" and inserting in lieu thereof the words "paid for such services."

2. By striking in line 5 of section 7 the words "by said officer, deputy and employee" and inserting in lieu thereof the words "for such services."

J. G. LUCAS.

Amend House File 315 as follows:

1. By striking in line 4 of section 6 the words "drawn by them" and inserting in lieu thereof the words "paid for such services".

2. By striking in line 5 of section 7 the words "by said officer, deputy and employee" and inserting in lieu thereof the words "for such services".

J. G. LUCAS.

Amend Senate File 329 in the following manner:

Following section 19 insert as section 20 the following: "Sec. 20. Section four thousand ninety-six (4096), Code, 1939, is amended by striking the words 'three years' in lines 3 and 4 and substituting the words 'one year'."

Section 20 is renumbered as section 21.

Add as section 22 the following: "This act being deemed of immediate importance shall go into effect from and after its publication in the Spencer Times, a newspaper published at Spencer, Iowa, and in the Sheldon Mail, a newspaper published at Sheldon, Iowa."

Amend the title by striking the word "section" following the word "amend" in the title and insert in lieu thereof the following: "sections four thousand ninety-six (4096) and" also by inserting after the figures "1939" at the end of the title the following: "as of April 1st, 1946."

ROBERT KEIR.

Amend Senate File three hundred and twenty-nine (329), section four (4), by striking the word "any" in line eight (8) and substituting in lieu thereof the word "such", and section thirteen (13) by striking the word "county" in line ten (10) and substituting in lieu thereof the word "deputy".

ROBERT KEIR.

Amend Senate File 238 as follows:

1. In line 3 of section 8 insert "New Era News".

2. In line 4 of section 8 after the word "at", insert "Mediapolis".

3. In line 4 of section 8 after the word "in" insert the words "Daily News".

4. In line 5 of section 8 after the word "at", insert the words "Mt. Pleasant".

FRED CROMWELL.

Amend Senate File 400 as follows:

1. At the beginning of line 3 of section 3 insert "Hawk-Eye Gazette" and at the end of said line insert "Burlington".

2. In line 4 of section 3 after the word "the" insert "Wapello Republican".

3. In line 5 of section 3 after the word "at", insert "Wapello".

FRED CROMWELL.

Amend Senate File 401 by inserting after the period (.) in line 9 of section 1 the following:

"Said notice shall be served as provided for the service of original notices under the Rules of Civil Procedure."

GEORGE FAUL.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 9, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend Arthur Eastman, pastor of the Methodist church, Bloomfield, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Byers, from residents of Linn county, favoring safety legislation and local option.

By Senator Clem, from residents of Woodbury county, favoring an increase in salaries.

By Senator Findlay, from residents of Calhoun county, in opposition to an increase in tax on gasoline.

By Senator Hill, from residents of Hamilton county, favoring veteran legislation.

By Senator Keir, from residents of O'Brien county, favoring safety legislation.

By Senator Ritchie, from residents of Plymouth county, in opposition to an increase in tax on gasoline.

By Senator Rockhill, from residents of Marshall county, favoring local option.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Knudson for the day on request of Senator Findlay.

INTRODUCTION OF BILLS

Senate File 402, by committee on compensation of public officers and employees, a bill for an act to amend section nine thousand three hundred fifty-four and one tenth (9354.1), Code, 1939, relating to salary of supervisor of building and loan associations.

Read first and second times and referred to sifting committee.

REPORTS OF COMMITTEES

Senator Long submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 200, a bill for an act to amend section 2590, providing for the establishment of additional market news service on agricultural products, begs leave to report it has had the same under consideration and recommends the same do pass.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 398, a bill for an act to appropriate additional funds for erecting and equipping an office building on the state capitol grounds, begs leave to report it has had the same under consideration and recommends the same do pass.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House Concurrent Resolution 16, a bill for an act authorizing payment of certain bills, begs leave to report it has had the same under consideration and recommends the same do pass.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendments to and passed House File 34, a bill for an act authorizing an increased levy for cemetery fund in towns.

Also: That the House has refused to concur in Senate amendments to House File 122, a bill for an act relating to the minimum wages of teachers of public schools.

Also: That the House has amended and concurred in Senate amendments to House File 132, a bill for an act relating to tuition rates for pupils in public schools.

Also: That the House has concurred in Senate amendments to and passed House File 170, a bill for an act creating an Iowa dairy industry commission.

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

House File 126, a bill for an act relating to vocational education.

Also: 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 judges of the municipal court 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 153, a bill for an act relating to compensation of clerk of grand jury.

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

House File 174, a bill for an act relating to 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 215, a bill for an act relating to salary of judges of the superior court.

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

House File 225, a bill for an act legalizing the conveyance of certain real estate by the Independent School District of Fort Dodge.

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

House File 239, a bill for an act relating to establishment of marketing news service division in department of agriculture.

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

House File 358, a bill for an act relating to aeronautics.

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 authorizing purchase of land adjoining state sanatorium.

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

House File 374, a bill for an act authorizing purchase of land adjoining state sanatorium.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE AMENDMENT

Amend Senate amendment to House File 132 by striking from the last line thereof the word "eighteen" and inserting in lieu thereof the word "seventeen".

Senator Long called up House Concurrent Resolution 16, a resolution providing that the following bills, authorized by legislative action, are hereby approved and ordered paid as provided by chapter 26, Acts of the Forty-ninth General Assembly: A. C. Gustafson, postage and miscellaneous expense (House),

\$51.45; Bond Clothes, jackets for pages (House), \$207.20; Langan Paper Co., rubber bands (House), \$1.25; Koch Bros., desk lamps, office desk, equipment and supplies (House), \$180.15; Des Moines Rubber Stamp Works, rubber stamp (House), \$1.40; Storey-Kenworthy, supplies (House), 58c; Stoner Piano Co., rental on piano (House), \$20.00; American Institute of Business, rental of typewriters ($\frac{1}{2}$ of \$149.47) (House), \$74.74; L. C. Smith & Corona Typewriters, supplies and typewriters (Senate), \$384.91; American Institute of Business, rental of typewriters ($\frac{1}{2}$ of \$149.47) (Senate), \$74.73; Remington Rand Inc., typewriters (Senate), \$150.00; Koch Bros., supplies (Senate), \$210.82; Artistic Cleaners, cleaning pages' jackets (Senate), \$3.50; W. J. Scarborough, postage and miscellaneous expense (Senate), \$17.50. 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, with report of committee recommending passage, and the report of the committee adopted.

Senator Long moved the adoption of the resolution, which motion prevailed, and the resolution was adopted.

REPORT OF CONFERENCE COMMITTEE ON SENATE FILE 125

MR. PRESIDENT AND MR. SPEAKER: We, the undersigned members of the conference committee appointed to consider the differences between the House and the Senate on Senate File 125, relating to certain exemptions from the chauffeur's license requirements, beg leave to report that we have had the same under consideration and we make the following recommendation:

That section one (1) of Senate File 125 be amended by striking all of said section following line six (6) and substituting in lieu thereof the following:

"Chauffeur means any driver who operates a motor vehicle or motor truck in the transportation of persons or property for hire, including school busses, whether paid directly or indirectly in wages, commissions or otherwise, excepting when such operation by the owner or driver is occasional and merely incidental to his principal occupation, or an employee of a business who is not known as a chauffeur, and who is wholly employed and paid for services wholly distinct from the operation of a motor vehicle, or when a passenger automobile is being operated as a pool car in a 'share the ride' plan.

Subject to the provisions of section five thousand thirteen and five hundredths (5013.05), a farmer or his hired help shall not be deemed a chauffeur, when operating a truck owned by him, and used exclusively in con-

nection with the transportation of his own products or property." and when so amended, the same do pass.

Respectfully submitted,

F. J. PINE.

CHARLES S. VAN EATON.

DE VERE WATSON.

HARRY E. WATSON.

J. KENDALL LYNES.

WARREN E. SIMONSEN.

H. SAM LOVE.

ARTHUR C. BLATTI.

On the part of the Senate.

On the part of the House.

CONFERENCE COMMITTEE REPORT ADOPTED

Senator Pine called up the conference committee report on Senate File 125, a bill for an act to amend section five thousand and one hundredth (5000.01), Code, 1939, paragraph forty (40), as amended by chapter one hundred fifty-five (155), Acts of the 50th General Assembly, relating to certain exemptions from the chauffeur's license requirements, and moved its adoption.

The motion prevailed and the report was 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, 47:

Augustine	Faul	Klein	Reilly
Barkley	Findlay	Leo	Ritchie
Bekman	Foster	Long	Rockhill
Benson	Hart	Love	Schluter
Berg	Harvey	Lucas	Sharp
Byers	Hawkins	Lynes	Shaw
Clem	Henningsen	Martin	Vittetoe
Cromwell	Hill	Mercer	Vrba
Dewel	Hultman	Miller	Watson
Doud	Jones	Mowry	White
Dykhouse	Keir	Newsome	Zastrow
Elthon	Kirketeg	Pine	

Nays, none.

Absent or not voting, 3:

Jacobson	Knudson	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.

On motion of Senator Sharp, Senate File 222, a bill for an act to amend section one thousand five hundred fifty-one and thirteen hundredths, subsection C (1551.13-C), Code of 1939, as amended, relating to unemployment compensation, and the collection of con-

tributions so as to provide for the transfer of an employer's account to the successor owner of the enterprise; to provide for the continuation of the account in the successor employers in case of reorganization or merger of enterprises; to provide for the fixing of the effective date of this act; and for the repeal of all acts, or parts of acts, inconsistent with the provisions of this act, was taken up and considered.

President pro tempore Hart took the chair at 10:25 a. m.

Senator Sharp offered the following amendment and moved its adoption:

Amend Senate File 222 as follows:

Strike section 6 and insert in lieu thereof the following:

"Sec. 6. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Clayton County Register, a newspaper published at Elkader, Iowa, and in the Wapello Republican, a newspaper published at Wapello, Iowa."

The amendment was adopted.

Senator Sharp offered the following amendment and moved its adoption:

Amend Senate File 222 by striking therefrom all that part of section 1 that follows the period after the word "business" in line 20 thereof, and by inserting in lieu thereof the following:

"Provided, that in any case in which such sale, transfer, merger or reorganization has taken place in any year after the predecessor employer's rate of contribution (hereinafter called rate) has been determined for such year the employer's rate for the remainder of such year, shall, upon his application to the Commission be determined in the following manner:

1. If the successor employer has no rate or if he has a rate and it is the same rate as that of his predecessor employer or employers, their rates being the same rate, his rate shall be that of the predecessor employer or employers.

2. If the rate or rates of the predecessor employers are not the same rate, and that of the successor employer if he has a rate is not the same rate as that of the predecessor employer then the rate of the successor employer shall be redetermined under the combined experience of the predecessor employer or employers and the successor employers."

The amendment was adopted.

Senator Sharp moved that the bill be read a third 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
Barkley
Bekman

Benson
Berg
Byers

Clem
Cromwell
Dewell

Doud
Dykhouse
Elthon

Faul	Jones	Martin	Schluter
Findlay	Keir	Mercer	Sharp
Hart	Kirketeg	Miller	Shaw
Harvey	Klein	Mowry	Vittetoe
Hawkins	Leo	Newsome	Vrba
Henningsen	Long	Pine	Watson
Hill	Love	Reilly	White
Hultman	Lucas	Ritchie	Zastrow
Jacobson	Lynes	Rockhill	

Nays, none.

Absent or not voting, 3:

Foster Knudson Sjulín

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

Senator Sharp moved that the vote by which the 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 217, a bill for an act to amend chapter four hundred ninety-four (494), Code, 1939, by adding thereto a new section relating to evidence of presumed death of persons missing in action, interned, beleaguered, besieged or captured by an enemy, 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	Findlay	Leo	Reilly
Barkley	Hart	Long	Ritchie
Bekman	Harvey	Love	Rockhill
Benson	Hawkins	Lucas	Schluter
Berg	Henningsen	Lynes	Sharp
Clem	Hill	Martin	Shaw
Cromwell	Hultman	Mercer	Watson
Dewel	Jacobson	Miller	Vrba
Doud	Jones	Mowry	Vittetoe
Dykhouse	Keir	Newsome	White
Elthon	Kirketeg	Pine	Zastrow
Faul	Klein		

Nays, none.

Absent or not voting, 4:

Byers Foster Knudson Sjulín

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 Leo, Senate File 197, a bill for an act to amend chapter one hundred fifty-two (152), Code, 1939, relating to commercial feeds and commercial feed fund, 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 by inserting before the word "All" in line 6 a quotation mark (") and also after the word "transfer" in line 25.

The amendment was adopted.

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

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

Ayes, 48:

Augustine	Faul	Kirketeg	Pine
Barkley	Findlay	Klein	Reilly
Bekman	Foster	Leo	Ritchie
Benson	Hart	Long	Rockhill
Berg	Harvey	Love	Schluter
Byers	Hawkins	Lucas	Sharp
Clem	Henningsen	Lynes	Shaw
Cromwell	Hill	Martin	Vittetoe
Dewel	Hultman	Mercer	Vrba
Doud	Jacobson	Miller	Watson
Dykhouse	Jones	Mowry	White
Elthon	Keir	Newsome	Zastrow

Nays, none.

Absent or not voting, 2:

Knudson Sjulín

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 360, a bill for an act to repeal sections eight thousand eight hundred twenty-six (8826) and eight thousand eight hundred twenty-nine (8829), Code, 1939, relating to investments by fraternal beneficiary associations and the regulation of said investments and associations under the supervision of the insurance commissioner of the state of Iowa, and to enact a substitute therefor, 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, 48:

Augustine	Faul	Kirketeg	Pine
Barkley	Findlay	Klein	Reilly
Bekman	Foster	Leo	Ritchie
Benson	Hart	Long	Rockhill
Berg	Harvey	Love	Schluter
Byers	Hawkins	Lucas	Sharp
Clem	Henningsen	Lynes	Shaw
Cromwell	Hill	Martin	Vittetoe
Dewel	Hultman	Mercer	Urba
Doud	Jacobson	Miller	Watson
Dykhouse	Jones	Mowry	White
Elthon	Keir	Newsome	Zastrow

Nays, none.

Absent or not voting, 2:

Knudson Sjulín

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 Kirketeg, Senate File 195, a bill for an act to amend subsection four (4), 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), section nine (9), chapter one hundred forty-six (146), Acts of the Forty-ninth General Assembly, and section one (1), chapter one hundred thirty-six (136), Acts of the Fiftieth General Assembly; relating to old age assistance funeral expenses, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 45:

Augustine	Dewel	Henningsen	Long
Barkley	Doud	Hill	Love
Bekman	Dykhouse	Hultman	Lucas
Benson	Elthon	Jacobson	Lynes
Berg	Findlay	Jones	Martin
Byers	Foster	Keir	Mercer
Clem	Hart	Kirketeg	Miller
Cromwell	Harvey	Leo	Mowry

Newsome
Pine
Reilly
Ritchie

Rockhill
Schluter
Sharp

Shaw
Vittetoe
Vrba

Watson
White
Zastrow

Nays, none.

Absent or not voting, 5:

Faul
Hawkins

Klein

Knudson

Sjulin

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

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

On motion of Senator Bekman, Senate File 63, a bill for an act concerning the transfer of shares of stock in corporations, making uniform the law relating thereto, 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, 39:

Barkley
Bekman
Benson
Berg
Byers
Clem
Cromwell
Dewel
Dykhouse
Elthon

Findlay
Foster
Hart
Harvey
Henningsen
Hill
Hultman
Jacobson
Jones
Kirketeg

Klein
Leo
Long
Love
Lucas
Lynes
Martin
Miller
Mowry
Newsome

Reilly
Ritchie
Schluter
Shaw
Vittetoe
Vrba
Watson
White
Zastrow

Nays, none.

Absent or not voting, 11:

Augustine
Doud
Faul

Hawkins
Keir
Knudson

Mercer
Pine
Rockhill

Sharp
Sjulin

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

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

On motion of Senator Byers, Senate File 218, a bill for an act to amend section thirteen thousand twenty-seven (13027), Code, 1939, and to repeal section thirteen thousand twenty-nine (13029), Code, 1939, relating to embezzlement and the penalty therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Byers offered the following amendment and moved its adoption:

Amend Senate File 218 by adding thereto another section as follows:

Sec. 3. Section thirteen thousand twenty-seven (13027), Code, 1939, is further amended by inserting after the word "of" in line 4 of subsection 4 thereof, the following: "larceny by".

Further amend Senate File 218 by inserting after the word "of" in line 8 of section 1 thereof the following: "larceny by".

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	Elthon	Klein	Reilly
Barkley	Hart	Leo	Ritchie
Bekman	Harvey	Long	Rockhill
Benson	Hawkins	Love	Schluter
Berg	Henningsen	Lucas	Sharp
Byers	Hill	Lynes	Vittetoe
Clem	Hultman	Martin	Vrba
Cromwell	Jacobson	Mercer	Watson
Dewel	Jones	Miller	White
Doud	Keir	Mowry	Zastrow
Dykhouse	Kirketeg	Newsome	

Nays, 1:

Findlay

Absent or not voting, 6:

Faul	Knudson	Shaw	Sjulin
Foster	Pine		

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 Foster, Senate File 258, a bill for an act to amend chapter three hundred eighty-nine (389), Code, 1939,

relating to duration of the corporate period and the renewal of cooperatives organized under said chapter, 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, 45:

Augustine	Findlay	Klein	Reilly
Barkley	Foster	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Benson	Harvey	Love	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Lynes	Shaw
Clem	Hill	Martin	Vittetoe
Cromwell	Jacobson	Mercer	Vrba
Dewel	Jones	Miller	Watson
Dykhouse	Keir	Mowry	White
Elthon	Kirketeg	Newsome	Zastrow
Faul			

Nays, none.

Absent or not voting, 5:

Doud	Knudson	Pine	Sjulin
Hultman			

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.

HOUSE MESSAGES CONSIDERED

House File 126, a bill for an act to amend sections three thousand eight hundred thirty-seven (3837), three thousand eight hundred thirty-nine (3839), three thousand eight hundred forty (3840), three thousand eight hundred forty-three (3843), three thousand eight hundred forty-four (3844) and three thousand eight hundred forty-five (3845), Code, 1939, relating to vocational education.

Read first and second times and referred to the sifting committee.

House File 138, a bill for an act to amend section ten thousand six hundred eighty-eight (10688), Code, 1939, relating to the salaries of the judges of the municipal court of the state of Iowa.

Read first and second times and referred to the sifting committee.

House File 153, a bill for an act to amend section thirteen thousand six hundred ninety-eight (13698), Code, 1939, relating to compensation of clerk of the grand jury.

Read first and second times and referred to the sifting committee.

House File 174, a bill for an act to amend section ten thousand six hundred eighty-five (10685), Code, 1939, relating to compensation of municipal court reporters.

Read first and second times and referred to the sifting committee.

House File 215, a bill for an act to amend sections ten thousand seven hundred thirty-nine (10739) and ten thousand seven hundred forty-eight (10748), Code, 1939, relating to the salary of judges of the superior court.

Read first and second times and referred to the sifting committee.

House File 225, a bill for an act to legalize the action of the Independent School District of Fort Dodge, Iowa, in conveying certain real estate to Fort Dodge Gas and Electric Company and certain real estate to Harold Ertl, without holding an election.

Read first and second times and referred to the sifting committee.

House File 239, a bill for an act to amend section two thousand five hundred ninety (2590), Code, 1939, relating to the establishment of a marketing news service division in the department of agriculture, and making an appropriation therefor.

Read first and second times and referred to the sifting committee.

House File 358, a bill for an act relating to aeronautics: providing for the development and promotion thereof within this state; creating a state aeronautics commission and the office of director of aeronautics; prescribing the powers and duties of such commission and director; providing for the registration of persons engaged in aeronautics, aircraft, and aeronautic facilities; prescribing penalties, and providing for the repeal of chapter 383.1, Code, 1939, and chapter 383.2, Code, 1939; and providing for an appropriation.

Read first and second times and referred to the sifting committee.

House File 362, a bill for an act to authorize the purchase of certain farm land adjoining the state sanatorium, and to provide for an appropriation therefor.

Read first and second times and referred to the sifting committee.

House File 374, a bill for an act to authorize the purchase of certain farm land adjoining the state sanatorium, and to provide for an appropriation therefor.

Read first and second times and referred to the sifting committee.

PRESENTATION OF VISITORS

Senator Jones asked and received unanimous consent to present to the Senate the members of the junior class of the Indianola high school who were present in the balcony with their principal.

Senator Jacobson asked and received unanimous consent to present to the Senate the members of the girls' basketball team of the Waterville high school who were present in the balcony with their coach.

Senator Dewel asked and received unanimous consent to present to the Senate the members of the girls' basketball team of the Cylinder high school who were present in the balcony with their coach.

Senator Byers asked and received unanimous consent to present to the Senate members of the girls' basketball team of Coggon high school who were present in the balcony with their coach.

Senator Shaw asked and received unanimous consent to present to the Senate the members of the girls' basketball team of Brooks high school, Buena Vista county, who were present in the balcony with their coach.

Senator Byers asked and received unanimous consent to present to the Senate the Honorable L. B. Forsling of Woodbury county, a former member of the House, a former member of the Senate, a veteran of World War I, a veteran of World War II, and at present a district judge.

The Chair requested Senator Byers and Senator Clem to escort the distinguished guest to the rostrum.

President pro tempore Hart presented Judge Forsling, who spoke briefly.

COMMUNICATION FROM THE STATE APPEAL BOARD

The following communication was received from the state appeal board.

To WM. J. SCARBOROUGH,
Secretary of Senate:

In accordance with the provisions of section 3 of chapter 61, Acts of the 49th General Assembly, I hand you herewith claims acted upon by the State Appeal Board. Each claim bears the recommendation of the Board.

List of claims as follows:

Claim No.	Claimant	Amt. Claimed	Amt. Recommended
Supplementing Claim No. 18	R. K. Crane.....	\$ 100.00	\$ 100.00
72	Mary Jeanette Benfer.....	2,500.00	Rejected
75	Adams County Fair Assn.....	535.04	535.04
76	Ft. Dodge, Des Moines & Southern Ry. Co.....	7,320.12	Rejected
77	Winnebago-Worth County Drainage Dist. No. 2 and No. 3.....	1,264.96	1,264.96
78	Hancock County Drainage Dist. No. 81 and No. 82.....	103.14	103.14
79	Grant Shade	1,000.00	1,000.00
80	Chester O. Mills.....	1,000.00	Rejected
81	City of Iowa City, Iowa.....	1,871.85	1,871.85
82	N. L. Newton.....	123.65	114.99
83	Herman Snyder	(no stated amt.)	Rejected
48	Hiram J. Smith.....	Filed as per letter	
49	Alfred H. Wrieden.....	Filed as per letter	
H-63-45	Geo. L. Scott.....	300.00	Rejected
H-64-45	R. J. Gutknecht.....	35.00	17.50 (50%)
H-65-45	John D. Taindall.....	7,160.00	Rejected
H-66-45	Roy R. Negley.....	250.00	Rejected
H-67-45	City of Sibley.....	20.40	20.40
H-68-45	Henry Munck	See Claim	

C. FRED PORTER,

Chairman, State Appeal Board.

Received of C. Fred Porter, Chairman, State Appeal Board, claims numbered 48, 49, 72, 75 to 83 inc.; also highway claims numbered from H-63-45 to H-68-45, inc. March 9, 1945.

W. J. SCARBOROUGH, *Secretary of Senate.*

AMENDMENTS FILED

Amend Senate File 173, section 8, line 4, by striking the word "tuberculosis" and inserting in lieu thereof the word "tuberculous".

E. K. BEKMAN.

1. Amend Senate File 186, section 1, by striking from lines 4 and 5 the words and figures "sixty thousand (60,000)" and inserting in lieu thereof the words and figures "forty thousand (40,000)".

2. Amend the title by striking from line 4 the words and figures "sixty thousand (60,000)" and inserting in lieu thereof the words and figures "forty thousand (40,000)".

O. H. HENNINGSEN.

Amend House File 126 by striking all of section 9 and inserting in lieu thereof the following:

Section three thousand eight hundred forty-four (3844), Code of Iowa, 1939, is hereby repealed and there is hereby enacted in lieu thereof the following:

"For each dollar of federal money expended under the provisions of this chapter the state and local community, jointly or separately as the case may be, must expend an amount in proportion to the amount of federal money which it receives for the same purpose for the same year as is designated or required by the acts of congress providing for appropriations made for this purpose."

ALDEN L. DOUB.

Amend Senate File 400, section 1, line 2, by striking the words and figures "as paragraph twenty-eight (28),"; and by striking from line 6 the word "said" and inserting in lieu thereof the word "this".

GEORGE FAUL.

Amend Senate File 329, section 20, by inserting between the words "inclusive" and "shall" in line 4 the following: "and sections five thousand two hundred thirty-two (5232), five thousand two hundred thirty-three (5233), five thousand two hundred thirty-four (5234),"; and strike the comma (,) and the balance of section five thousand two hundred forty-two (5242), Code, 1939, following the word "principal" as the same appears in line 6, and substitute a period (.) therefor, and amend the title of Senate File 329 by inserting the following between the words "inclusive" and "Code" in the last line thereof: "and sections five thousand two hundred thirty-two (5232), five thousand two hundred thirty-three (5233) and five thousand two hundred thirty-four (5234),".

ROBERT KEIR.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 12, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend L. W. Hauter, pastor of the Presbyterian church, Oelwein, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Barkley, from residents of Appanoose county, favoring revision of the school code.

By Senator Byers, from residents of Black Hawk, Butler, and Wright counties, favoring local option.

By Senator Clem, from residents of Woodbury county, favoring an increase in salaries for city assessors.

By Senator Hart, from officers of Lee county, favoring an increase in salaries; from residents of Story county, favoring local option, and from members of the United Service Women of America, favoring the erection of an Iowa war memorial building.

By Senator Love, from residents of Madison county, favoring improving the Iowa adoption law.

By Senator Miller, from residents of Audubon county, favoring an increase in tax on gasoline.

By Senator Mowry, from residents of Jasper county, in opposition to establishing an old age survivors insurance system.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Knudson for the day on request of Senator Kirketeg; Senator Benson for the day on request of Senator Newsome; Senator Zastrow for the day on request of Senator Lynes.

INTRODUCTION OF BILLS

Senate File 403, by committee on printing, a bill for an act to amend section one hundred eighty-four (184), Code, 1939, relating to the duties of the state printing board.

Read first and second times and referred to the sifting committee.

Senate File 404, by committee on printing, a bill for an act to amend section sixty-two (62), Code, 1939, relating to cost of publishing laws of the General Assembly.

Read first and second times and referred to the sifting committee.

Senator Elthon called up the following House concurrent resolution:

HOUSE CONCURRENT RESOLUTION 9

Whereas, The 49th General Assembly memorialized the Congress of the United States, by the passage of House Concurrent Resolution 15, urging the submission of an amendment to the Federal Constitution for ratification by three-fourths of the various states, which amendment among other things proposed to place a limit of twenty-five per cent on the amount of tax that might be levied and collected on incomes, inheritances, and transfers of property; and

Whereas, Said House Concurrent Resolution may be found set out in full on pages 395 and 396 of the House Journal of 1941; and

Whereas, In the 2d session of the 78th Congress a similar amendment was proposed for ratification known as Senate Joint Resolution 160; and

Whereas, Since the adoption of said memorial to Congress known as House Concurrent Resolution 15, events and circumstances have arisen which have increased the National debt to unprecedented heights the payment of which will be greatly jeopardized if such limitation is placed upon the taxing power of Congress since a substantial source of revenue from those persons with large incomes will be irretrievably lost; and

Whereas, The size of the National debt is a matter of great concern to the people of the state of Iowa, the ultimate payment of which is deemed imperatively necessary, and the General Assembly, as now constituted, believes it would be a grave mistake to place such limitation on the taxing power of Congress; now, therefore,

Be It Resolved by the House of Representatives of the State of Iowa, the Senate Concurring: That the Congress of the United States is hereby memorialized that the General Assembly of the State of Iowa is opposed to any constitutional limitation being placed on the taxing power of Congress under present conditions. The action of the 49th General Assembly heretofore referred to is rescinded.

Senator Elthon asked and received unanimous consent that further action on House Concurrent Resolution 9 be temporarily deferred.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

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

Senate Concurrent Resolution 9, providing for a special recess on Good Friday, afternoon, March 30.

Also: That the House has adopted the conference committee report and passed House File 101, a bill for an act relating to weekly payments under workmen's compensation.

A. C. GUSTAFSON, *Chief Clerk.*

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE 101

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned members of the Conference Committee appointed to consider the differences between the House and the Senate on House File 101, relating to weekly payments under workmen's compensation, and fixing the time within which an award or settlement may be reviewed, beg leave to report that we have had the same under consideration and we make the following recommendation:

That section six (6) of House File 101 be stricken and the following substituted in lieu thereof:

"Sec. 6. Section one thousand four hundred fifty-seven (1457), Code, 1939, is hereby amended by striking from line seven (7) thereof the word "five" and by substituting in lieu thereof the word "three"."

and when so amended, the same do pass.

Respectfully submitted,

F. E. SHARP.

WILSON REED.

G. R. HILL.

BERT E. DODDS.

ED S. WHITE.

WM. KRUSE.

F. D. MARTIN.

A. J. NIELSEN.

On the part of the Senate.

On the part of the House.

THIRD READING OF BILLS

On motion of Senator Keir, Senate File 329, a bill for an act to create and provide for a county school system in the several counties of the state, for a county board of education and county superintendent, and the manner of the selection of same and prescribing their duties and powers, to amend section four thousand one hundred seven (4107), and to repeal sections four thousand ninety-six (4096) to four thousand one hundred six (4106), inclusive, and sections four thousand one hundred nineteen (4119) to four thousand one hundred twenty-two (4122), inclusive, Code, 1939, was taken up and considered.

Senator Mowry offered the following amendments and moved the adoption of division 1 of the amendment:

Amend Senate File 329 as follows:

1. Amend by striking from section 13, line 4, the figures and words

\$4,200.00 per year" and inserting in lieu thereof the words "the yearly salary of the county treasurer".

2. Amend by striking from section 13, line 8, the figures and words "\$3,000.00 per year" and inserting in lieu thereof the words "two-thirds of the yearly salary of the county superintendent".

3. Amend section 13, line 11, by inserting after the period following the word "superintendent" the following: "The salary of the county superintendent, deputy superintendent and clerical help employed in the county superintendent's office shall be subject to the approval of the county board of supervisors."

4. Amend by striking from section 15, line 6, the semicolon and words following the word "work" and all of lines 7, 8 and 9 and inserting a period after the word "work".

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

AFTERNOON SESSION

The Senate resumed regular session, President Evans presiding.

The Senate resumed consideration of division 1 of the Mowry amendment to Senate File 329.

Senator Mowry asked and received unanimous consent to withdraw divisions 1 and 2 of his amendment.

Senator Cromwell offered the following amendment and moved its adoption:

Amend Senate File 329 as follows:

1. In section 13, line 4, strike "\$4200.00" and insert in lieu thereof "\$3600.00".

2. In section 13, line 8, strike "\$3000.00" and insert in lieu thereof "\$2400.00".

The amendment was adopted.

Senator Mowry moved the adoption of division 3 of his amendment.

The amendment was lost.

Senator White offered the following amendment and moved its adoption:

Amend section 15, by striking the period (.) at the end of said section and substituting a comma (,) and by adding the words, "for the remainder of the existing term of such superintendent".

The amendment was adopted.

Senator Mowry asked and received unanimous consent to withdraw division 4 of his amendment.

Senator Findlay offered the following amendments and moved their adoption:

Amend Senate File 329, section 2, line 3, by inserting after the word "villages" the words "and school townships".

Further amend Senate File 329, section 2, line 6, by inserting after the word "district" the words "or school township that maintains a high school".

The amendments were adopted.

Senator Keir offered the following amendments and moved their adoption:

Amend Senate File 329 in the following manner:

Following section 19 insert as section 20 the following: "Sec. 20. Section four thousand ninety-six (4096), Code, 1939, is amended by striking the words 'three years' in lines 3 and 4 and substituting the words 'one year'."

Section 20 is renumbered as section 21.

Add as section 22 the following: "This act being deemed of immediate importance shall go into effect from and after its publication in the Spencer Times, a newspaper published at Spencer, Iowa, and in the Sheldon Mail, a newspaper published at Sheldon, Iowa."

Amend the title by striking the word "section" following the word "amend" in the title and insert in lieu thereof the following: "sections four thousand ninety-six (4096) and" also by inserting after the figures "1939" at the end of the title the following: "as of April 1st, 1946."

The amendments were adopted.

Senator Keir offered the following amendment and moved its adoption:

Amend Senate File three hundred and twenty-nine (329), section four (4), by striking the word "any" in line eight (8) and substituting in lieu thereof the word "such", and section thirteen (13) by striking the word "county" in line ten (10) and substituting in lieu thereof the word "deputy".

The amendment was adopted.

Senator Keir offered the following amendment and moved its adoption:

Amend Senate File 329 by inserting in line 4 of section twenty (20) between the words "inclusive" and "shall" the following: "and sections five thousand two hundred thirty-two (5232), five thousand two hundred thirty-three (5233), five thousand two hundred thirty-four (5234),".

Amend Senate File 329 by adding a new section as follows:

"Section five thousand two hundred forty-two (5242), Code, 1939, by striking all after the word "principal" in line 6 thereof and substituting a period (.)"

Amend the title of Senate File 329 by striking the word "and" from line three (3) where it first appears and substituting a comma (,) therefor.

Further amend the title by inserting after the words "county superintendent" in line three (3) of the title the following: "and deputy superintendent".

Further amend the title by inserting between the words "inclusive" and "code" in line ten (10) of the title by adding the following: "and sections five thousand two hundred thirty-two (5232), five thousand two hundred thirty-three (5233), five thousand two hundred thirty-four (5234), and amend section five thousand two hundred forty-two (5242)".

The amendment was adopted.

Senator Keir asked and received unanimous consent to withdraw the amendment to Senate File 329, filed by him on March 9 and found on page 600 of the Senate Journal.

Senator Doud offered the following amendments by Senators Doud, Dykhouse and Cromwell and moved their adoption:

Amend Senate File 329 as follows:

1. Amend by striking the period (.) following the word "county" in line 11 of section 5 and substituting "; provided that no member of said county board shall be actively engaged in the teaching profession or a member of a teachers' organization or associated directly or indirectly with any firm selling textbooks or school supplies."

2. Further amend by adding to subsection 5 of section 13 the following:

"Provided however that no textbook and other instructional aid shall be adopted, purchased, rented or loaned which advocates directly or indirectly subversive activities or the overthrow of the government by force, or is critical of the American form of government."

3. Further amend by adding at the end of section 15 the following:

"Provided further that the county superintendent shall not be associated directly or indirectly with any firm selling textbooks or instructional aids, shall not engage in political activity and shall not be associated directly or indirectly with any organization or group which advocates subversive actions or the overthrow of the government by force."

The amendments were adopted.

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

President Evans announced that Senator Benson had left a written request at the desk to be recorded as voting "aye" on Senate File 329.

The request was granted.

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

Ayes, 45:

Augustine	Faul	Keir	Newsome
Barkley	Findlay	Kirketeg	Pine
Bekman	Foster	Klein	Reilly
Benson	Hart	Leo	Ritchie
Berg	Harvey	Long	Schluter
Byers	Hawkins	Love	Sharp
Clem	Henningsen	Lucas	Shaw
Cromwell	Hill	Lynes	Vittetoe
Dewel	Hultman	Martin	Vrba
Doud	Jacobson	Mercer	Watson
Dykhouse	Jones	Miller	White
Elthon			

Nays, none.

Absent or not voting, 5:

Knudson	Rockhill	Sjulin	Zastrow
Mowry			

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

PROOF OF PUBLICATION

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

House File 184, a proposed bill legalizing the action of the board of supervisors of Hamilton county, Iowa, in transferring funds in the amount of \$12,620.14 from the county poor fund to the county hospital fund.

W. J. SCARBOROUGH.

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, 15, 85, and 131; and House Files 34, 170 and 217.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *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, 15, 85, and 131; and House Files 34, 170, 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 12th day of March, 1945, sent to the governor for his approval, Senate Files 10, 15, 85, and 131. ROBERT C. REILLY, *Chairman*.

Passed on file.

ADDRESS DELIVERED BY COLONEL BROWN AT THE JOINT CONVENTION, MONDAY, FEBRUARY 19, 1945.

The Congress in developing the National Defense Act of 1920 recognized that the Federal Government and the separate States had definite obligations in the establishment of a common defense. They went back to the principle established by our forefathers. Our system of government was developed by a group of colonies whose separate governments were being brought together for the purpose of the strength resulting from their union. Each colony needed the united support of the other colonies but didn't want to relinquish its own rights. So there were established the rights and duties of the States as well as those of the Federal Government.

Remembering this, suppose we see how the National Defense Act of 1920 defines the rights and duties of the State. The Congress has provided three components—the Regular Army, the National Guard and the Reserve groups.

The Regular Army is that Federal part of our military establishment whose duties are to furnish full time forces for: (1) combat divisions and task forces for immediate action; (2) training with civilian components such as the National Guard and the organized reserve; and (3) station complements, overhead and military schools of all kinds. We must remember that this is a full time job.

The National Guard was provided primarily to fulfill the obligations of the State. On it is placed the training of combat divisions during peace time for use under Federal direction should war come. To the State, it serves another purpose—as an armed force for security within the State. Thus, we have an organization which during peace is under the direction of the State and during war becomes a part of the Federal combat forces.

The National Guard has been criticized more than any other part of our military organization. The reason for this has been the lack of understanding of its purpose. Despite this criticism, it has constantly upheld the belief that the citizen soldier must finally carry the responsibility for the defense of his country. Service in the National Guard has been voluntary and in most instances only part time, making it possible for a citizen to perform his civilian occupation and at the same time train to defend his country in case of emergency.

The other component is known as the Reserve. The intent of this Reserve was to provide for a system of Universal Military Training to

be followed by a period of service in an organized Reserve Unit. The plan of Universal Military Training failed at that time because we had, we thought, fought the war to end all wars. However, in order to preserve the history and traditions of the National Army Divisions of the World War I, these divisions retained their identity and were to be organized with a skeleton officer personnel. These officers, in most cases, were to be graduates of the ROTC Colleges, the training of which was an obligation of the State institutions, known as the Land Grant Schools. The Reserve units, therefore, were primarily a State responsibility. To illustrate: Many thousands of officers had received most of their training through the ROTC of the Land Grant Schools and a few active duty tours in the summer with these organized reserve divisions.

This component was also a volunteer organization, permitting the citizen to work at his vocation and at the same time train to defend his country in time of emergency.

It is interesting to note the comparative number of combat divisions planned under the National Defense Act of 1920. In each Corps Area (now called Service Commands), there was one Regular Army Division, two National Guard Divisions and three Reserve Divisions.

From this you can see that the State has a far greater part in the development of peace time training than the Federal Government. When the State recognizes this, then it becomes the duty of the State to correct the weaknesses and to help make their part of the defense structure of our nation very strong.

What have been the criticisms of the National Guard? Certain students of our military policy such as General Upton and many who have followed his thinking, would eliminate the Guard completely. The great number of citizen soldiers, and particularly those who have led combat divisions in battle, would increase the National Guard and its combat efficiency. Some of these criticisms are:

1. Method of selection of officers.
2. Length of time necessary in recruit training.
3. Loss of police force within the State when the National Guard is federalized.
4. Reorganization and retraining of a State Guard.
5. Lack of proper appropriations from the Federal Government.

The first criticism is that the officers are frequently selected by a vote of the enlisted men, or appointed by the Governor of the State, in some cases without any knowledge of military training. This could easily be corrected by having officers selected for the Guard only from a qualified list of the citizens of the State, who have proved they are capable of leading men in military operations. One problem of the National Guard has been the time consumed in the training of recruits. If each recruit of the Guard had a year's military training prior to his entry into the Guard, that time normally spent in training these recruits could be utilized for training of the units of the National Guard divisions. Many of our States were faced with the loss of a State Guard when the National Guard divisions were called into Federal service in the fall of 1940. No provision had been made to cover such an emergency. You remember there were several months after the Guard was called out, before legis-

lation was completed which permitted the establishment by the States of a Guard for use within the State.

The solution to this seems to be a plan under the National Defense Act whereby the National Guard structure would include both of these ideas—the combat division for National security, and at the same time an organization for State security.

As the Officers and enlisted men of a combat division reach a certain age they would automatically be transferred from that unit to the type of organization which has been found best suited for the security of the State. The men in the State Guard would be past the age for service in combat units and therefore those units would not be broken up from time to time by selective service.

The big obligation of the State is the training of officer personnel. To illustrate: At the beginning of the war, there were approximately 14,000 officers in the service. Of this number about 50 per cent were graduates of the military academy. There were approximately 100,000 Reserve Officers, most of whom were called into the service immediately. About 75 per cent of these had been trained in the ROTC units in Land-Grant colleges of the States. Yet, 100,000 is only a small part of the total that was necessary for the armed forces.

To correct this, it is necessary to increase the ROTC enrollment and to perhaps find additional methods. Heretofore, the first two years of ROTC in college, known as "basic training" has been at a high school level; only the last two years have been at an advanced or college level. If we have Universal Military Training, all the basic work will be done during such training and the college work in the ROTC will be at a college level.

The War and Navy Departments plan to make this training far better than heretofore. Then, a graduate of an ROTC unit would be a capable leader of men and would have a thorough knowledge of military art.

There is another plan for the procurement of officers which bears close study by the State. Recently, a bill has been introduced into the Congress providing for an increase in the number of Federal military and naval academies. It is said that this will increase the number of graduates about five times.

We, as a people, are fearful of a caste system. Those of us who have been close to the graduates of the Federal academies do not see but little of the trend in this direction, and yet, our people are fearful of it. This is caused, primarily, by a lack of understanding. If, instead of increasing our Federal academies, we were to develop in each State, a school of military art, on the campus of a State University, this would bring to the States a better understanding of the training given these officers.

The expenses of the students entering this military school would be borne by the Federal Government because these men would be taking a course of training which would better fit them to defend their country. The training would be done by Army or Navy personnel, approved by the head of the State University. A percentage of the graduates of this school would be selected as officers in the regular estab-

lishment, in a similar proportion to the number graduated from the Federal academies. This would not affect the ROTC then being carried on by the University.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

House File 315	House File 225	Senate File 388
House File 215	Senate File 356	Senate File 288
House File 68	House File 43	Senate File 365

The following bills are recommended to be placed on the calendar, subject to being referred to the appropriations committee under Rule 21:

House File 211	House File 306	House File 362
House File 328	House File 292	House File 374

STANLEY L. HART, *Chairman*.

BILLS ASSIGNED TO COMMITTEE

President Evans announced the following assignments of bills to committee:

Bill No.	Committee Assignment
H. F. 211	Committee on appropriations.
H. F. 328	Committee on appropriations.
H. F. 306	Committee on appropriations.
H. F. 292	Committee on appropriations.
H. F. 362	Committee on appropriations.
H. F. 374	Committee on appropriations.

AMENDMENTS FILED

Amend House File 111 as follows:

Add a new section as follows:

"This act shall be in full force and effect for the period from July 4, 1945 to July 4, 1947."

FRED CROMWELL.

Amend House File 315 by striking from lines 6 and 7 of section 1 thereof the words and figures "seventy-five thousand (75,000)" and inserting in lieu thereof the following: "sixty thousand (60,000)".

FRANK C. BYERS.

Amend House File 358, section 36, lines 4, 5 and 6, by striking therefrom the following sentence: "Any money in said fund not necessary for the maintenance of the state aeronautics commission shall revert to the general fund of the state."

Amend section 38 by adding thereto the following sentence: "All unexpended moneys in said fund, in excess of twenty-five thousand dollars

(\$25,000.00) at the end of each fiscal year shall be paid into the general fund of the state."

ALDEN L. DOUD.

Amend Senate File 388:

Senate File 388 is hereby amended by adding thereto a new section as follows:

Sec. 8. For the support of state aid for schools and as a replacement of property taxes, there shall be imposed a sales tax on soft drinks including soda pop, coca-cola, and all other soft drinks, confections and ice cream served in dishes or mixed with other soft drinks in the sum of one cent (1c) for each drink or single order served in a bottle, glass, or other container.

This tax shall be collected and reported by the proprietor and vendor for the month of July, 1945, only and for the month of July, 1946 only.

Where vending machines are used to sell drinks by nickle-in-the-slot, the vendor shall pay a tax of one dollar per day for each machine in use for the month of July, 1945, only and for the month of July, 1946 only.

Any amount received over the required amount to pay any deficit in the state aid shall be disbursed to the general fund for the construction, repair, and maintenance of secondary roads used for bus routes for school districts.

J. R. BARKLEY.

Amend Senate File 396 as follows:

1. Section 3, lines 10 and 11, strike the words "period covered by his license" and insert the words "previous year".

2. Section 5, line 4, change "tax" to "tag"; in line 28, strike out the word "used".

3. Section 6, line 24, insert a "," after the word "use"; in line 26, strike out the "," after "road"; in line 29, strike out the "," after the word "police"; in line 34, insert after the word "or" the words "action may be commenced".

4. Section 7, line 7, change "of" to "for"; in line 13, strike out the word "followed" and insert the words "set out".

5. Section 8, line 1, strike out the words "person or producer" and insert "producer of limestone or person".

6. Section 10, line 4, strike the word "refusing" and insert the word "refuse"; in line 5, change "the" to "a".

7. Section 13, line 8, after the word "days" insert the words "in jail".

8. Section 14, line 5, change "thereof" to "hereof".

LEO ELTHON.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 13, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend O. W. Brand, pastor of the First Methodist church, Sac City, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Augustine, from residents of Mahaska county, favoring local option.

By Senator Berg, from residents of Black Hawk county, favoring local option.

By Senator Byers, from residents of Story county, favoring local option.

By Senator Dewel, from residents of Emmet county, favoring local option.

By Senator Elthon, from residents of Winnebago county, favoring local option.

By Senator Findlay, from residents of Webster county, favoring local option.

By Senator Foster, from residents of Henry and Washington counties, favoring local adoption.

By Senator Hill, from residents of Hamilton, Hardin and Wright counties, favoring local option.

By Senator Kirketeg, from residents of Taylor county, favoring local option.

By Senator Knudson, from residents of Cerro Gordo county, favoring local option.

By Senator Long, from residents of Delaware county, favoring local option.

By Senator Love, from residents of Madison county, favoring local option.

By Senator Lucas, from residents of Story county, favoring local option.

By Senator Newsome, from residents of Wayne county, favoring local option.

By Senator Rockhill, from residents of Marshall county, favoring local option.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator White for the day on request of Senator Shaw; Senator Benson for the day on request of Senator Newsome; Senator Zastrow for the day on request of Senator Lynes.

INTRODUCTION OF BILLS

Senate File 405, by committee on appropriations, a bill for an act to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1945, and ending June 30, 1947, funds for various departments and various divisions thereof, of the state of Iowa, for purposes provided by law.

Read first and second times and referred to the sifting committee.

Senator Elthon asked and received unanimous consent that the petitions relative to local option be referred to the sifting committee.

Senator Byers took the chair at 10:10 a. m.

CONFERENCE COMMITTEE REPORT ADOPTED

Senator Sharp called up the following conference report on House File 101, a bill for an act to amend the law as it appears in chapters seventy (70), and seventy-one (71), Code, 1939, and sections one thousand three hundred eighty-seven (1387), one thousand three hundred ninety (1390), one thousand three hundred ninety-one (1391), one thousand three hundred ninety-three (1393), one thousand three hundred ninety-four (1394), and one thousand four hundred fifty-seven (1457) thereof, relating to workmen's compensation, fixing the maximum amount of weekly compensation, fixing the time when compensation shall be payable,

reducing the waiting period before commencement of payments, and fixing the time within which an award or settlement may be reviewed, relating to weekly payments under workmen's compensation and moved its adoption:

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE 101

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned members of the Conference Committee appointed to consider the difference between the House and the Senate on House File 101, relating to weekly payments under workmen's compensation, and fixing the time within which an award or settlement may be reviewed, beg leave to report that we have had the same under consideration and we make the following recommendation:

That section six (6) of House File 101 be stricken and the following substituted in lieu thereof:

"Sec. 6. Section one thousand four hundred fifty-seven (1457), Code, 1939, is hereby amended by striking from line seven (7) thereof the word "five" and by substituting in lieu thereof the word "three". and when so amended, the same do pass.

Respectfully submitted,

F. E. SHARP.

WILSON REED.

G. R. HILL.

BERT E. DODDS.

ED S. WHITE.

WM. KRUSE.

F. D. MARTIN.

A. J. NIELSEN.

On the part of the Senate.

On the part of the House.

The motion prevailed and the report was adopted.

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

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

Ayes, 40:

Augustine	Elthon	Jones	Miller
Barkley	Faul	Kirketeg	Newsome
Bekman	Findlay	Klein	Ritchie
Berg	Foster	Knudson	Rockhill
Byers	Hart	Leo	Schluter
Clem	Harvey	Long	Sharp
Cromwell	Hawkins	Love	Shaw
Dewel	Henningsen	Lynes	Vittetoe
Doud	Hill	Martin	Vrba
Dykhouse	Jacobson	Mercer	Watson

Nays, none.

Absent or not voting, 10:

Benson	Lucas	Reilly	White
Hultman	Mowry	Sjulin	Zastrow
Keir	Pine		

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

Senator Sharp moved that the 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 Keir called up House File 132, a bill for an act to amend sections four thousand two hundred thirty-three and three tenths (4233.3) and four thousand two hundred seventy-seven (4277), Code, 1939, relating to tuition rates for pupils in the public schools, and moved that the Senate concur in the following House amendment to the Senate amendment to House File 132:

Amend Senate amendment to House File 132 by striking from the last line thereof the word "eighteen" and inserting in lieu thereof the word "seventeen".

The motion prevailed and the Senate concurred.

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, 46:

Augustine	Findlay	Klein	Newsome
Barkley	Foster	Knudson	Pine
Bekman	Hart	Leo	Reilly
Berg	Harvey	Long	Ritchie
Byers	Hawkins	Love	Rockhill
Clem	Henningsen	Lucas	Schluter
Cromwell	Hill	Lynes	Sharp
Dewel	Hultman	Martin	Shaw
Doud	Jacobson	Mercer	Vittetoe
Dykhouse	Jones	Miller	Vrba
Elthon	Keir	Mowry	Watson
Faul	Kirketeg		

Nays, none.

Absent or not voting, 4:

Benson	Sjulin	White	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 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.

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 96, a bill for an act relating to the salary of judges of the district court.

Also: 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 salaries and expenses of officers and employees of the juvenile court.

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

House File 118, a bill for an act providing reimbursement to school districts for pupil transportation costs. A. C. GUSTAFSON, *Chief Clerk*.

THIRD READING OF BILLS

On motion of Senator Sharp, Senate File 220, a bill for an act to amend chapter seventy-one (71), Acts of the Fiftieth General Assembly of Iowa, relating to the rate of contributions for certain employers whose payrolls for the year 1940 have been increased one hundred per cent (100%) or more subsequent to 1942, and relating to employers who had no payrolls in 1942 and whose payrolls subsequent to 1942 were thirty thousand dollars (\$30,000.00) or more; to amend said chapter to provide that a subsequent employer of an enterprise could use the payroll of his predecessor employer in determining his liability under this act; to provide that no employer whose payroll was less than one hundred thousand dollars (\$100,000.00) in a calendar year could be covered by 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 220 by striking all of section 5 and inserting in lieu thereof the following:

"Sec. 5. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Gravity Independent, a newspaper published at Gravity, Iowa, and in the Madrid Register News, a newspaper published at Madrid, Iowa."

The amendment was adopted.

Senator Leo offered the following amendment and moved its adoption:

Amend Senate File 220, section 2, lines 3 and 4, by striking the words and figures "one hundred thousand dollars (\$100,000.00)" and inserting in lieu thereof the words and figures "two hundred thousand dollars (\$200,000.00)".

The amendment was adopted.

Senator Kirketeg asked and received unanimous consent to withdraw the amendment to Senate File 220 filed by him on February 21 and found on page 480 of the Senate Journal.

Senator Sharp offered the following amendment and moved its adoption:

Amend Senate File 220 as follows:

Strike the word and figure "eight (8)" in line 3 of section 1, and insert in lieu thereof the word and figure "nine (9)".

The amendment was adopted.

Senator Sharp offered the following amendment and moved its adoption:

Amend Senate File 220 as follows:

Strike the words and figures "one hundred thousand dollars (\$100,000.00)" in the title and insert in lieu thereof the words and figures "two hundred thousand dollars (\$200,000.00)".

The amendment was adopted.

Senator Sharp moved that the bill be read a third 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	Hart	Klein	Newsome
Barkley	Harvey	Knudson	Pine
Bekman	Hawkins	Leo	Reilly
Byers	Henningsen	Long	Ritchie
Clem	Hill	Love	Rockhill
Cromwell	Hultman	Lucas	Schluter
Dewel	Jacobson	Lynes	Sharp
Dykhouse	Jones	Mercer	Vittetoe
Elthon	Keir	Miller	Vrba
Findlay	Kirketeg	Mowry	

Nays, 1:

Watson

Absent or not voting, 10:

Benson	Faul	Shaw	White
Berg	Foster	Sjulín	Zastrow
Doud	Martin		

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

Senator Sharp moved that the vote by which the 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 314, a bill for an act to amend section six thousand two hundred eleven (6211), paragraph 29, Code, 1939, relating to tax for art fund, 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, 43:

Augustine	Findlay	Klein	Pine
Barkley	Hart	Knudson	Reilly
Bekman	Harvey	Leo	Ritchie
Berg	Hawkins	Long	Rockhill
Byers	Henningsen	Love	Schluter
Clem	Hill	Lucas	Sharp
Cromwell	Hultman	Lynes	Shaw
Dewel	Jacobson	Martin	Vittetoe
Dykhouse	Jones	Miller	Vrba
Elthon	Keir	Mowry	Watson
Faul	Kirketeg	Newsome	

Nays, none.

Absent or not voting, 7:

Benson	Foster	Sjulin	Zastrow
Doud	Mercer	White	

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 Evans took the chair at 10:40 a. m.

On motion of Senator Berg, House File 111, a bill for an act to amend sections one thousand five hundred fifty-six and one hundredth (1556.01) and one thousand five hundred fifty-six and thirty-one hundredths (1556.31), Code, 1939, relating to the tax imposed upon cigarette papers and the attaching of stamps thereto, was taken up and considered.

Senator Elthon moved that House File 111 be referred to the gifting committee, which motion prevailed.

On motion of Senator Leo, Senate File 396, a bill for an act to repeal chapter one hundred fifty-four and one tenth (154.1), Code, 1939, and to enact a substitute therefor, relating to agricultural lime, was taken up and considered.

Senator Elthon offered the following amendments and moved their adoption:

Amend Senate File 396 as follows:

1. Section 3, lines 10 and 11, strike the words "period covered by his license" and insert the words "previous year".
2. Section 5, line 4, change "tax" to "tag"; in line 28, strike out the word "used".
3. Section 6, line 24, insert a "," after the word "use"; in line 26, strike out the "," after "road"; in line 29, strike out the "," after the word "police"; in line 34, insert after the word "or" the words "action may be commenced".
4. Section 7, line 7, change "of" to "for"; in line 13, strike out the word "followed" and insert the words "set out".
5. Section 8, line 1, strike out the words "person or producer" and insert "producer of limestone or person".
6. Section 10, line 4, strike the word "refusing" and insert the word "refuse"; in line 5, change "the" to "a".
7. Section 13, line 8, after the word "days" insert the words "in jail".
8. Section 14, line 5, change "thereof" to "hereof".

The amendments were adopted.

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

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

Ayes, 44:

Augustine	Faul	Kirketeg	Newsome
Barkley	Findlay	Klein	Pine
Bekman	Foster	Knudson	Reilly
Berg	Hart	Leo	Ritchie
Byers	Hawkins	Long	Rockhill
Clem	Henningsen	Love	Schluter
Cromwell	Hill	Lynes	Sharp
Dewel	Hultman	Martin	Shaw
Doud	Jacobson	Mercer	Vittetoe
Dykhouse	Jones	Miller	Vrba
Elthon	Keir	Mowry	Watson

Nays, none.

Absent or not voting, 6:

Benson	Lucas	White	Zastrow
Harvey	Sjulin		

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 400, a bill for an act relating to bonds of state officers and providing for the payment by the state of the reasonable expense thereof, and of bonds required by section two thousand five hundred ninety-nine (2599), Code, 1939, in the department of agriculture, was taken up and considered.

Senator Cromwell offered the following amendment and moved its adoption:

Amend Senate File 400 as follows:

1. At the beginning of line 3 of section 3 insert "Hawk-Eye Gazette" and at the end of said line insert "Burlington".
2. In line 4 of section 3 after the word "the" insert "Wapello Republican".
3. In line 5 of section 3 after the word "at", insert "Wapello".

The amendment was adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 400, section 1, line 2, by striking the words and figures "as paragraph twenty-eight (28),"; and by striking from line 6 the word "said" and inserting in lieu thereof the word "this".

The amendment was adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 400 by inserting after section 2 the following as section 3:

"Sec. 3. Amend section four hundred thirty (430), Code, 1939, by adding thereto the following sentence:

'The State of Iowa shall pay the reasonable cost of the bonds required by this section.'"

Further amend Senate File 400 by renumbering the succeeding section.

The amendment was adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 400 by inserting in line 1 of the title after the word "Act" the following:

"to amend sections one thousand sixty-three (1063), two thousand five hundred ninety-nine (2599) and four hundred thirty (430), Code, 1939,".

Further amend Senate File 400 by striking all of the title following the word "thereof" in line 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, 44:

Augustine	Faul	Kirketeg	Newsome
Barkley	Findlay	Klein	Pine
Bekman	Foster	Knudson	Reilly
Berg	Hart	Leo	Ritchie
Byers	Harvey	Long	Rockhill
Clem	Henningsen	Love	Schluter
Cromwell	Hill	Lynes	Sharp
Dewel	Hultman	Martin	Shaw
Doud	Jacobson	Mercer	Vittetoe
Dykhouse	Jones	Miller	Vrba
Elthon	Keir	Mowry	Watson

Nays, none.

Absent or not voting, 6:

Benson	Lucas	White	Zastrow
Hawkins	Sjulin		

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 Pine, House File 243, a bill for an act to amend section five thousand thirty-five and five hundredths (5053.05) and section five thousand thirty-five and six hundredths (5035.06), Code, 1939, relating to the size of motor vehicles, and to repeal section five thousand thirty-five and twelve hundredths (5035.12) Code, 1939, as amended by chapter one hundred seventy-eight (178), Acts of the Forty-ninth General Assembly, relating to the weight of motor vehicles and to enact a substitute therefor, was taken up and considered.

Senator Pine asked and received unanimous consent that further action on House File 243 be deferred and that it retain its place on the calendar under unfinished business.

On motion of Senator Byers, Senate File 238, a bill for an act to provide for the creation of a local improvement guaranty fund,

by cities and towns, including cities under special charter, through taxation, for the purpose of guaranteeing the payment of special improvement bonds and interest thereon, and providing for the payment of said bonds and interest thereon out of such guaranty fund in the event there are no funds on hand in the special improvement fund to pay the bonds and interest thereon as the same become due, was taken up and considered.

Senator Byers asked and received unanimous consent that further action on Senate File 238 be deferred and that it retain its place on the calendar under unfinished business.

On motion of Senator Watson, Senate File 244, a bill for an act to amend sections ten thousand thirty-five (10035) and ten thousand thirty-seven (10037), Code, 1939, relating to conditional sale contracts or lease of utility equipment, the filing thereof and the release and satisfaction thereof, 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, 44:

Augustine	Faul	Keir	Mowry
Barkley	Findlay	Kirketeg	Pine
Bekman	Foster	Klein	Reilly
Berg	Hart	Knudson	Ritchie
Byers	Harvey	Leo	Rockhill
Clem	Hawkins	Long	Schluter
Cromwell	Henningsen	Love	Sharp
Dewel	Hill	Lynes	Shaw
Doud	Hultman	Martin	Vittetoe
Dykhouse	Jacobson	Mercer	Vrba
Elthon	Jones	Miller	Watson

Nays, none.

Absent or not voting, 6:

Benson	Newsome	White	Zastrow
Lucas	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.

On motion of Senator Newsome, House File 62, a bill for an act to amend section fifty-four hundred thirteen (5413), Code, 1939, relating to bounty on wolves, was taken up and considered.

Senator Love offered the following amendment and moved its adoption:

Amend House File 62, section 5413, Code, 1939, by amending as follows: Strike the word "two" in line 6 and insert in lieu thereof the word "four".

The amendment was adopted.

Senator Newsome moved that the bill be read a third 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	Kirketeg	Pine
Barkley	Findlay	Klein	Reilly
Bekman	Foster	Knudson	Ritchie
Berg	Hart	Leo	Rockhill
Byers	Harvey	Long	Schluter
Clem	Hawkins	Love	Sharp
Cromwell	Henningsen	Lynes	Shaw
Dewel	Hill	Mercer	Vittetoe
Doud	Hultman	Miller	Vrba
Dykhouse	Jacobson	Mowry	Watson
Elthon	Jones	Newsome	

Nays, none.

Absent or not voting, 7:

Benson	Lucas	Sjulin	Zastrow
Keir	Martin	White	

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

Senator Newsome moved that the vote by which the 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 145, a bill for an act to amend sections nine thousand seven hundred one (9701) and nine thousand seven hundred eighteen (9718), Code, 1939, relating to the warehouseman issuing receipts on his own property and for further definition of "warehouseman", was taken up and considered.

Senator Henningsen offered the following amendment and moved its adoption:

Amend Senate File 145, section 1, by striking from line two (2) the word "another" and inserting "a"; and by striking from line three (3) the words "namely, Paragraph three (3), in words".

Also, amend section 2, line three (3), by striking the word "thirty-fourth" and inserting "thirty-fifth".

The amendment was adopted.

Senator Hill offered the following amendment and moved its adoption:

Amend Senate File 145, section 2, by striking all after the word "merchandise" in the seventh line and substituting the following:

"in a bonded warehouse operating under the supervision of the United States Government pending sale thereof. Nothing in this definition shall be construed to exempt the manufacturer or processor from taxation on his own merchandise, as provided for under section 6971 of the 1939 Code."

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, 38:

Augustine	Findlay	Long	Reilly
Bekman	Hart	Love	Ritchie
Berg	Harvey	Lucas	Rockhill
Byers	Henningsen	Martin	Schluter
Clem	Hill	Mercer	Sharp
Cromwell	Hultman	Miller	Shaw
Dewel	Jacobson	Mowry	Vttetoe
Doud	Jones	Newsome	Vrba
Dykhouse	Keir	Pine	Watson
Elthon	Kirketeg		

Nays, none.

Absent or not voting, 12:

Barkley	Foster	Knudson	Sjulin
Benson	Hawkins	Leo	White
Faul	Klein	Lynes	Zastrow

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.

PRESENTATION OF VISITORS

Senator Knudson asked and received unanimous consent to present to the Senate his son, Lieutenant Ted Knudson of the United States Navy, who was present in the Senate chamber.

Senator Dewel asked and received unanimous consent to present to the Senate a part of the Government class of the Jordan consolidated school, who were present in the Senate chamber.

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 96 and 189.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *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 96 and 189.

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 13th day of March, 1945, sent to the governor for his approval, Senate Files 96 and 189. ROBERT C. REILLY, *Chairman.*

Passed on file.

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

AFTERNOON SESSION

The Senate resumed regular session, President Evans presiding.

PRESENTATION OF VISITORS

Senator Mowry asked and received unanimous consent to present to the Senate the class in American Government of the Colfax high school, who were present in the balcony with their superintendent.

THIRD READING OF BILLS

On motion of Senator Sharp, Senate File 200, a bill for an act to amend section twenty-five hundred ninety (2590), Code, 1939, relating to the powers and duties of the secretary of agriculture providing for the establishment of a marketing news service division in the department of agriculture, for the purpose of collecting and disseminating data and information relating to market prices and conditions of agricultural products, raised and handled in the state, and making appropriation therefor, with report of

committee on agriculture recommending passage, was taken up, considered, and the report of the committee adopted. Also with report of committee on appropriations recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Sharp asked and received unanimous consent that House File 239 be substituted for Senate File 200.

On motion of Senator Sharp, House File 239, a bill for an act to amend section two thousand five hundred ninety (2590), Code, 1939, relating to the establishment of a marketing news service division in the department of agriculture, and making an appropriation therefor, was taken up and considered.

Senator Sharp moved that the bill be read a third 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	Knudson	Reilly
Barkley	Hart	Love	Ritchie
Bekman	Harvey	Lucas	Rockhill
Byers	Henningsen	Lynes	Schluter
Clem	Hill	Martin	Sharp
Cromwell	Hultman	Mercer	Shaw
Dewel	Jacobson	Miller	Vittetoe
Doud	Jones	Mowry	Vrba
Dykhouse	Keir	Newsome	Watson
Findlay	Klein	Pine	

Nays, 1:

Hawkins

Absent or not voting, 10:

Benson	Faul	Long	White
Berg	Kirketeg	Sjulin	Zastrow
Elthon	Leo		

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

Senator Sharp moved that the vote by which the 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 398, a bill for an act to appropriate additional funds for erecting and equipping an office building on the state capitol grounds, 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, 39:

Augustine	Findlay	Keir	Newsome
Barkley	Foster	Klein	Reilly
Bekman	Hart	Knudson	Rockhill
Berg	Harvey	Love	Schluter
Byers	Hawkins	Lucas	Sharp
Clem	Henningsen	Mercer	Shaw
Cromwell	Hill	Lynes	Vittetoe
Dewel	Hultman	Martin	Vrba
Dykhouse	Jacobson	Miller	Watson
Elthon	Jones	Mowry	

Nays, none.

Absent or not voting, 11:

Benson	Kirketeg	Pine	White
Doud	Leo	Ritchie	Zastrow
Faul	Long	Sjulin	

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

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

On motion of Senator Hultman, House File 315, a bill for an act to provide for increases in compensation for public officers and employees in counties and subdivisions thereof during the period from July 1, 1945 to June 30, 1947 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, was taken up and considered.

Senator Byers offered the following amendment and moved its adoption:

Amend House File 315 by striking from lines 6 and 7 of section 1 thereof the words and figures "seventy-five thousand (75,000)" and inserting in lieu thereof the following: "sixty thousand (60,000)".

The amendment was adopted.

Senator Hultman offered the following amendment and moved its adoption:

Amend House File 315 by striking from the last line of section 2 the words, "and/or" and inserting in lieu thereof the word "or".

The amendment was adopted.

Senator Cromwell offered the following amendment and moved its adoption:

Amend House File 315 as follows:

After section 8, add a new section as follows: "County officers or deputy as used in this act shall not be construed to include county superintendent of schools and deputy superintendent of schools."

Renumber the remaining section.

The amendment was adopted.

Senator Doud offered the following amendment by Senators Doud, Foster and Lucas and moved its adoption:

Amend House File 315 by striking section 6 and section 7.

The amendment was adopted.

Senator Hultman moved that the bill be read a third 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	Klein	Newsome
Barkley	Foster	Knudson	Pine
Bekman	Hart	Leo	Reilly
Berg	Harvey	Long	Ritchie
Byers	Hawkins	Love	Rockhill
Clem	Henningsen	Lucas	Schluter
Cromwell	Hill	Lynes	Sharp
Dewel	Hultman	Martin	Shaw
Doud	Jacobson	Mercer	Vittetoe
Dykhouse	Jones	Miller	Vrba
Elthon	Keir	Mowry	Watson
Faul			

Nays, none.

Absent or not voting, 5:

Benson	Sjulin	White	Zastrow
Kirketeg			

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

Senator Hultman moved that the 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 MESSAGE CONSIDERED

House File 118, a bill for an act to provide for reimbursement by the state of Iowa to school districts of pupil transportation costs, providing the manner of computing the amount of reimbursement and making an appropriation for said reimbursement.

Read first and second times and referred to the sifting committee.

PROOF OF PUBLICATION

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

Senate File 356, a proposed bill providing for the issuance and delivery of hospital bonds by the city of Waukon, Iowa.

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 File 405

Senate File 52

House File 130

Senate File 189

House File 118, subject to being referred to appropriation committee under Rule 21.

STANLEY L. HART, *Chairman*.

BILLS ASSIGNED TO COMMITTEE

President Evans announced the following assignment of bills to committee:

Bill No.	Committee Assignment
S. F. 388	Committee on appropriations.
H. F. 118	Committee on appropriations.

AMENDMENTS FILED

Amend the title of House File 138 by inserting after the comma after the numbers 10688 the words and figures "and Section ten thousand six hundred forty-six (10646)" and adding after the word "salaries" in line 3 of the title the words "and number".

Further amend House File 138 by adding "Section 2" after line 19 thereof as follows:

"Sec. 2.

Amend section ten thousand six hundred forty-six (10646), Code, 1939, by striking from line ten (10) thereof the word "thirty" and substituting in lieu thereof the word "forty".

A. D. CLEM.

Amend Senate File 388 by adding thereto a new section as follows:

"Sec. 8. There is hereby appropriated from the general fund of the state of Iowa for each year of the biennium beginning July 1, 1945, and ending June 30, 1947, for the purposes set forth in this act, the sum of two million dollars (\$2,000,000.00) or so much thereof as may be necessary."

IRVING D. LONG.

On motion of Senaor Hill, the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 14, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend A. Leonard Smith, pastor of the Mamrelund Lutheran church, Stanton, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Augustine, from residents of Mahaska county, favoring local option.

By Senator Barkley, from residents of Appanoose county, favoring local option.

By Senator Berg, from residents of Marshall county, favoring local option.

By Senator Clem, from residents of Woodbury county, favoring local option.

By Senator Dewel, from residents of Kossuth county, favoring local option.

By Senator Harvey, from residents of Harrison county, favoring local option.

By Senator Foster, from residents of Henry county, favoring local option.

By Senator Hawkins, from residents of Ringgold county, favoring local option.

By Senator Hart, from residents of Adair, Bremer, Delaware, Greene, Jefferson, Johnson, Hamilton, Lucas, Marion, Mills, Polk, Poweshiek and Scott counties, favoring local option.

By Senator Lynes, from residents of Bremer and Dallas counties, favoring local option.

By Senator Miller, from residents of Guthrie county, favoring local option.

By Senator Mowry, from residents of Jasper county, favoring local option.

By Senator Pine, from residents of Louisa county, favoring local option.

By Senator Rockhill, from residents of Marshall county, favoring local option.

By Senator Shaw, from residents of Humboldt county, favoring local option.

By Senator Watson, from residents of Pottawattamie county, favoring local option.

By Senator Schluter, from residents of Jones county, favoring proposed road maintenance legislation.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jones for the day on request of Senator Lynes.

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 52, a bill for an act relating to soil conservation districts.

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

House File 106, a bill for an act fixing the salaries of county attorneys.

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

House File 107, a bill for an act fixing salaries of assistant county attorneys.

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

House File 231, a bill for an act relating to a levy of taxation for gas light, electric light, heat or power funds.

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

House File 313, a bill for an act relating to salaries of deputy superintendent of banking and bank examiners.

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 salary adjustments of employees of state conservation commission.

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

Senate File 109, a bill for an act relating to investments by life insurance companies.

Also: I am directed to return herewith without action on the part of the House, Senate File 125, and the conference committee report thereon, being a bill for an act relating to certain exemptions from the chauffeur's license requirements. A. C. GUSTAFSON, *Chief Clerk*.

HOUSE MESSAGES CONSIDERED

House File 52, a bill for an act to amend chapter one hundred nineteen (119), section three (3), Acts of the Forty-ninth General Assembly, relating to soil conservation districts.

Read first and second times and referred to the sifting committee.

House File 106, a bill for an act to amend section five thousand two hundred twenty-eight (5228), Code, 1939, fixing the salaries of county attorneys.

Read first and second times and referred to the sifting committee.

House File 107, a bill for an act to amend section five thousand two hundred twenty-nine (5229), Code, 1939, fixing the salaries of assistant county attorneys.

Read first and second times and referred to the sifting committee.

House File 231, a bill for an act to amend section six thousand two hundred eleven (6211), Code, 1939, relating to a levy of taxation for gas light, electric light, heat or power funds.

Read first and second times and referred to the sifting committee.

House File 313, a bill for an act to amend section nine thousand one hundred thirty-seven (9137), Code, 1939, relating to salaries of deputy superintendent of banking, and bank examiners.

Read first and second times and referred to the sifting committee.

House File 392, a bill for an act to amend sections one thousand seven hundred three and thirty-two hundredths (1703.32), one thousand seven hundred three and thirty-nine hundredths (1703.39) and one thousand seven hundred three and forty hundredths (1703.40), Code, 1939, relating to salary adjustments of the members and employees of the state conservation commission.

Read first and second times and referred to the sifting committee.

Senator Faul asked and received unanimous consent to be recorded as voting "aye" on House File 315.

PRESENTATION OF VISITORS

Senator Faul asked and received unanimous consent to present to the Senate twenty-five members of the 9-B civics class of Callanan junior high school who were present in the balcony with their teacher and principal.

RECONSIDERATION OF SENATE FILE 125

Senator Pine asked and received unanimous consent to reconsider Senate File 125, a bill for an act to amend section five thousand and one hundredth (5000.01), Code, 1939, paragraph forty (40), as amended by chapter one hundred fifty-five (155), Acts of the 50th General Assembly, relating to certain exemptions from the chauffeur's license requirements.

Senator Pine moved that the motion to reconsider the vote by which Senate File 125 passed the Senate be taken from the table.

A quorum being present and there being no "No" votes, the motion to take from the table carried by a two-thirds majority.

Senator Pine moved that the vote by which Senate File 125 passed the Senate be reconsidered.

On the question "Shall the vote by which Senate File 125 passed the Senate be reconsidered?" the vote was:

Ayes, 42:

Augustine
Barkley
Bekman
Benson
Berg
Byers
Clem

Cromwell
Dewel
Doud
Dykhousé
Elthon
Findlay
Hart

Harvey
Hawkins
Henningsen
Hill
Hultman
Keir
Klein

Knudson
Leo
Long
Love
Lucas
Lynes
Martin

Mercer
Miller
Mowry
Newsome

Pine
Reilly
Ritchie
Rockhill

Schluter
Sharp
Shaw

Sjulin
Vittetoe
Vrba

Nays, none.

Absent or not voting, 8:

Faul
Foster

Jacobson
Jones

Kirketeg
Watson

White
Zastrow

The motion having received a constitutional majority, prevailed.

Senator Pine moved that the vote by which Senate File 125 went to its third reading be reconsidered, which motion prevailed.

Senator Pine moved that the vote by which the Senate adopted the report of the conference committee on Senate File 125 be reconsidered, which motion prevailed.

Senator Elthon called up the following concurrent resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION 9

Whereas, The 49th General Assembly memorialized the Congress of the United States, by the passage of House Concurrent Resolution 15, urging the submission of an amendment to the Federal Constitution for ratification by three-fourths of the various states, which amendment among other things proposed to place a limit of twenty-five per cent on the amount of tax that might be levied and collected on incomes, inheritances, and transfers of property; and

Whereas, Said House Concurrent Resolution may be found set out in full on pages 395 and 396 of the House Journal of 1941; and

Whereas, in the 2d session of the 78th Congress a similar amendment was proposed for ratification known as Senate Joint Resolution 160; and

Whereas, Since the adoption of said memorial to Congress known as House Concurrent Resolution 15, events and circumstances have arisen which have increased the National debt to unprecedented heights the payment of which will be greatly jeopardized if such limitation is placed upon the taxing power of Congress since a substantial source of revenue from those persons with large incomes will be irretrievably lost; and

Whereas, The size of the National debt is a matter of great concern to the people of the state of Iowa, the ultimate payment of which is deemed imperatively necessary, and the General Assembly, as now constituted, believes it would be a grave mistake to place such limitation on the taxing power of Congress; now, therefore,

Be It Resolved by the House of Representatives of the State of Iowa, the Senate Concurring: That the Congress of the United States is hereby memorialized that the General Assembly of the State of Iowa is opposed to any constitutional limitation being placed on the taxing

power of Congress under present conditions. The action of the 49th General Assembly heretofore referred to is rescinded.

The motion prevailed and the resolution was adopted.

UNFINISHED BUSINESS

Senator Pine called up House File 243, a bill for an act to amend section five thousand thirty-five and five hundredths (5035.05) and section five thousand thirty-five and six hundredths (5035.06), Code, 1939, relating to the size of motor vehicles, and to repeal section five thousand thirty-five and twelve hundredths (5035.12), Code, 1939, as amended by chapter one hundred seventy-eight, Acts of the Forty-ninth General Assembly, relating to the weight of motor vehicles and to enact a substitute therefor.

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	Klein	Newsome
Barkley	Findlay	Knudson	Pine
Bekman	Foster	Leo	Reilly
Benson	Hart	Long	Ritchie
Berg	Harvey	Love	Rockhill
Byers	Hawkins	Lucas	Schluter
Clem	Henningsen	Lynes	Sharp
Cromwell	Hill	Martin	Shaw
Dewel	Hultman	Mercer	Sjulin
Doud	Jacobson	Miller	Vittetoe
Dykhouse	Keir	Mowry	Vrba
Elthon	Kirketeg		

Nays, 1:

Watson

Absent or not voting, 3:

Jones

White

Zastrow

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.

BILLS WITHDRAWN FROM FURTHER CONSIDERATION

Senator Pine asked and received unanimous consent to withdraw from further consideration of the Senate, Senate File 268, a companion bill to House File 243.

Senator Sharp asked and received unanimous consent to withdraw from further consideration of the Senate, Senate File 200, a companion bill to House File 239.

President pro tempore Hart took the chair at 10:45 a. m.

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

SENATE CONCURRENT RESOLUTION 15

Be It Resolved by the Senate, the House Concurring: That the Governor be requested to return for reconsideration Senate File 131, a bill for an act relating to estates of missing personnel.

The resolution was adopted.

Senator Hill asked and received unanimous consent that the resolution be immediately messaged to the House, which request was complied with.

UNFINISHED BUSINESS

Senator Henningsen, called up Senate File 238, a bill for an act to provide for the creation of a local improvement guaranty fund, by cities and towns, including cities under special charter, through taxation, for the purpose of guaranteeing the payment of special improvement bonds and interest thereon, and providing for the payment of said bonds and interest thereon out of such guaranty fund in the event there are no funds on hand in the special improvement fund to pay the bonds and interest thereon as the same become due.

Senator Rockhill moved that Senate File 238 be rereferred to the sifting committee.

Senator Newsome moved, as a substitute, that further action on Senate File 238 be deferred and that it retain its place on the calendar.

The motion prevailed and the substitution was made.

On motion of Senator Bekman, Senate File 196, a bill for an act to amend section six thousand two hundred eleven (6211), Code, 1939, relating to a levy of taxation for gas light, electric light, heat or power funds, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Bekman asked and received unanimous consent that House File 231 be substituted for Senate File 196.

On motion of Senator Bekman, House File 231, a bill for an act to amend section six thousand two hundred eleven (6211), Code, 1939, relating to a levy of taxation for gas light, electric light, heat or power funds, was taken up and considered.

President Evans took the chair at 11:10 a. m.

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, 37:

Barkley	Findlay	Klein	Reilly
Bekman	Hart	Knudson	Ritchie
Benson	Harvey	Leo	Schluter
Berg	Henningsen	Lucas	Sharp
Byers	Hill	Lynes	Shaw
Clem	Hultman	Mercer	Sjulin
Cromwell	Jacobson	Miller	Vittetoe
Dewel	Keir	Mowry	Vrba
Dykhous	Kirketeg	Newsome	Watson
Elthon			

Nays, 7:

Augustine	Hawkins	Love	Rockhill
Faul	Long	Pine	

Absent or not voting, 6:

Doud	Jones	White	Zastrow
Foster	Martin		

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.

BILL WITHDRAWN FROM FURTHER CONSIDERATION

Senator Bekman asked and received unanimous consent to withdraw from further consideration of the Senate, Senate File 196, a companion bill to House File 231.

On motion of Senator Byers, House File 215, a bill for an act to amend sections ten thousand seven hundred thirty-nine (10739) and ten thousand seven hundred forty-eight (10748), Code, 1939, relating to the salary of judges of the superior court, 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, 37:

Barkley	Elthon	Kirketeg	Newsome
Bekman	Faul	Klein	Pine
Benson	Hart	Long	Reilly
Berg	Harvey	Loye	Rockhill
Byers	Henningsen	Lynes	Sharp
Clem	Hill	Martin	Shaw
Cromwell	Hultman	Mercer	Vrba
Dewel	Jacobson	Miller	Watson
Doud	Keir	Mowry	Zastrow
Dykhouse			

Nays, 3:

Findlay	Leo	Schluter
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Absent or not voting, 10:

Augustine	Jones	Ritchie	Vittetoe
Foster	Knudson	Sjulin	White
Hawkins	Lucas		

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 Elthon, House File 68, a bill for an act to amend section five thousand three hundred fifty-four (5354), Code, 1939, by adding thereto a section providing for the re-investment of the funds derived from the sale of such bonds, in United States Government bonds at par, and to hold same, pending such time as in the judgment of the board of supervisors, construction of the county hospital may be commenced, was taken up and considered.

Senator Elthon offered the following amendment and moved its adoption:

Amend House File 68 by striking from line 4 of the title the words "at par".

Further amend House File 68, section 1, by striking from line 9 the words "at par".

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, 46:

Augustine	Faul	Knudson	Reilly
Barkley	Findlay	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Benson	Harvey	Lucas	Schluter
Berg	Hawkins	Lynes	Sharp
Byers	Henningsen	Martin	Shaw
Clem	Hill	Mercer	Sjulin
Cromwell	Hultman	Miller	Vittetoe
Dewel	Jacobson	Mowry	Vrba
Doud	Keir	Newsome	Watson
Dykhouse	Kirketeg	Pine	Zastrow
Elthon	Klein		

Nays, none.

Absent or not voting, 4:

Foster	Jones	Love	White
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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 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 Findlay, House File 225, a bill for an act to legalize the action of the Independent School District of Fort Dodge, Iowa, in conveying certain real estate to Fort Dodge Gas and Electric Company and certain real estate to Harold Ertl, without holding an election, was taken up and considered.

Senator Findlay moved that the bill be read a third 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	Ritchie
Bekman	Hart	Long	Rockhill
Benson	Harvey	Lucas	Schluter
Berg	Hawkins	Lynes	Sharp
Byers	Henningsen	Martin	Shaw
Clem	Hill	Mercer	Sjulin
Cromwell	Hultman	Miller	Vittetoe
Dewel	Jacobson	Mowry	Vrba
Doud	Keir	Newsome	Watson
Dykhouse	Kirketeg	Pine	Zastrow
Faul	Klein	Reilly	

Nays, none.

Absent or not voting, 7:

Barkley	Foster	Knudson	White
Elthon	Jones	Love	

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

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

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Senate Concurrent Resolution 15, requesting the Governor to return for reconsideration Senate File 131, a bill for an act relating to estates of missing personnel.

A. C. GUSTAFSON, *Chief Clerk.*

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

AFTERNOON SESSION

The Senate resumed regular session, President Evans presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Knudson for the balance of the day, on request of Senator Watson.

THIRD READING OF BILLS

On motion of Senator Jacobson, Senate File 356, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance and delivery of hospital bonds by the city of Waukon, Iowa, and the provisions made for the taxes for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said city, was taken up and considered.

Senator Jacobson moved that the bill be read a third 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
Dewel
Doud

Dykhouse
Elthon
Findlay

Foster	Kirketeg	Mercer	Sharp
Hart	Klein	Miller	Shaw
Harvey	Leo	Mowry	Sjulin
Hawkins	Long	Newsome	Vittetoe
Henningsen	Love	Reilly	Vrba
Hill	Lucas	Ritchie	Watson
Hultman	Lynes	Rockhill	White
Jacobson	Martin	Schluter	Zastrow
Keir			

Nays, none.

Absent or not voting, 5:

Barkley	Jones	Knudson	Pine
Faul		Knudson	Pine

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

Senator Jacobson moved that the 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 131 RECALLED FROM THE GOVERNOR

In accordance with Senate Concurrent Resolution 15, I have received from the Governor, Senate File 131, relating to estates of missing personnel, which is now on file in my office.

W. J. SCARBOROUGH, *Secretary*.

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 101 and 132.

ROBERT C. REILLY, *Chairman Senate Committee*

CARL A. ANDERSON, *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 101 and 132.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 13th he had approved the following bills:

Senate File 10, relating to soldiers' preference.

Senate File 15, relating to salaries of certain city officials.

Senate File 85, relating to payment of claims against the state sinking fund.

Senate File 96, relating to salaries of the judges of the district court.

Senate File 189, relating to salaries of officers and employees of the juvenile court.

COMMUNICATION RECEIVED FROM THE BANKING
DEPARTMENT

The following communication was received from the Superintendent of the Banking Department:

STATE OF IOWA
DEPARTMENT OF BANKING
Des Moines

March the First
1945

Offices
411 Valley Savings Bank Building
Telephone 4-0377

MEL. W. ELLIS
Superintendent

RALPH L. BUNCE
Deputy Superintendent

HONORABLE KENNETH A. EVANS
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 Fifty-first 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

FIFTY-FIRST GENERAL ASSEMBLY OF THE
STATE OF IOWA

REPORT OF FINDINGS AND RECOMMENDATIONS

of the

STATE BANKING BOARD
BASED UPON 1944 OPERATIONS OF
CHATTEL LOAN LICENSEESAs Required Under Section 9438.13
of Chapter 419.1 Code of Iowa, 1939Des Moines
March the First
1945

TO THE FIFTY-FIRST GENERAL ASSEMBLY:

The 139 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 eleven 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 139 licensees.

Schedule C is a consolidated operating statement for the year ending December 31, 1944.

Schedule D is a reconciliation of Surplus.

The first two Tables show the distribution of offices.

Table 3 shows that of the 139 licensed offices 110 are owned and operated by Iowans employing local capital and that approximately 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 10% with only one-third of the delinquencies more than one month overdue.

The occupation of borrowers is shown on Table 9.

Table 10 shows the use borrowers made of the proceeds of loans.

Table 11 is a record of suits and foreclosures showing only \$2,132 pending at year-end.

Historical data taken from this and previous annual reports is given in Table 12.

Excellent cooperation has been extended the Department of Banking in its requirement that loans be made only upon a regular reduction basis. The major number of loans are repayable in monthly installments with the average length of loan less than eight months. Only 1.8% of the loans outstanding at the end of 1944 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.

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 generally recognized in the industry.

In 1944 the consolidated operation resulted in an average net profit of 5.64% as compared with 5.4% in the last report and 7.29% in 1940. 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 11.21% of 1944 gross income in contrast to 11.69% for 1942 as shown in the last report and 9.96% of 1940 gross income.

Under present conditions and restrictions of the Federal government

the volume of this type of loans has decreased causing the number of licenses to drop from 168 in 1942 to 139 in 1944.

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, 1944, by the 139 licensees engaged in the business of making loans of \$300 or less.

SCHEDULE B

Balance sheets, per books, as of December 31, 1943 and December 31, 1944.

	Assets	1944	1943
10	Cash in office and in banks.....	\$ 740,400.96	\$ 646,561.07
11	Loans receivable	7,586,683.72	7,215,055.49
12	Real estate (less deprec. reserve).....	12,573.44	14,479.62
13	Furniture, fixtures and equipment.....	101,050.14	108,493.21
14	Deferred charges	124,567.48	131,286.03
15	Other assets used in S. L. business.....	177,184.47	173,928.43
16	Total assets (Item 10 to 15 inc.).....	\$ 8,742,460.21	\$ 8,289,803.85
16a	Assets not used in S. L. business.....	9,972,165.49	8,702,016.50
16b	Total all assets.....	\$18,714,625.70	\$16,991,820.35
	Liabilities		
17	Borrowed money, small loans 46.71%..	\$ 2,915,991.28	\$ 4,657,522.55
	Other assets 53.29%	3,326,764.61	
18	Bonds	47,500.00	49,500.00
19	Other liabilities	261,967.97	517,222.90
20a	Reserve for bad debts.....	267,347.07	254,635.14
20b	Reserve for licenses and taxes.....	301,014.64	275,263.77
20c	Other reserves	165,409.65	74,880.55

21	Branch office capital.....	1,672,374.62	1,503,679.99
22	Net worth (if individ. or partner).....	2,075,918.33	2,120,174.97
23	Capital stock (if corp.).....	4,378,640.87	4,428,001.52
24	Capital reserve	35,173.57	35,451.47
25	Surplus and undivided profits.....	3,266,523.09	3,075,487.49
26	Total all liabilities.....	\$18,714,625.70	\$16,991,820.35
27	Average loans receivable of \$300.00 or less.....		\$ 7,400,869.60
28	Average total assets used in small loan business.....		\$ 8,516,132.03
29	Ratio total assets used to loans receivable.....		115.07%

SCHEDULE C

Statement of income and expense for period from January 1, 1944 to December 31, 1944.

Gross income from small loan business			
30	Interest or charges collected.....	\$ 2,298,274.57	
31	Fees collected on loans.....	1,174.13	
32	Charges and fees earned but not collected	81,025.35	
33	Collections on accounts previously charged off	110,040.45	
34	Other income	11,321.57	
35	Total gross income.....		\$ 2,501,836.07
Expenses and losses of small loan business			
			\$ Acct. Cost
			Per Mo.
36	Rent	\$ 113,895.89	\$146
37	Salaries	741,007.42	.954
38	Printing, stationery, and supplies.....	34,858.77	.045
39	Postage and express.....	38,467.22	.050
40	Deprec. furniture, fixtures and equipment	24,665.19	.032
41	Recording and acknowledging fees.....	4,311.86	.006
42	Telephone and telegraph.....	35,627.99	.046
43	Travel	57,649.92	.074
44	Legal fees and disbursements.....	24,236.12	.031
45	Auditing	22,217.59	.029
46	Advertising	175,394.75	.226
47	Insurance and fidelity bonds.....	14,313.80	.018
48	License fees; investigation fees.....	18,690.00	.024
49	Supervision and administration.....	102,517.99	.132
50	Other expenses, excluding interest.....	97,293.59	.125
51	Total—1.61% per mo.....	\$ 1,505,148.10	\$1.938
52	Bad debts or reserve for bad debts.....	153,133.51	
53	Charges and fees earned but not collected	81,025.35	
54	Membership fees	7,844.44	
55	Other expenses and losses exc. int. and taxes	16,378.13	
56	Total—3.49% per yr. .29% per mo.....	\$ 258,381.43	
57	Taxes: Federal and state 11.21% of gross (53.59%) net.....	\$ 257,607.58	

58	Total expenses and losses of small loan business	\$ 2,021,137.11
59	Total net earnings for period.....	\$ 480,698.96
59a	Per cent net earnings (before interest)	5.64%

SCHEDULE D

Reconciliation schedule for period from January 1, 1944 to December 31, 1944.

60	*Surplus balance as of December 31, 1943	\$ 6,523,314.89
Additions		
61	Total net income small loans.....\$ 480,698.96	(*Surp. 3,075,487.49)
62	Net income outside small loans 270,741.74	(Net W. 1,805,928.31)
63	Other credits to surplus..... 554,244.31	(B. O. C. 1,641,899.09)
64	Total additions for the period..\$ 1,305,685.01	
Deductions		
65a	Int. paid S. L. business 46.71% \$ 99,919.96	
65b	Int. paid outside S. L. 53.29% 113,995.60	(*Surp. 3,266,523.09)
66	Amortization	63.15 (Net W. 1,780,249.43)
67	Dividends paid during period.. 375,433.25	(B. O. C. 1,673,194.96)
68	Other charges to surplus..... 519,620.46	
69	Total deductions for the period \$1,109,032.42	
70	Net additions to previous year surplus balance.....\$ 196,652.59	
71	*Surplus balance as of December 31, 1944.....\$ 6,719,967.48	

TABLE 1

Distribution of offices by cities:

	1 office	2 offices	3 offices	4 offices	5 or more offices
Number of cities.....	29	9	5	2	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.....	9	8	27	25	70

TABLE 3

Distribution of capital:	Number	Total Assets
Out of state corporation.....	29	\$ 2,127,351.99
Iowa corporations and individuals.....	110	6,615,108.22
Total assets used and useful in small loan business.....		\$ 8,742,460.21
Assets not used in small loan business.....		9,972,165.49
Total assets		\$18,714,625.70

TABLE 4

Number and amount of loans made during the year 1944:

Size of loans	Number of Accounts	Amount
Loans of \$25.00 or less.....	3,403	\$ 77,373.51
Loans of \$25.01 to \$50.00.....	14,555	665,460.15
Loans of \$50.01 to \$100.00.....	28,543	2,438,433.77
Loans of \$100.01 to \$150.00.....	22,861	3,135,801.59
Loans of \$150.01 to \$200.00.....	15,707	2,909,153.86
Loans of \$200.01 to \$300.00.....	30,876	8,623,040.05
Total of all loans of \$300.00 or less.....	115,945	\$17,849,262.93
Average size loan made.....		\$153.95

TABLE 5

Dollar value of loan balances outstanding classified by size:

Loan Balance	Dollar Balance	Per Cent of Total Group	Cumulative
\$50.00 or less.....	\$ 503,344.11	6.63%	6.63%
\$50.01 to \$100.00.....	1,336,469.61	17.62%	24.25%
\$100.01 to \$150.00.....	1,404,233.76	18.51%	42.76%
\$150.01 to \$200.00.....	1,290,991.70	17.02%	59.78%
\$200.01 to \$300.00.....	3,051,844.54	40.22%	100.00%
	\$ 7,586,683.72	100.00%	
Average unpaid loan balance	\$120.26		

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.....	15,716	24.91%	24.91%
\$50.01 to \$100.00.....	17,164	27.21%	52.12%
\$100.00 to \$150.00.....	10,997	17.43%	69.55%
\$150.01 to \$200.00.....	7,328	11.61%	81.16%
\$200.01 to \$300.00.....	11,883	18.84%	100.00%
	63,088	100.00%	

TABLE 7

Types of loans made:

Security Taken	Number	Per Cent	Dollar Value	Per Cent
Household goods	56,460	48.70%	\$ 9,540,209.88	53.45%
Automobiles	19,922	17.18%	3,182,700.46	17.83%
Other chattels	6,891	5.94%	1,052,182.68	5.89%
Unsecured notes	21,716	18.73%	2,798,743.84	15.68%
Endorsed or comaker	2,339	2.02%	277,279.02	1.55%
Wage assignments	7,321	6.31%	859,565.63	4.82%
Other considerations..	1,296	1.12%	138,581.42	.78%
	115,945	100.00%	\$17,849,262.93	100.00%

TABLE 8

Delinquencies:

Principal or interest delinquent			
One month	5,164	\$591,160.62	7.79%
Two months	1,356	131,416.28	1.73%
Three months or more.....	1,336	118,796.84	1.57%
<hr/>			
Total	7,856	\$841,373.74	10.09%
Interest only payments.....	954	\$139,362.27	1.84%

TABLE 9

Occupation of borrowers:	
Skilled and semi-skilled workers.....	34.94%
Office and other non-manual workers.....	11.81%
Owners—managers	3.86%
Farmers	6.05%
Unskilled laborers	15.43%
Managers, superintendents and foremen.....	4.35%
School teachers	10.05%
Sales persons	3.10%
Professional persons (except school teachers).....	.95%
Persons with independent incomes.....	1.79%
Not reported	5.15%
Miscellaneous	2.52%

100.00%

TABLE 10

Use borrowers made of loans:

Medical, dental and hospital bills.....	16.26%
Sundry overdue bills.....	18.26%
Business needs	5.69%
Tax bills	7.51%
Clothing	2.32%
Fuel	7.00%
Travel and vacations.....	4.04%
Automobiles	4.45%
Furnishings	1.47%
Repairs	4.98%
Insurance	2.27%
Assist relatives	3.01%
Food bills	2.32%
Rent	1.12%
Real estate mortgages and interest.....	1.93%
Education	2.06%
Moving	2.09%
Christmas	2.54%
Funeral expense57%
Miscellaneous	7.55%
To pay off present loan.....	5.40%
Not reported	2.16%

100.00%

TABLE 11

Suits and foreclosures:

	No. Accounts	Amt. Due
Suits for recovery pending December 31, 1943....	26	\$ 2,306.00
Suits instituted during year.....	125	14,109.00
Judgments secured during year.....	82	10,574.00
Suits settled before judgment.....	48	4,709.00
Suits pending December 31, 1944.....	21	2,132.00

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
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
1943	7,110,279.80	8,392,259.91	74,689	132
1944	7,586,683.72	8,742,460.21	64,732	139

Year	Taxes Paid	Interest Paid	Bad Debts	Uncollected Earnings
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
1943	260,944.03	104,157.01	174,356.70	77,185.20
1944	257,607.58	99,919.96	153,133.51	81,025.35

Year	Profit Earned	Average Monthly Rate Collected
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%
1943	5.81%	2.71%
1944	5.64%	2.70%

sand six hundred twelve (3612), Code, 1939, relating to salaries of juvenile court probation officers.

Read first and second times and referred to sifting committee.

House File 226, a bill for an act to amend chapter one hundred sixty-five (165), Acts of the Fiftieth General Assembly, relating to the penalties provided for the violation of the Iowa motor vehicle fuel tax law.

Read first and second times and referred to sifting committee.

House File 420, a bill for an act to amend section five thousand thirty-two and two hundredths (5032.02), Code, 1939, relating to school busses.

Read first and second times and referred to sifting committee.

House File 184, a bill for an act to legalize the action of the board of supervisors of Hamilton county, Iowa, in transferring funds in the amount of twelve thousand six hundred twenty dollars and fourteen cents (\$12,620.14) from the county poor fund to the county hospital fund.

Read first and second times and referred to sifting committee.

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

AFTERNOON SESSION

The Senate resumed regular session, President Evans 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:

House File 106

House File 187

House File 107

House Joint Resolution 4

House File 109

Senate File 205

House File 392

House File 142

Senate Joint Resolution 7

Senate File 406, subject to being referred to the appropriations committee under Rule 21.

STANLEY L. HART, *Chairman*.

BILLS ASSIGNED TO COMMITTEE

President Evans announced the following assignment of bills to committee:

Bill No.	Committee Assignment
S.J.R. 7	Committee on appropriations.
S. F. 406	Committee on appropriations.

THIRD READING OF BILLS

On motion of Senator Bekman, Senate File 173, a bill for an act to provide for the care of tuberculosis patients in public tuberculosis sanatoria, was taken up and considered.

Senator Bekman offered the following amendment by Senators Bekman, Martin and Reilly and moved its adoption:

Amend Senate File 173 by striking all after the enacting clause, and inserting in lieu thereof the following:

Section 1. Section three thousand three hundred and ninety-five (3395), Code, 1939, is amended by striking all of said section after the word "to" in line ten (10) and inserting in lieu thereof, "as provided in chapter one hundred eighty-nine and six-tenths (189.6), Code, 1939."

Sec. 2. Section three thousand eight hundred and twenty-eight and one hundred and twenty-five thousandths (3828.125), Code, 1939, is amended by striking from line three (3) the word "indigent".

Sec. 3. Chapter one hundred eighty-nine and six-tenths (189.6), Code, 1939, is amended by adding thereto a new section, as follows: "The county board of supervisors, in the name of the county, may receive any contributions or donation of money or property from patients or other persons."

Sec. 4. Chapter one hundred ninety-seven (197), Acts of the 49th General Assembly, is amended by inserting after the word "indigent" in line ten (10) the words "or tuberculous"; and by striking the period in line fifteen (15) and adding the following: "or have been found to be entitled to free care as provided in chapter one hundred and eighty-nine and six-tenths (189.6), Code, 1939."

Sec. 5. Chapter one hundred eighty-nine and six-tenths (189.6), Code, 1939, is amended by adding thereto a new section, as follows: "Money payable under the terms of an insurance contract covering cost of hospitalization of tuberculous persons shall be paid to the county board of supervisors, the board of hospital trustees or the State of Iowa, whichever is entitled to receive the same."

Sec. 6. Chapter one hundred eighty-nine and six-tenths (189.6), Code, 1939, is amended by adding thereto a new section, as follows: "Treatment shall be supplied free to person suffering from tuberculosis upon signed certification by the Board of Supervisors, three physicians residing in the county of the patient's residence authorized to practice medicine in the State of Iowa, or the Commissioner of the Iowa State Department of

Health, that the cost of treatment cannot be paid without undue hardship by the patient or the responsible relatives, which certificate shall be filed in the office of the County Auditor of the county of the patient's residence."

Sec. 7. Section five thousand three hundred and fifty-nine (5359), subdivision eight (8), Code, 1939, is amended by inserting after the word "indigent" in line two (2) the words "or tuberculous".

Sec. 8. Section five thousand three hundred and sixty-three (5363), Code, 1939, is amended by inserting after the word "patients" in line five (5) the following: "or patients entitled to free care as provided in chapter one hundred eighty-nine and six-tenths (189.6), Code, 1939."

Amend the title to Senate File 173 as follows: Strike the following words: "to repeal sections three thousand four hundred (3400), and three thousand four hundred and one (3401)."

Further amend the title by striking the words "to enact a new section to follow immediately after section three thousand eight hundred and twenty-eight and one hundred thirty-one thousandths (3828.131)," and inserting in lieu thereof "to amend chapter 189.6 as follows: to provide for county boards of supervisors to receive contributions from patients or persons; to provide for money payable under the terms of an insurance contract covering tuberculosis cases; to provide for free treatment for tuberculosis upon certification".

Senator Doud offered the following amendment by Senators Doud and Knudson to the amendment and moved its adoption:

Amend section 6 thereof by striking the comma (,) after the word "supervisors" in line 4 thereof and inserting in lieu thereof the word "or", and by inserting after the word "or" in line 6 thereof the words, "in cases where a person has no legal residence in a particular county, then by" and by striking the period (.) at the end of said section and adding thereto the following: ", or the state department of health in cases of patients without legal residence in a particular county."

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Bekman asked and received unanimous consent to withdraw the amendment to Senate File 173, filed by him on March 9 and found on page 600 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, 47:

Augustine	Clem	Elthon	Hawkins
Bekman	Cromwell	Findlay	Henningsen
Benson	Dewel	Foster	Hill
Berg	Doud	Hart	Hultman
Byers	Dykhouse	Harvey	Jacobson

Jones	Love	Newsome	Sjulin
Keir	Lucas	Pine	Vittetoe
Kirketeg	Lynes	Reilly	Vrba
Klein	Martin	Rockhill	Watson
Knudson	Mercer	Schluter	White
Leo	Miller	Sharp	Zastrow
Long	Mowry	Shaw	

Nays, none.

Absent or not voting, 3:

Barkley	Faul	Ritchie
---------	------	---------

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 Elthon, Senate File 52, a bill for an act relating to watchmakers and watchmaking, defining the term "watchmaking", 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, 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 52, section 2, by inserting after the comma in line 8 the following:

"nor shall it include or mean the repairing of electric clocks where the repair is necessary or incidental to the electric mechanism contained in such clocks,".

The amendment was adopted.

Senator Newsome offered the following amendment and moved its adoption:

Amend Senate File 52 as follows: Section 8, line 17, strike the words and figures "five (5.00) dollars" and insert in lieu thereof "ten dollars (\$10.00)".

The amendment was lost.

Senator Elthon offered the following amendment and moved its adoption:

Amend Senate File 52 as follows:

Amend section 1 by striking from line 1 the word "will" and inserting in lieu thereof the word "shall".

Amend section 3 by striking from line 28 the word "opened" and inserting in lieu thereof the word "open".

Amend section 10 by striking from line 1 the figure "(1)", and by striking all of said section following the period in line 13 and inserting in lieu thereof the following: "The action of the board on such charges shall be final. Upon the expiration of one year, and after satisfactory proof that the cause of revocation no longer exists, a person whose certificate has been revoked may be issued a certificate of registration at the discretion of the board, upon payment of the fee herein provided."

Amend section 13 by inserting in line 2, after the word "registration", the word "who".

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, 32:

Bekman	Faul	Keir	Pine
Benson	Findlay	Kirketeg	Reilly
Berg	Hart	Lynes	Ritchie
Byers	Harvey	Martin	Schluter
Clem	Hill	Mercer	Sjulin
Cromwell	Hultman	Miller	Vittetoe
Dykhouse	Jacobson	Mowry	Watson
Elthon	Jones	Newsome	Zastrow

Nays, 7:

Augustine	Klein	Lucas	White
Henningsen	Leo	Rockhill	

Absent or not voting, 11:

Barkley	Foster	Long	Shaw
Dewel	Hawkins	Love	Vrba
Doud	Knudson	Sharp	

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 Keir, House File 130, a bill for an act to permit school districts to discontinue facilities and contract with other districts to furnish such facilities under certain conditions, 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, 50:

Augustine	Findlay	Knudson	Reilly
Barkley	Foster	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Benson	Harvey	Love	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Lynes	Shaw
Clem	Hill	Martin	Sjulin
Cromwell	Hultman	Mercer	Vittetoe
Dewel	Jacobson	Miller	Vrba
Doud	Jones	Mowry	Watson
Dykhouse	Keir	Newsome	White
Elthon	Kirketeg	Pine	Zastrow
Faul	Klein		

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 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.

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 109 and House Files 62 and 239.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *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 109 and House Files 62 and 239.

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 15th day of March, 1945, sent to the governor for his approval Senate File 109.

ROBERT C. REILLY, *Chairman.*

Passed on file.

REPORTS OF COMMITTEE

Senator Long submitted the following reports:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate Joint Resolution 7, a bill for an act relating to the appointment of a state building code council, begs leave to report it has had the same under consideration and returns the bill without recommendation.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 406, a bill for an act to make appropriations to Osceola County Fair, Adams County Fair Association, Sac County Fair Association, and Page County Agricultural Association, begs leave to report it has had the same under consideration and returns the bill without recommendation.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 211, a bill for an act to make appropriations from liquor control fund to the industrial commissioner for the payment of claim 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, begs leave to report it has had the same under consideration and recommends the same do pass.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 292, a bill for an act to protect the public against milk borne disease, begs leave to report it has had the same under consideration and recommends the same do pass.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 306, a bill for an act to amend section six thousand nine hundred forty-three and one hundred thousandths (6943.100), Code, 1939, relating to allocation of revenues of the income, corporation and sales tax, begs leave to report it has had the same under consideration and recommends the same do pass.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 328, a bill for an act to amend chapter two hundred thirty-seven (237), Acts of the Forty-ninth General Assembly relative to the allocation of revenue for old-age assistance, begs leave to report it has had the same under consideration and recommends the same do pass.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 358, a bill for an act relative to aeronautics, begs leave to report it has had the same under consideration and recommends the same do pass.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 362, a bill for an act to authorize the purchase of certain farm land adjoining the state sanatorium, and to provide for an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 374, a bill for an act to authorize the purchase of certain farm land adjoining the state sanatorium, and to provide for an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 95, section 1, line 10, by striking the word and figure "two (2)" and inserting in lieu thereof the word and figure "three (3)".

ROSS R. MOWRY.

Amend Senate File 305 by striking from lines 4 and 5 of section 1 the following words: "or the administrator or executor of his estate".

H. S. LOVE.

Amend Senate File 333 as follows:

1. Amend by striking the period (.) and quotation marks (") at the end of line 11, substituting a comma (,) therefor and adding the following:

"provided that the school house fund so established shall not be used

for any other purpose than herein provided nor shall any transfer of said fund or a part thereof be authorized by the state comptroller; provided further that the local school board shall be authorized to invest said fund in securities of the United States until said fund is expended for the purposes herein provided."

ROBERT KEIR.

ALDEN L. DOUD.

Amend the title of Senate File 350 by striking from lines 14 and 15 thereof the words and figures "three hundred twenty (320)" and inserting in lieu thereof the words and figures "three hundred thirty (330)".

Amend by striking section 4 thereof and inserting in lieu thereof the following: "Sec. 4. The provisions of this act shall be applicable to cities acting under special charter."

Amend section 8, lines 1 and 2, by striking therefrom the words and figures "five thousand nine hundred three and five hundredths (5903.05), Code, 1939, as amended by" and inserting in lieu thereof the words and figures "one (1) of".

Amend section 13, line 2, by striking therefrom the words and figures "three hundred twenty (320)" and inserting in lieu thereof the words and figures "three hundred thirty (330)".

RALPH E. BENSON, *Chairman*.

Amend Senate File 351 by adding thereto the following section:

"Sec. 18. Special Charter Cities. The provisions of this act shall apply to cities operating under special charter."

RALPH E. BENSON, *Chairman*.

Amend Senate File 405 as follows:

1. Amend section 36 by adding after the figures "\$45,000.00" in line 45 the following: "Provided that this appropriation shall not be used for the discontinuance or removal of any existing radio station without the approval of the executive council."

ALDEN L. DOUD.

Amend Senate File 405 as follows:

"After the figure '\$3,300' in line 8 of Section 6, insert ', who is the legal advisor,'".

FRED CROMWELL.

Amend Senate File 405, section 29, line 19, by striking the figures "\$2750.00" and inserting in lieu thereof "\$3000.00".

C. V. FINDLAY.

Amend Senate File 405 by striking all after the word "commission." in line 13 and all of line 14 in section 42.

R. W. ZASTROW.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 16, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by Doctor Warren Meredith, pastor of the Methodist church, Chariton, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Berg, from members of the United Service Women of America, favoring the erection of a war memorial building.

By Senator Benson, from residents of Sac and Carroll counties, favoring local option.

By Senator Faul, from residents of Polk county, favoring local option.

By Senator Harvey, from residents of Crawford and Monona counties, favoring local option.

By Senator Hultman, from residents of Montgomery county, favoring local option.

By Senator Keir, from residents of Clay, Dickinson and O'Brien counties, favoring local option.

By Senator Knudson, from residents of Cerro Gordo and Wright counties, favoring local option.

By Senator Love, from residents of Appanoose, Delaware, Greene, Harrison, Jones, Kossuth, Lee, Marion and Wapello counties, favoring local option.

By Senator Lynes, from residents of Butler county, favoring local option.

By Senator Mowry, from residents of Jasper county, favoring local option.

By Senator Shaw, from residents of Buena Vista county, favoring local option.

By Senator Sjulín, from residents of Page county, favoring local option.

By Senator Zastrow, from residents of Floyd county, favoring local option.

By Senator Vittetoe, from residents of Poweshiek county, relating to profits of state liquor commission, and favoring tax revision.

By Senator Vrba, from residents of Winneshiek county, favoring proposed game legislation.

INTRODUCTION OF BILLS

Senate File 407, by committee on mines and mining, a bill for an act to amend section one thousand two hundred ninety-two (1292), Code, 1939, relating to coal mines and mining and to provide for the duties of the mine foreman or pit boss.

Read first and second times and referred to sifting committee.

Senate File 408, by committee on ways and means, a bill for an act to provide for joint ownership and acquisition of property by two or more cities and towns, including cities under special charter, for the purpose of establishing and operating airports, public parks, public works and public utilities, to provide for a levy of a tax and issuance of bonds, submission to the voters and management.

Read first and second times and referred to sifting committee.

Senate File 409, by committee on judiciary 1, a bill for an act to repeal section three thousand five hundred sixty-two and one tenth (3562.1), Code, 1939, and to enact a substitute therefor, relating to commitment of incompetent veterans to Veterans Administration or other agency of the United States government.

Read first and second times and referred to sifting committee.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate Concurrent Resolution 13, memorializing congress to take favorable action of Senate Joint Resolution 8.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 3, a bill for an act relating to exemption from income tax of members of armed forces.

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

Senate File 203, a bill for an act providing that assistance for dependent Indian children be paid by the state.

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

Senate File 222, a bill for an act relating to employment compensation.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 255, a bill for an act relating to powers and duties of dock boards.

Also: 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 aid to needy blind.

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 compensation of certain city assessors.

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

House File 250, a bill for an act relating to compensation for use of private automobile by state officers and employees.

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

House File 379, a bill for an act relating to compensation of aldermen and mayors of cities under special charter.

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

House File 415, a bill for an act relating to private trade schools.

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

House File 446, a bill for an act legalizing action of the town of Atkins respecting certain expenditure of funds.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 3

Amend section one (1), line seven (7), by inserting after the word "for" the word "military".

HOUSE AMENDMENT TO SENATE FILE 255

Amend the title to Senate File 255 by inserting after the semicolon (;) in the last line thereof the following:

"and making the provisions of this act applicable to cities acting under special charter;"

Amend section two (2), line twelve (12), by inserting after the comma (,) following the word "government" the following:

"having a population of sixty thousand (60,000), or more,".

Amend by adding the following as section three (3) of the bill:

"Sec. 3. The provisions of this act shall be applicable to cities acting under special charter."

Renumber section three (3) of the bill as section four (4).

PRESENTATION OF VISITORS

Senator Leo asked and received unanimous consent to present to the Senate the senior class of Blairstown high school who were present in the balcony with their superintendent.

HOUSE MESSAGES CONSIDERED

House File 161, a bill for an act to amend section three thousand six hundred eighty-four and three one hundredths (3684.03), Code, 1939, as amended by section two (2), chapter one hundred forty-three (143), Acts of the Forty-ninth General Assembly, relating to aid to the needy blind and the amount of assistance that may be paid.

Read first and second times and referred to the sifting committee.

House File 247, a bill for an act to amend section five thousand six hundred sixty-nine (5669), Code, 1939, relating to compensation of city assessors, in cities under the commission form of government and in cities of the first class.

Read first and second times and referred to the sifting committee.

House File 250, a bill for an act to amend section three hundred eight and five tenths (308.5), Code, 1939, relating to compensation for use of a private automobile by state officers and employees.

Read first and second times and referred to the sifting committee.

House File 379, a bill for an act to amend sections six thousand seven hundred four (6704) and six thousand seven hundred

five (6705), Code, 1939, relating to compensation of aldermen and mayor of cities under special charter.

Read first and second times and referred to the sifting committee.

House File 415, a bill for an act relating to private trade schools, providing for the licensing and regulation thereof and solicitors therefor, imposing penalties for violations of this act, and creating a trade school regulation fund.

Read first and second times and referred to the sifting committee.

House File 446, a bill for an act to legalize the action of the town council of the town of Atkins, Benton county, Iowa, in respect to expenditure of funds for the purchase and construction of a filter and addition to pumphouse connected with its water-works system and warrants issued in payment thereof.

Read first and second times and referred to the sifting committee.

HOUSE AMENDMENTS CONSIDERED

Senator Faul called up for consideration Senate File 3, a bill for an act to amend subsection two (2) of section six thousand nine hundred forty-three and forty thousandths (6943.040), Code, 1939, relating to exemption from personal net income tax of members of the armed forces of the United States and those who have died as a result of service in the armed forces of the United States, amended by the House, and moved that the Senate concur in the following House amendment:

Amend section 1, line 7, by inserting after the word "for" the word "military".

The motion prevailed and the Senate concurred in the House amendment.

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
Barkley
Bekman

Benson
Berg
Byers

Clem
Cromwell
Dewel

Doud
Dykhousc
Elthon

Faul	Jacobson	Lynes	Schluter
Findlay	Keir	Martin	Shaw
Foster	Kirketeg	Mercer	Sjulin
Hart	Klein	Miller	Vittetoe
Harvey	Leo	Mowry	Vrba
Hawkins	Long	Newsome	Watson
Henningsen	Love	Reilly	White
Hill	Lucas	Rockhill	Zastrow
Hultman			

Nays, none.

Absent or not voting, 5:

Jones	Pine	Ritchie	Sharp
Knudson			

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.

UNFINISHED BUSINESS

Senator Watson called up Senate File 247, a bill for an act to repeal sections twelve thousand seven hundred seventy-two (12772) and twelve thousand seven hundred seventy-two and one tenth (12772.1), Code, 1939, as amended, and to enact a substitute therefor, relating to the investment, reinvestment, exchange, retention, sale and management of property held in trust by fiduciaries.

Senator Bekman offered the following amendment by Senators Bekman, Hultman, Harvey, Clem, Cromwell, Byers, Long, Doud and Sharp, and moved its adoption:

Amend Senate File 247 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section twelve thousand seven hundred seventy-two (12772), Code, 1939, is amended by adding thereto the following:

"14. Banks and trust companies acting as trustee, executor, administrator, guardian, or in any other fiduciary capacity, 'under wills, agreements, court orders or any other instruments, now existing or hereafter made,' receiving money or other fiduciary property for investment and management, may with the approval of the court or a judge thereof, acquire, invest in, re-invest in, exchange, retain and sell for the benefit of the beneficiaries, property or securities other than as enumerated in this section, subject to the following conditions:

(a) They shall exercise the judgment and care under the circumstances then prevailing, which men of prudence, discretion and intelligence exercise in the management of their own affairs, not in regard to speculation,

but in regard to the permanent disposition of their funds, considering the probable income as well as the probable safety of the capital invested.

(b) They shall not depart or vary from the express terms or limitations set forth in any will, agreement, court order, or other instrument creating or defining their duties and powers, but the term 'legal investment', 'authorized investment' or words of similar import as used in such instrument shall be taken to mean investments authorized in this act.

(c) They shall not purchase or acquire such property or securities from themselves, their officers, directors or employees."

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, 57, 102, 172, 175, 197, 314 and 347.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *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, 57, 102, 172, 175, 197, 314 and 347.

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 16th day of March, 1945, sent to the governor for his approval Senate Files 17, 57, 102, 172, 175, 197, 314 and 347.

ROBERT C. REILLY, *Chairman.*

Passed on file.

RESIGNATION OF EMPLOYEE

MR. PRESIDENT: I hereby tender my resignation as a doorkeeper of the Senate.

IRA GRIPP.

The President announced the acceptance of the resignation.

AMENDMENTS FILED

Amend Senate File 95 as follows:

1. Amend section 1 by striking from line 5 the words and figure "April first (1)" and inserting "July first (1)".

2. Amend section 1 by striking from line 6 the words and figure "April first (1)" and inserting "July first (1)".

3. Strike section 2.

JOHN BERG.

Amend Senate File 405, section 16, by striking the figure "7" in line 47 and inserting in lieu thereof the figure "8".

Further amend section 16 by striking all of lines 48, 49, 50, and 51.

RICHARD V. LEO.

Amend Senate File 247 by striking from line 7 thereof the words "or a Judge" and by adding after the word "approval" in line 7 the following: "and an actual hearing had with evidence submitted".

O. J. KIRKETEG.

Amend Senate File 296 as follows:

Amend by adding the following to section 1, following line 18, "the power vested by this section in the department shall not apply, however, to the lower five thousand (5000) feet of any stream flowing into a river at a place where such river forms a part of the boundary of the state".

Further amend by adding the following after the period in line 9 of section 3, "provided, however, that no proceedings may be instituted against the same person, firm, corporation, or municipality until after one year from the date the court has set aside such order of the department."

Further amend by striking from section 6, lines 13 and 14, the words "and to extension of or addition to any factory, manufacturing establishment, or business enterprise".

Further amend section 6 by adding after the word "extensions" in line 16 the words "of such sewage systems".

Further amend section 6 by inserting a period following the word "system" in line 34 and striking the remainder of the sentence.

Further amend by striking the period at the end of line 47 of section 6 and inserting in lieu thereof a comma, and the following words "not inconsistent with standard engineering practice".

A. D. CLEM.

Amend Senate File 345 by striking subsections (c) and (d) from section one (1) and substituting in lieu thereof the following:

"(c) the insurance premiums are paid by such members to the association; each member, insofar as applicable to his own employees, may collect part of the premium from insured employees, and the method of apportionment of the premium payment between himself and his employees may be varied as among individual members; and

"(d) not less than seventy-five per cent (75%) of the eligible employees of each participating member may be insured where the employees pay a part of the premium."

GEORGE FAUL.

Amend Senate File 361 by striking all of section one (1) therefrom and substituting in lieu thereof the following:

"Section 1. Any department, board, commission, institution (educational or otherwise), or other body of the State of Iowa supported in whole or in part by public funds, is authorized to procure group insurance for their respective employees. The officials in charge of any such body are authorized to contract for group insurance from any legal reserve insurance company, authorized to do business in the State of Iowa, to use therefor moneys appropriated for administrative purposes in their respective bodies, and to make salary deductions from the employees making a written request for such insurance."

GEORGE FAUL.

Amend House File 87 by inserting after section 1 as section 2 the following:

"Sec. 2. Chapter two hundred sixty-four (264), Acts of the Fiftieth General Assembly is amended by striking the word 'eleven' from line three (3) of section one (1) and inserting in lieu thereof the word 'twelve' and by striking the words 'twenty-seven hundred' from line four (4) of section two (2) and inserting in lieu thereof the words 'three thousand'."

Further amend House File 87 by renumbering the remaining section.

GEORGE FAUL.

EXECUTIVE SESSION

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

The Senate arose from executive session and resumed regular session.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 19, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend E. C. Sears, pastor of the Methodist church, Bussey, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Clem, from residents of Woodbury county, favoring local option.

By Senator Doud, from residents of Jefferson and Van Buren counties, favoring local option.

By Senator Dykhouse, from residents of Sioux county, favoring local option.

By Senator Foster, from residents of Henry county, favoring local option.

By Senator Harvey, from residents of Harrison county, favoring local option.

By Senator Hawkins, from residents of Union county, favoring local option.

By Senator Henningsen, from residents of Clinton county, in opposition to the proposed increased tax on gasoline.

By Senator Hill, from residents of Hamilton county, favoring local option.

By Senator Jacobson, from residents of Bremer county, favoring local option.

By Senator Jones, from residents of Warren county, favoring local option.

By Senator Klein, from residents of Marion county, favoring local option.

By Senator Leo, from residents of Tama county, favoring local option.

By Senator Lucas, from residents of Story county, favoring local option.

By Senator Lynes, from members of the Sumner Garden Club of Bremer county, favoring proposed liquor legislation.

By Senator Miller, from residents of Dallas county, favoring local option.

By Senator Ritchie, from residents of Cherokee county, favoring local option.

By Senator Vrba, from residents of Howard and Winneshiek counties, favoring local option.

INTRODUCTION OF BILLS

Senate File 410, by committee on manufacturing, commerce and trade, a bill for an act to amend section six thousand nine hundred forty-three and seventy-six thousandths (6943.076) of the Code, 1939, relating to exemptions and exclusions from sales tax.

Read first and second times and referred to sifting committee.

Senate File 411, by committee on manufacturing, commerce and trade, a bill for an act to amend sections six thousand nine hundred forty-three and one hundred two thousandths (6943.102) and six thousand nine hundred forty-three and one hundred four thousandths (6943.104) of the Code, 1939, relating to exemptions and exclusions from use tax.

Read first and second times and referred to sifting committee.

CONFERENCE COMMITTEE REPORT ADOPTED

Senator Pine asked and received unanimous consent to withdraw the conference committee report on Senate File 125 filed on March 9 and found on page 588 of the Senate Journal.

Senator Pine called up the following conference committee report on Senate File 125, a bill for an act to amend section five thousand and one hundredth (5000.01), Code, 1939, paragraph forty (40), as amended by chapter one hundred fifty-five (155), Acts of the 50th General Assembly, relating to certain exemptions from the chauffeur's license requirements, and moved its adoption:

REPORT OF CONFERENCE COMMITTEE ON SENATE FILE 125

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned members of the conference committee appointed to consider the difference between the House and the Senate on Senate File 125, relating to certain exemptions from the chauffeur's license requirements, beg leave to report that we have had the same under consideration and we make the following recommendation:

That section one (1) of Senate File 125 be amended by striking all of said section following line six (6) and substituting in lieu thereof the following:

"Chauffeur means any driver who operates a motor vehicle or motor truck in the transportation of persons or property for hire, including school busses, whether paid directly or indirectly in wages, commissions or otherwise, excepting when such operation by the owner or driver is occasional and merely incidental to his principal occupation, or when a passenger automobile is being operated as a pool car in a 'share the ride' plan.

"Subject to the provisions of section five thousand thirteen and five hundredths (5013.05), a farmer or his hired help shall not be deemed a chauffeur, when operating a truck owned by him, and used exclusively in connection with the transportation of his own products or property." and when so amended, the same do pass.

Respectfully submitted,

F. J. PINE.

CHARLES S. VAN EATON.

DE VERE WATSON.

HARRY E. WATSON.

J. KENDALL LYNES.

WARREN E. SIMONSEN.

H. SAM LOVE.

ARTHUR C. BLATTI.

*On the part of the Senate.**On the part of the House.*

The motion prevailed and the report was 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, 50:

Augustine	Findlay	Knudson	Reilly
Barkley	Foster	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Benson	Harvey	Love	Schluter
Berg	Hawkins	Lynes	Sharp
Byers	Henningsen	Lucas	Shaw
Clem	Hill	Martin	Sjulin
Cromwell	Hultman	Mercer	Vittetoe
Dewel	Jacobson	Miller	Vrba
Doud	Jones	Mowry	Watson
Dykhouse	Keir	Newsome	White
Elthon	Kirketeg	Pine	Zastrow
Faul	Klein		

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 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.

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 151, a bill for an act defining term "place of business" and increasing license fee of motor vehicle dealers.

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 appropriating certain funds for improvements in institutions under the board of control.

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

House File 448, a bill for an act appropriating certain funds for improvements in institutions under state board of education.

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

House File 451, a bill for an act relating to salaries of superintendents of state hospitals.

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

House File 452, a bill for an act relating to salaries at state penitentiary and men's reformatory.

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

House Concurrent Resolution 18 relating to members of armed forces representing the United States at the Peace Table.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 18

Whereas, It is important that peace of the Allies be a just, firm, practical and lasting peace, and

Whereas, The youth of our Nation has been tested physically, mentally and morally, and found competent, and

Whereas, The youth of our Nation are most concerned because of their age, the age of their families and the problems confronting them, and

Whereas, In every war it is the youth who shoulder the arms and give

their blood and lives, and know the horrors of war, the beachheads, pill-boxes and sacrifices, and

Whereas, These men who gave given so much of their lives and time to our public welfare and have the interests of their country and the philosophy of our Republican form of representative government at heart, therefore

Be It Resolved by the House, the Senate Concurring: That the Fifty-first General Assembly of the State of Iowa, respectfully requests that the Congress of the United States and the President of the United States, immediately take the necessary steps to provide for a qualified representation of the young men and women of the Military Forces of World War II, who have seen active service on the foreign battlefields, to serve as members of the commission or delegation representing the United States of America at the Peace Table and that they have an active voice in determining the peace policies of the world. The members of the Armed Forces have served us all and we know would serve us well in really establishing a just and lasting peace.

It Is Further Resolved: That the Chief Clerk of the House be instructed and authorized to send copies of this resolution to the Iowa representatives and senators in Congress and to the President of the United States, the Vice President of the United States, and the Speaker of the House or Representatives in Washington, D. C.

HOUSE MESSAGES CONSIDERED

House File 447, a bill for an act to appropriate and set aside from the income, corporation and sales tax special fund for certain capital improvements in institutions under the board of control, including construction of new buildings, repairs, improvements, replacements or alterations, and providing for joint control of the expenditure of the funds by the state board of control and the joint legislative committee on retrenchment and reform of the state of Iowa, and providing for its investment by the state treasurer and the method of expenditure.

Read first and second times and referred to sifting committee.

House File 448, a bill for an act to appropriate and set aside from the income, corporation and sales tax special fund for certain capital improvements in institutions under the state board of education, including construction of new buildings, repairs, improvements, replacements or alteration, and providing for joint control of the expenditure of the funds by the state board of education and the joint legislative committee on retrenchment and reform of the state of Iowa, and providing for its investment by the state treasurer and the method of expenditure.

Read first and second times and referred to sifting committee.

House File 451, a bill for an act to amend sections three thousand three hundred eighty-eight (3388), three thousand four hundred three (3403) three thousand four hundred sixty-six (3466) and three thousand four hundred eighty-six (3486), Code, 1939, relating to salaries of superintendents of state hospitals under the board of control.

Read first and second times and referred to sifting committee.

House File 452, a bill for an act to amend section three thousand seven hundred forty-one (3741), Code, 1939, as amended by chapter one hundred thirty-one (131) of the Laws of the Fiftieth General Assembly, to amend section two (2) of chapter one hundred thirty-one (131) of the Laws of the Fiftieth General Assembly, relating to salaries at the state penitentiary and men's reformatory.

Read first and second times and referred to sifting committee.

UNFINISHED BUSINESS

Senator Bekman called up Senate File 247, a bill for an act to repeal sections twelve thousand seven hundred seventy-two (12772) and twelve thousand seven hundred seventy-two and one tenth (12772.1), Code, 1939, as amended, and to enact a substitute therefor, relating to the investment, reinvestment, exchange, retention, sale and management of property held in trust by fiduciaries, and the Senate resumed consideration of the following amendment:

Amend Senate File 247 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section twelve thousand seven hundred seventy-two (12772), Code, 1939, is amended by adding thereto the following:

"14. Banks and trust companies acting as trustee, executor, administrator, guardian, or in any other fiduciary capacity, 'under wills, agreements, court orders or any other instruments, now existing or hereafter made,' receiving money or other fiduciary property for investment and management, may with the approval of the court or a judge thereof, acquire, invest, re-invest in, exchange, retain and sell for the benefit of the beneficiaries, property or securities other than as enumerated in this section, subject to the following conditions:

(a) They shall exercise the judgment and care under the circumstances then prevailing, which men of prudence, discretion and intelligence exercise in the management of their own affairs, not in regard to speculation, but in regard to the permanent disposition of their funds, considering the probable income as well as the probable safety of the capital invested.

(b) They shall not depart or vary from the express terms or limita-

tions set forth in any will, agreement, court order, or other instrument creating or defining their duties and powers, but the term 'legal investment', 'authorized investment' or words of similar import as used in such instrument shall be taken to mean investments authorized in this act.

(c) They shall not purchase or acquire such property or securities from themselves, their officers, directors or employees."

Senator Bekman asked and received unanimous consent that further action on Senate File 247 be deferred and that it retain its place on the calendar.

THIRD READING OF BILLS

On motion of Senator Long, Senate File 405, a bill for an act to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1945, and ending June 30, 1947, funds for various departments and various divisions thereof, of the state of Iowa, for the purposes provided by law, was taken up and considered.

Senator Byers offered the following amendment and moved its adoption:

Amend Senate File 405 by striking from line 13, section 5, the figures "3,600.00" and inserting in lieu thereof the figures "4,000.00", and by striking from line 15, section 5, the figures "36,600.00" and inserting in lieu thereof the figures "36,200".

The amendment was adopted.

Senator Knudson asked and received unanimous consent to withdraw the amendment to Senate File 405 filed by Senators Knudson and Douds on March 14 and found on page 652 of the Senate Journal.

Senator Doud asked and received unanimous consent to withdraw the amendment to Senate File 405 filed by him on March 14 and found on pages 652 and 653 of the Senate Journal.

Senator Doud offered the following amendment and moved its adoption:

Amend Senate File 405 as follows:

1. Amend section 36 by adding after the figures "\$45,000.00" in line 45 the following: "Provided that this appropriation shall not be used for the discontinuance or removal of any existing radio station without the approval of the executive council."

The amendment was adopted.

Senator Cromwell offered the following amendment and moved its adoption:

Amend Senate File 405 as follows:

"After the figure '\$3,300' in line 8 of section 6, insert ', who is the legal advisor,'".

The amendment was adopted.

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

AFTERNOON SESSION

The Senate resumed regular session, President Evans presiding.

The Senate resumed consideration of Senate File 405.

Senator Findlay asked and received unanimous consent to withdraw the amendment to Senate File 405 filed by him on March 15 and found on page 674 of the Senate Journal.

PRESENTATION OF VISITOR

Senator Pine asked and received unanimous consent to present to the Senate a former member of the Senate from Louisa county, Major Edwin R. Hicklin, who was present in the Senate chamber.

Senator Findlay offered the following amendment and moved its adoption:

Amend Senate File 405, section 29, by striking the figures "\$2,750.00" from line 19 and inserting in lieu thereof the figures "\$3,000.00".

Further amend Senate File 405, section 29, by striking from line 21 the figures "\$39,175.00" and inserting in lieu thereof the figures "\$38,925.00".

The amendment was lost.

Senator Zastrow offered the following amendment and moved its adoption:

Amend Senate File 405 by striking all after the word "commission." in line 13 and all of line 14 in section 42.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 21:

Augustine
Barkley
Benson

Doud
Elthon
Findlay

Hawkins
Jacobson
Keir

Kirketeg
Klein
Leo

Mowry
Newsome
Ritchie

Rockhill
Schluter

Sharp
Vrba

White
Zastrow

Nays, 23:

Bekman
Berg
Byers
Clem
Dykhouse
Faul

Foster
Hart
Harvey
Henningsen
Hill
Hultman

Jones
Knudson
Long
Love
Lucas
Mercer

Pine
Reilly
Shaw
Vittetoe
Watson

Absent or not voting, 6:

Cromwell
Dewel

Lynes
Martin

Miller

Sjulin

The amendment was lost.

Senator Leo offered the following amendment and moved its adoption:

Amend Senate File 405, section 16, by striking the figure "7" in line 47 and inserting in lieu thereof the figure "8".

Further amend section 16 by striking all of lines 48, 49, 50, and 51.

The amendment was adopted.

Senator Berg offered the following amendment by Senators Faul and Berg and moved its adoption:

1. Amend section 28, line 7, by striking the figures "5,000.00" and substituting in lieu thereof the figures "6,000.00".

2. Amend section 28, line 9, by striking the figures "41,500.00" and substituting in lieu thereof the figures "40,500.00".

The amendment was adopted.

Senator Shaw offered the following amendment by Senators Shaw, Elthon, Dewel, Lucas, Dykhouse, Findlay and Benson and moved its adoption:

Amend Senate File 405 as follows:

1. Insert following line 12 of section 13: "For lake and stream improvement for each year of the biennium \$100,000.00".

2. Strike the figures "\$250,000.00" in line 17 of said section 13 and insert in place thereof "\$350,000.00".

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 20:

Augustine
Barkley
Benson
Dewel
Dykhouse

Elthon
Faul
Findlay
Harvey
Hill

Hultman
Keir
Lucas
Martin
Miller

Reilly
Ritchie
Shaw
Vrba
White

Nays, 19:

Bekman	Jones	Love	Schluter
Berg	Kirketeg	Lynes	Sharp
Byers	Klein	Mercer	Vittetoe
Clem	Knudson	Mowry	Zastrow
Hawkins	Long	Newsome	

Absent or not voting, 11:

Cromwell	Hart	Leo	Sjulin
Doud	Henningsen	Pine	Watson
Foster	Jacobson	Rockhill	

The amendment was adopted.

Senator Elthon offered the following amendment by Senators Elthon and Shaw and moved its adoption:

Amend Senate File 405 as follows:

1. In line 9 of section 37, change the figures "4,000.00" to "4,500.00".
2. In line 11 of section 37, change the figures "10,000.00" to "11,793.60".
3. In line 16 of section 37, change the figures "14,000.00" to "16,293.60".

The amendment was adopted.

Senator Augustine offered the following amendment and moved its adoption:

Amend Senate File 405, section 22, line 9, by striking the figure "\$17,500" and substituting therefor "\$13,000".

The amendment was lost.

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:

Ays, 50:

Augustine	Findlay	Knudson	Reilly
Barkley	Foster	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Benson	Harvey	Love	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Lynes	Shaw
Clem	Hill	Martin	Sjulin
Cromwell	Hultman	Mercer	Vittetoe
Dewel	Jacobson	Miller	Vrba
Doud	Jones	Mowry	Watson
Dykhouse	Keir	Newsome	White
Elthon	Kirketeg	Pine	Zastrow
Faul	Klein		

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 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.

Senator Dykhouse asked and received unanimous consent that the following communication from the office of the attorney general be printed in the Journal:

In the Matter of Senate File 279 and House File 395, being Acts to provide for a Gross Premium Tax to be paid by Insurance Companies and Associations.

I

The Background and Reason for the Bills

The Supreme Court of the United States in the case of *United States vs. Southeastern Underwriters Association*, decided on the 5th day of June, 1944, held that the business of insurance was commerce, and that when conducted across state lines is in interstate commerce.

Section 8, Article 1, of the Constitution of the United States provides that the Congress shall have power to regulate commerce with the foreign nations and among the several states. This is commonly called "interstate commerce." There is a well established rule of constitutional law that any state law which discriminates against interstate commerce will be held to be in violation of the section of the United States Constitution referred to above. There is also a rule of constitutional law that any state which places a burden upon interstate commerce thereby discriminates against such interstate commerce, and is in violation of the commerce laws of the Constitution of the United States above referred to.

The State of Iowa has a gross premium tax law which levies a tax of a sum equivalent to 1 per cent of the gross receipts from premiums with certain deductions against every insurance corporation or association organized under the laws of the State of Iowa. The law also levies a tax of 2½ per cent of the gross amount of premiums received by foreign insurance companies after making certain statutory and allowable deductions.

Because of the difference in the rate of tax between companies organized in the state of Iowa and foreign companies organized outside the state of Iowa, it is believed to be sound legal opinion that a discrimination would be present and a burden created upon interstate commerce, if the rates were allowed to remain as they are in the statute at the present time. Congress has passed a bill granting to the several states a moratorium until January 1, 1948, within which time the operation of the anti-trust statutes of the United States shall not be applicable to the business of insurance. This makes it necessary for the states to act and act promptly, and in acting to bring their taxing statutes into a position where they will not be discriminatory against interstate commerce, and not be a burden on interstate commerce.

Iowa is one of the states which under its present statutes discriminates between foreign and Iowa insurance companies, and unless this discrimi-

nation is eliminated there is grave probability that many insurance companies will refuse to pay their 1945 premium taxes, or will pay them under protest and sue for a refund on the basis of the unconstitutionality of the tax law. Some companies have already retained local counsel for that purpose here in Iowa and in many other states with statutes which are similarly discriminatory as in Iowa, Iowa companies are planning to pay their taxes to those states under protest and take such legal action as is necessary to recover the tax.

II

The Problem Involved

The Iowa Gross Premium Tax law is a revenue raising measure. The greater portion of the revenue raised by this tax law comes from insurance companies organized outside the state of Iowa and under the laws of other states. Something like two million dollars is paid by such insurance companies into the revenue of the state under the Gross Premium Tax law of Iowa. The domestic Iowa companies do not pay as much. Because of this difference in the rate of tax and the possibility that unless the Iowa Gross Premium Tax law is made non-discriminatory there is reason to believe that Iowa will lose considerable revenue now accruing to the general fund. Since the revenue from this tax goes into the general fund it, of course, is used for general purposes of the state and consequently is a part of the revenue program to pay the expenses of state government. It is used exclusively for the administration of the insurance department, and this fact is an important one to keep in mind in considering the virtue of the non-discriminatory law which will in no way jeopardize this revenue. This result presents itself for the reason that with a difference in rate of tax paid by foreign companies and Iowa companies a discrimination against foreign companies is present and such discrimination is a burden upon those companies who are, by virtue of the decision of the Supreme Court of the United States referred to at the outset of this discussion, declared to be in interstate commerce.

It was therefore thought wise by the Insurance Department and counselled by the office of the Attorney General, that appropriate legislation be prepared of a non-discriminatory character, and under which there would be no difference in rate of tax between domestic Iowa companies and foreign insurance companies. The rate paid by life insurance companies is the same as the rate to be paid by companies engaged in other than life insurance business.

Already six states have enacted legislation designed to correct discrimination, and up to the time of this statement eighteen other states than Iowa have such legislation pending. The great majority of these states levy a proposed tax of 2 per cent on domestic companies and foreign companies alike, and some states levy less than 2 per cent.

It was thought wise to draw the bills referred to above on a basis of a 2 per cent tax. The legislature has complete authority to make this percentage anything it wishes to, and to fix the rate at any figure it wishes. This is revenue legislation and exclusively within the province of the General Assembly.

The reason this legislation is proposed at this 51st General Assembly rather than at some later one is that in the judgment of the officials charged with the enforcement and interpretation of the Gross Premium Tax law nothing of value would be gained in delay. Further, the Iowa tax law is due during March of each year. That means that the 1944 tax would be due during March of 1945. The Insurance Commissioner reports that numerous companies were giving indications that they would either refuse to pay the 1944 tax on the discriminatory basis, or would pay the tax under protest and, because of the same discrimination, sue for a return of the tax on the basis of the constitutionality of the tax law. The 51st General Assembly passed Senate File 390, which has now been signed by the Governor and has become effective by publication, extending the time for the payment of the taxes for the year 1944 so as to be due on April 1, 1945, and payable within thirty days thereafter at the statutory rates in effect April 1, 1945. This was done to protect the revenue coming to the state of Iowa from all insurance companies, subject to the tax law.

Since the decision of the United States Supreme Court in the South-eastern Underwriters Association case, and because this case gave Congress the right and authority to enact legislation regulating and taxing all insurance as interstate commerce, it has become the considered judgment of the Insurance Commissioner and his advisors that the state of Iowa, if it wished to retain its state control over insurance and wished to maintain its state rights involved in the field of insurance, should promptly enact and put into effect a non-discriminatory tax law.

III

The Bills

The bills proposed are Senate File 279 introduced by the Senate Ways and Means Committee, and House File 395 introduced by the House Ways and Means Committee. These bills tax foreign and domestic insurance companies alike. All companies whose business could be considered as being in interstate commerce were included as subject to the provisions of such legislation. This includes county mutual insurance companies for the reason that the Insurance Commissioner advises that in practically all instances the business of the county mutual insurance companies is in competition with foreign insurance companies writing the same kind of insurance, and that to prevent a claim of discrimination being raised by the foreign insurance companies the rate levied against domestic companies was placed at the same figure as the rate levied against foreign companies. This rule has application even though the county mutual insurance company does not do any business outside the state of Iowa. Because of the business of the county mutual insurance companies is considered competitive with foreign insurance companies it was the considered judgment that this fact could be claimed to be a burden upon such foreign companies, and consequently a burden upon interstate commerce, so in order to assure the state of Iowa of the large amount of revenue from foreign insurance companies, the rate charged such foreign insurance companies was placed at the same figure as the rate charged Iowa companies. This equality of rate, it is felt, will avoid

the possibility of the claim of discrimination that such rates are a burden upon interstate commerce.

It is estimated by the insurance companies that based upon the 1943 reports the 155 county mutual associations affected by the bills will pay a tax of approximately \$57,000, and that the Iowa companies, exclusive of the county mutuals and the Iowa life insurance companies, will pay an additional \$100,000 in taxes. By far the largest portion of the tax revenue to be raised by these bills will come from foreign companies doing business in Iowa.

It is interesting to note that the life insurance provisions of these bills are essentially the same as proposed fourteen years ago by the Joint Legislative Committee on Taxation authorized by the 43rd General Assembly, whose report was filed December 10, 1930.

This resume has been prepared for the purpose of presenting the facts therein stated and in order that the impact of the problem involved may be fairly considered by every member of the 51st General Assembly.

Respectfully submitted,

HAROLD NEWCOMB

ADDITIONAL COPIES

Senator Martin asked and received unanimous consent to have 500 additional copies of Senate File 231 printed.

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 3, 199, 203 and 222, and House Files 43, 68, 215, 225, 231, 243 and 315.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *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 3, 199, 203, and 222, and House Files 43, 68, 215, 225, 231, 243 and 315.

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, 1945, sent to the Governor for his approval Senate Files 3, 199, 203 and 222.

ROBERT C. REILLY, *Chairman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 16th he had approved the following bills:

Senate File 17, relating to filing of information by county attorneys.

Senate File 57, relating to loans by savings and building and loan associations.

Senate File 102, relating to workmen's compensation.

Senate File 109, relating to investments by life insurance companies.

Senate File 172, legalizing act, Woodbury county.

Senate File 197, relating to commercial feed fund.

Senate File 314, relating to tax for art fund.

Senate File 347, legalizing act, airport bonds for Webster City, Iowa.

A communication was also received from the Governor announcing that on March 19th he had approved the following bill:

Senate File 175, legalizing act for certain Iowa corporations.

AMENDMENTS FILED

Amend the amendment to Senate File 247 by inserting a comma (,) after the word "companies" in the fifth line thereof, and adding the words "or natural persons":

Also amend said original amendment by adding thereto after subdivision "(c)" thereof, the following:

(d) No order shall be made and entered by any court or judge authorizing or permitting the purchase of corporate stock in any new and untried enterprise, nor shall any such order be made and entered authorizing or permitting the purchase of corporate stock of any private corporation that has not been in existence, and in active operation of its business, for at least five years next preceding the proposed purchase of its corporate stock by any fiduciary.

(e) No order shall be made and entered by any court or judge author-

izing or permitting the purchase of shares of corporate stock in any private corporation on margin, or of corporate bonds at a material discount.

(f) No order may be made and entered by any court or judge authorizing or permitting, in any event, the purchase by a fiduciary of corporate stock in any private corporation in excess of ten per cent of the entire market value of the property, real and personal, of any beneficiary or ward, amounting to twenty thousand dollars (\$20,000) or less. And where such entire market value of said property of any beneficiary or ward amounts to more than twenty thousand dollars (\$20,000), no order may be made and entered by any court or judge authorizing or permitting the purchase of any such corporate stock in any private corporation in excess of twenty per cent of said market value. The market value herein mentioned shall be the appraised value of such property determined by three disinterested competent appraisers appointed by the court or judge to make such appraisal, which appraisers shall be paid the usual fees of appraisers in ordinary probate matters to be taxed as a part of the court costs.

(g) The application of any fiduciary applying to the court or judge for order authorizing or permitting the purchase of corporate stock by such fiduciary shall be duly verified by said fiduciary, and shall set forth in a reasonable and complete manner for the information and guidance of the court or judge, the date of incorporation of the private corporation involved, the general nature of its business, the current market price of its corporate stock, the record of its payment, or passing, or omission, of dividends during each year of a five-year period, antedating the date of filing of such application of said fiduciary before the court or judge, the total assets of said corporation and the general character thereof, its bonded and other indebtedness, the amount of its outstanding corporate stock, the amount of its stock held by its officers, the amount of its working capital, and any other pertinent information that the court or judge might prudently have or require for his information and guidance in the matter of granting or refusing the order sought by the fiduciary.

ED S. WHITE.

Amend Senate File 388 by striking sections 1 to 7, both inclusive, and by substituting in lieu thereof the following:

Section 1. Any moneys hereafter becoming available or appropriated from the general fund of the state for school tax credit shall be apportioned and credited as hereinafter provided. All such moneys shall be held by the treasurer of state and shall be designated as the school tax credit fund.

Sec. 2. On or before November 1 of each year each county auditor shall certify to the treasurer of state the amount of revenue to be raised in all of the school districts in the county in the ensuing year from millage levies for the general school funds in excess of fifteen (15) mills.

Sec. 3. The treasurer of state shall distribute on or before December 1 of each year the amount credited to each county on warrants drawn by the comptroller and payable to the county treasurers of the several counties. The amount credited to each county shall be that percentage

of the said fund that the amount of revenue to be raised in such county in the ensuing year from millage levies for the general school funds in excess of fifteen (15) mills bears to the total amount of revenue to be raised from the millage levies for the general funds in excess of fifteen (15) mills in the state.

Sec. 4. The amount distributed to each county shall be credited by the county treasurer to the general school funds of those school districts in the county having a levy for the general school fund in excess of fifteen (15) mills in the proportion that the amount to be raised in each such district from a levy in excess of fifteen (15) mills for the general school fund bears to the total amount to be raised in the county from such excess levies; provided that the amount credited to the general school fund in any such district shall not exceed fifty (50) per cent of the amount to be raised for said funds from the levy in excess of fifteen (15) mills.

Sec. 5. The levy for the general school fund in each such district shall be reduced by the amount thus credited to the general school fund in such district.

Amend the title to Senate File 388 by striking everything after the word "Act" in line one (1) thereof, and by substituting in lieu thereof the following:

"to relieve the burden of taxation in certain school districts by providing state aid to reduce the school taxes in districts wherein it is necessary to levy taxes in excess of fifteen (15) mills for the general school fund."

GEORGE FAUL.
IRVING D. LONG.
JOHN BERG.
J. T. DYKHOUSE.

1. Amend Senate File 350, section 5, lines 12 and 13, by striking therefrom the word "indebtedness" and inserting in lieu thereof the words "money borrowed".

2. Amend section 5, line 19, by striking therefrom the word "chapter" and inserting in lieu thereof the word "section".

3. Amend section 8 by adding thereto the words:

"This section shall be construed as granting additional power, without limiting the power already existing in political subdivisions, including cities operating under the commission form of government.

4. Amend by striking section 12 thereof.

5. Renumbering the remaining section.

COMMITTEE ON AERONAUTICS:
RALPH E. BENSON, *Chairman*.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 20, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend L. B. Carpenter, retired Methodist minister, Villisca, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Benson, from residents of Carroll county, favoring revision of the school code.

By Senator Doud, from residents of Van Buren county, favoring local option.

By Senator Hart, from residents of Appanoose, Audubon, Cass, Chickasaw, Clarke, Clayton, Henry, Humboldt, Ida, Jasper, Jefferson, Lee, Linn, Marion, Monona, Montgomery, Shelby, Story, Wapello and Warren counties, favoring local option.

By Senator Harvey, from residents of Harrison county, favoring local option.

By Senator Hawkins, from residents of Decatur county, favoring local option.

By Senator Hill, from residents of Hardin county, favoring local option.

By Senator Keir, from residents of Clay county, favoring local option.

By Senator Mowry, from residents of Jasper county, favoring local option.

By Senator Newsome, from residents of Lucas county, favoring local option.

By Senator Rockhill, from residents of Marshall county, favoring local option.

By Senator Vrba, from members of the American Legion, Winneshiiek county, favoring proposed veteran legislation.

Senator Hart called up the following concurrent resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION 17

Whereas, The Iowa manual of legislative procedure was revised and reprinted in limited number some sessions ago, and

Whereas, It has proven of great value and help to members of the General Assembly, and

Whereas, The present edition is almost exhausted, therefore,

Be It Resolved by the House, the Senate Concurring: That the said manual of legislative procedure be now revised and reprinted under the direction of the presiding officers and chairmen of the rules committee of each House and that five hundred (500) copies be printed for distribution to the members of the Fifty-second and succeeding General Assemblies.

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 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 benefits under retirement systems for policemen and firemen.

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

Senate File 84, a bill for an act relating to tax and bond issue for municipal airports.

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

Senate File 398, a bill for an act appropriating funds for office building on state capitol grounds.

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 fees of jurors.

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

House File 431, a bill for an act relating to reversion of abandoned cemetery lots.

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 appropriating \$500,000.00 for use of state war surplus commodities board.

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

House File 462, a bill for an act making appropriation for cost of legislative printing.

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

House Joint Resolution 8, creating a special committee to study taxation in Iowa.

A. C. GUSTAFSON, *Chief Clerk*.

HOUSE AMENDMENTS TO SENATE FILE 45

Amend by adding thereto the following:

Sec. 3. Amend section six thousand three hundred eighteen (6318), paragraph three (3), by striking from line two (2) the word "sixteen" and inserting in lieu thereof the word "eighteen"; and by striking after the comma (,) in line two (2) the word "eight" and inserting in lieu thereof the word "ten".

Sec. 4. Section six thousand three hundred twenty-six and eight hundredths (6326.08), paragraph eight (8), subsection "d", is hereby amended by striking from lines three (3) and nine (9) the word "sixteen" and inserting in lieu thereof the word "eighteen".

Sec. 5. Further amend section six thousand three hundred twenty-six and eight hundredths (6326.08), paragraph eight (8), subsection "e", by striking from line two (2) the word "sixteen" and inserting in lieu thereof the word "eighteen".

Sec. 6. Further amend section six thousand three hundred twenty-six and eight hundredths (6326.08), paragraph nine (9), subsection "c", by striking from line two (2) the word "sixteen" and inserting in lieu thereof the word "eighteen".

Further amend by striking the word "section" in line one (1) of the title and inserting in lieu thereof the following:

"Sections six thousand three hundred eighteen (6318) and".

HOUSE MESSAGES CONSIDERED

House File 56, a bill for an act to amend section ten thousand eight hundred forty-six (10846), Code, 1939, relating to fees of jurors.

Read first and second times and referred to the sifting committee.

House File 431, a bill for an act to amend sections ten thousand two hundred thirteen and two tenths (10213.2), ten thousand two hundred thirteen and three tenths (10213.3), ten thousand two hundred thirteen and four tenths (10213.4), ten thousand

two hundred thirteen and seven tenths (10213.7), ten thousand two hundred thirteen and eight tenths (10213.8), and ten thousand two hundred thirteen and nine tenths (10213.9), Code, 1939, relating to reversion of abandoned cemetery lots, half lots, divisions, subdivisions or any part or portion thereof.

Read first and second times and referred to the sifting committee.

House File 444, a bill for an act to create a state war surplus commodities board, to define its powers and duties, and to make an appropriation of five hundred thousand dollars (\$500,000) as a revolving fund for the use of said board.

Read first and second times and referred to the sifting committee.

House File 462, a bill for an act making an appropriation for the payment of the cost of legislative printing.

Read first and second times and referred to the sifting committee.

House Joint Resolution 8, a joint resolution to create a special committee to make a study of taxation in Iowa, embracing the entire structure of state and counties, cities and school districts of raising revenues, to make inquiries into the present system of assessment of real and personal property, to make a study of changes in the existing tax system which may be necessary or advisable, to equalize taxes, and study the loss of tax revenues and increased costs of state government by reason of federal action, for the purpose of making recommendations to the Governor and to the General Assembly of such revisions as may be necessary to meet postwar problems, arising in part from the war, prescribing the powers and authority of such committee and making an appropriation for its expenses.

Read first and second times and referred to the sifting committee.

UNFINISHED BUSINESS

Senator Bekman called up Senate File 247, a bill for an act to repeal sections twelve thousand seven hundred seventy-two (12772) and twelve thousand seven hundred seventy-two and one tenth (12772.1), Code, 1939, as amended, and to enact a substitute therefor, relating to the investment, reinvestment, exchange,

retention, sale and management of property held in trust by fiduciaries.

Senator White offered the following amendment to the amendment by Senator Bekman and moved its adoption:

Amend the amendment to Senate File 247 by inserting a comma (,) after the word "companies" in the fifth line thereof, and adding the words "or natural persons".

Also amend said original amendment by adding thereto after subdivision "(c)" thereof, the following:

(d) No order shall be made and entered by any court or judge authorizing or permitting the purchase of corporate stock in any new and untried enterprise, nor shall any such order be made and entered authorizing or permitting the purchase of corporate stock of any private corporation that has not been in existence, and in active operation of its business, for at least five years next preceding the proposed purchase of its corporate stock by any fiduciary.

(e) No order shall be made and entered by any court or judge authorizing or permitting the purchase of shares of corporate stock in any private corporation on margin, or of corporate bonds at a material discount.

(f) No order may be made and entered by any court or judge authorizing or permitting, in any event, the purchase by a fiduciary of corporate stock in any private corporation in excess of ten per cent of the entire market value of the property, real and personal, of any beneficiary or ward, amounting to twenty thousand dollars (\$20,000) or less. And where such entire market value of said property of any beneficiary or ward amounts to more than twenty thousand dollars (\$20,000), no order may be made and entered by any court or judge authorizing or permitting the purchase of any such corporate stock in any private corporation in excess of twenty per cent of said market value. The market value herein mentioned shall be the appraised value of such property determined by three disinterested competent appraisers appointed by the court or judge to make such appraisal, which appraisers shall be paid the usual fees of appraisers in ordinary probate matters to be taxed as a part of the court costs.

(g) The application of any fiduciary applying to the court or judge for order authorizing or permitting the purchase of corporate stock by such fiduciary shall be duly verified by said fiduciary, and shall set forth in a reasonable and complete manner for the information and guidance of the court or judge, the date of incorporation of the private corporation involved, the general nature of its business, the current market price of its corporate stock, the record of its payment, or passing, or omission, of dividends during each year of a five-year period, antedating the date of filing of such application of said fiduciary before the court or judge, the total assets of said corporation and the general character thereof, its bonded and other indebtedness, the amount of its outstanding corporate stock, the amount of its stock held by officers, the amount of its working capital, and any other pertinent information that the court or judge

might prudently have or require for his information and guidance in the matter of granting or refusing the order sought by the fiduciary.

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Hill asked and received unanimous consent to withdraw the amendment to Senate File 247 filed by him on March 7 and found on page 555 of the Senate Journal.

Senator Rockhill offered the following amendment and moved its adoption:

Amend Senate File 247 as amended by striking the word "may" in the first line of subparagraph "(f)" and inserting the word "shall".

Further amend Senate File 247 as amended by inserting following the comma after the word "stock" in line 7 of subparagraph "(g)" the words "the low and high quoted market price of said stock over the preceding five year period,".

The amendment was adopted.

Senator Kirketeg asked and received unanimous consent to withdraw the amendment to Senate File 247 filed by him on March 16 and found on page 682 of the Senate Journal.

Senator Kirketeg offered the following amendment to Senate File 247 as amended and moved its adoption:

Amend Senate File 247 by striking from lines 9 and 10 of section 1 the words "or a judge thereof" and by inserting in lieu thereof the words "after an actual hearing had with evidence submitted".

Also strike from subsections d, e, f and g the words "or judge" wherever the same appear.

The amendment was lost.

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:

Rule 8 was invoked.

Ayes, 30:

Barkley	Findlay	Knudson	Sharp
Bekman	Hart	Long	Shaw
Benson	Hill	Lucas	Vittetoe
Berg	Hultman	Lynes	Vrba
Byers	Jacobson	Miller	Watson
Clem	Jones	Reilly	White
Cromwell	Keir	Rockhill	Zastrow
Dewel	Kirketeg		

Nays, 16:

Augustine	Foster	Klein	Mowry
Dykhouse	Harvey	Leo	Newsome
Elthon	Hawkins	Love	Ritchie
Faul	Henningsen	Martin	Schluter

Absent or not voting, 4:

Doud	Mercer	Pine	Sjulin
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Senator Watson asked and received unanimous consent to correct the title to conform to the bill.

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

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 Byers called up Senate File 238, a bill for an act to provide for the creation of a local improvement guaranty fund, by cities and towns, including cities under special charter, through taxation, for the purpose of guaranteeing the payment of special improvement bonds and interest thereon, and providing for the payment of said bonds and interest thereon out of such guaranty fund in the event there are no funds on hand in the special improvement fund to pay the bonds and interest thereon as the same become due.

President pro tempore Hart took the chair at 11:20 a. m.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 19th he had approved the following bills:

Senate File 3, relating to tax exemption for members of the armed forces.

Senate File 203, relating to assistance for Indian children.

Senate File 199, relating to voting by members of the armed forces.

Senate File 222, relating to unemployment compensation.

AMENDMENTS FILED

Amend House File 452 by adding the following:

"Sec. 3. Section three thousand seven hundred forty-one (3741),

Code, 1939, is further amended by striking from line 4 the words 'two hundred fifty' and inserting in lieu thereof the words 'three hundred'".

STANLEY L. HART.

Amend Senate Joint Resolution 7 by striking from section 2 at line 14 the words and figures "twenty-five (\$25.00)" and by inserting in lieu thereof the words and figures "ten (\$10.00)".

Further amend Senate Joint Resolution 7 by striking from line 2, section 4, the following: "fifteen thousand (\$15,000.00)" and by inserting in lieu thereof the words and figures "ten thousand (\$10,000.00)".

O. N. HULTMAN.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 21, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend C. W. Samuelsen, pastor of the Lutheran church, Marcus, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Barkley, from residents of Appanoose county, favoring local option.

By Senator Benson, from residents of Greene county, favoring local option.

By Senator Clem, from residents of Woodbury county, favoring local option.

By Senator Elthon, from residents of Winnebago county, in opposition to any increase in tax on gasoline.

By Senator Foster, from residents of Washington county, favoring local option.

By Senator Hart, from residents of Buchanan, Cass, Dallas, Dickinson, Hardin, Marion, Sioux, Story, Wapello, Warren and Winneshiek counties, favoring local option; also from members of Local C.I.O., Polk county, favoring proposed workmen's compensation legislation.

By Senator Harvey, from residents of Harrison county, favoring proposed school legislation.

By Senator Hawkins, from residents of Union county, favoring local option.

By Senator Hill, from residents of Boone and Hamilton counties, favoring local option.

By Senator Love, from residents of Buchanan county, favoring local option.

By Senator Miller, from residents of Dallas county, favoring local option.

By Senator Rockhill, from residents of Marshall county, favoring local option.

By Senator Sjulín, from residents of Fremont county, favoring local option.

By Senator Vittetoe, from residents of Keokuk county, favoring local option.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Findlay for the day on request of Senator Shaw; Senator Vrba for the day on request of Senator Reilly.

INTRODUCTION OF BILLS

Senate Joint Resolution 9, by committee on cities and towns, a joint resolution for the appointment of a commission for the purpose of making a revision and codification of the laws of Iowa relating to all cities and towns, including cities under commission form of government and special charter cities, and making an appropriation for the carrying out of the provisions of the resolution.

Rear first and second times and referred to sifting committee.

Senate File 412, by committee on judiciary 1, a bill for an act to legalize an election held in the city of Sibley, Iowa, on March 12, 1945, for the annexation of certain unplatted real estate of the city of Sibley, Osceola county, Iowa.

Read first and second times and referred to sifting committee.

Senate File 413, by committee on claims, a bill for an act to make appropriations to certain named persons in settlement of damages sustained by them on account of accidents on primary roads, or on account of collisions with state highway equipment, or on account of acts of commission or omission by the state highway commission or its employees.

Read first and second times and referred to sifting committee.

Senate File 414, by committee on claims, a bill for an act to make appropriations to Hamilton's Funeral Home, W. G. Griffith & Son, Biersborn Funeral Home, Winter Funeral Home, O'Brien Cooperative Burial Association, Tyler Funeral Home, McLaren

Funeral Home, Curl Furniture and Undertaking Company, L. Fowler & Son, Pella Cooperative Burial Association, and R. K. Crane.

Read first and second times and referred to sifting committee.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has withdrawn from further consideration the conference committee report adopted on March 13 to Senate File 125 and that the House has adopted the second conference committee report and passed Senate File 125, a bill for an act relating to chauffeurs' license requirements.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 229, a bill for an act relating to secondary roads and optional maintenance levies. A. C. GUSTAFSON, *Chief Clerk*.

HOUSE AMENDMENTS TO SENATE FILE 229

Amend Senate File 229 by adding at the end thereof the following:

"Sec. 2. Section four (4), Chapter one hundred sixty-five (165), Acts of the Fiftieth General Assembly, is hereby amended by striking from line one (1) of said section the words and figures 'three cents (3c)' and substituting in lieu thereof the words and figures 'four cents (4c)'.

Sec. 3. Section thirty-five (35) of Chapter one hundred sixty-five (165), Acts of the Fiftieth General Assembly is hereby amended as follows:

a. By striking the word 'all' from line two (2) of said section and substituting in lieu thereof the words 'three cents per gallon'.

b. By adding to said section, the following: 'The net proceeds of one cent per gallon license fees and penalties collected under the provisions of this chapter shall be distributed as follows: Three-fifths thereof shall be credited to the secondary road construction fund of the several counties of the state. The treasurer shall apportion said three-fifths portion among the counties of the state in the ratio that the area of each county bears to the total area of the state and shall on the first day of each month remit to the treasurer of each county the amount apportioned to the secondary road construction fund of the county. Two-fifths thereof shall be credited to the street construction fund of the several incorporated cities and towns of the state, which fund is hereby created, for the construction, reconstruction, repair and maintenance of roads and streets in such cities and towns. The treasurer shall apportion said two-fifths portion among the incorporated cities and towns of the state in the ratio that the population of each such city or town bears to the total population of all such cities and towns of the state, as shown by the latest Federal census, and shall, on

the first day of each month, remit to the city clerk of each such city or town the amount so apportioned to the street construction fund of such city or town."

Amend the title by adding thereto the following:

"and to provide additional revenue for the construction and maintenance of secondary roads by amending certain sections of Chapter 251.3, Code, 1939, as amended by Chapter 165, Acts of the 50th General Assembly."

Senator Jacobson called up the following concurrent resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION 18

Whereas, It is important that peace of the Allies be a just, firm, practical and lasting peace, and

Whereas, The youth of our Nation has been tested physically, mentally and morally, and found competent, and

Whereas, The youth of our Nation are most concerned because of their age, the age of their families and the problems confronting them, and

Whereas, In every war it is the youth who shoulder the arms and give their blood and lives, and know the horrors of war, the beachheads, pill-boxes and sacrifices, and

Whereas, These men who have given so much of their lives and time to our public welfare and have the interests of their country and the philosophy of our Republican form of representative government at heart, therefore

Be It Resolved by the House, the Senate Concurring: That the Fifty-first General Assembly of the State of Iowa, respectfully requests that the Congress of the United States and the President of the United States, immediately take the necessary steps to provide for a qualified representation of the young men and women of the Military Forces of World War II, who have seen active service on the foreign battlefields, to serve as members of the commission or delegation representing the United States of America at the Peace Table and that they have an active voice in determining the peace policies of the world. The members of the Armed Forces have served us all and we know would serve us well in really establishing a just and lasting peace.

It Is Further Resolved: That the Chief Clerk of the House be instructed and authorized to send copies of this resolution to the Iowa representatives and senators in Congress and to the President of the United States, the Vice President of the United States, and the Speaker of the House of Representatives in Washington, D. C.

The motion prevailed and the resolution was adopted.

HOUSE AMENDMENTS CONSIDERED

Senator Doud called up Senate File 229, a bill for an act to amend section four thousand six hundred forty-four and eleven

hundredths (4644.11), Code, 1939, relating to secondary roads and optional maintenance levies, amended by the House.

Senator Lucas asked unanimous consent that further action on Senate File 229 be deferred until March 22.

Senator Faul asked as a substitute that action on Senate File 229 be deferred until Monday, March 26.

Objection was raised.

Senator Faul moved as a substitute that further action on Senate File 229 be deferred until Monday, March 26.

Roll call was demanded.

On the question "Shall action be deferred until Monday, March 26?" the vote was:

Ayes, 13:

Benson	Cromwell	Henningsen	Martin
Berg	Elthon	Long	Reilly
Byers	Faul	Lynes	Watson
Clem			

Nays, 35:

Augustine	Hawkins	Leo	Rockhill
Barkley	Hill	Love	Schluter
Bekman	Hultman	Lucas	Sharp
Dewel	Jacobson	Mercer	Shaw
Doud	Jones	Miller	Sjulin
Dykhouse	Keir	Mowry	Vittetoe
Foster	Kirketeg	Newsome	White
Hart	Klein	Pine	Zastrow
Harvey	Knudson	Ritchie	

Absent or not voting, 2:

Findlay Vrba

The motion was lost and action was deferred until March 22.

UNFINISHED BUSINESS

Senator Byers called up for further consideration Senate File 238, a bill for an act to provide for the creation of a local improvement guaranty fund, by cities and towns, including cities under special charter, through taxation, for the purpose of guaranteeing the payment of special improvement bonds and interest thereon, and providing for the payment of said bonds and interest thereon out of such guaranty fund in the event there are no funds on hand in the special improvement fund to pay the bonds and interest thereon as the same become due.

Senator Bekman took the chair at 11:00 a. m.

Senator Dykhouse moved the previous question on the bill, which motion prevailed.

Senator Cromwell offered the following amendment and moved its adoption:

Amend Senate File 238 as follows:

1. In line 3 of section 8 insert "New Era News".
2. In line 4 of section 8 after the word "at", insert "Mediapolis".
3. In line 4 of section 8 after the word "in" insert the words "Daily News".
4. In line 5 of section 8 after the word "at", insert the words "Mt. Pleasant".

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.

The chair announced that Senator Findlay had left a written request to be recorded as voting "No" on Senate File 238.

The request was granted.

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

Ayes, 6:

Bekman	Dykhouse	Henningsen	Jacobson
Byers	Hart		

Nays, 34:

Augustine	Harvey	Long	Rockhill
Barkley	Hawkins	Love	Schluter
Benson	Hill	Mercer	Sharp
Clem	Hultman	Mowry	Sjulin
Cromwell	Jones	Newsome	Vittetoe
Dewel	Keir	Pine	Watson
Elthon	Klein	Reilly	White
Findlay	Knudson	Ritchie	Zastrow
Foster	Leo		

Absent or not voting, 10:

Berg	Kirketeg	Martin	Shaw
Doud	Lucas	Miller	Vrba
Faul	Lynes		

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

THIRD READING OF BILLS

On motion of Senator Byers, Senate File 139, a bill for an act to amend section five thousand one hundred thirty (5130), Code, 1939, relative to the lease or sale of real estate owned by a county and not needed for county purposes, 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, 42:

Augustine	Elthon	Klein	Ritchie
Barkley	Faul	Knudson	Rockhill
Bekman	Hart	Long	Schluter
Benson	Harvey	Love	Sharp
Berg	Hawkins	Martin	Shaw
Byers	Henningsen	Miller	Sjulin
Clem	Hill	Mowry	Vittetoe
Cromwell	Hultman	Newsome	Watson
Dewel	Jacobson	Pine	White
Doud	Jones	Reilly	Zastrow
Dykhouse	Keir		

Nays, none.

Absent or not voting, 8:

Findlay	Kirketeg	Lucas	Mercer
Foster	Leo	Lynes	Vrba

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.

HOUSE AMENDMENTS CONSIDERED

Senate Watson called up Senate File 45, 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, amended by the House, and moved that the Senate concur in the following House amendments:

HOUSE AMENDMENTS TO SENATE FILE 45

Amend by adding thereto the following:

Sec. 3. Amend section six thousand three hundred eighteen (6318), paragraph three (3), by striking from line two (2) the word "sixteen" and inserting in lieu thereof the word "eighteen"; and by striking after the comma (,) in line two (2) the word "eight" and inserting in lieu thereof the word "ten".

Sec. 4. Section six thousand three hundred twenty-six and eight hundredths (6326.08), paragraph eight (8), subsection "d", is hereby amended by striking from lines three (3) and nine (9) the word "sixteen" and inserting in lieu thereof the word "eighteen".

Sec. 5. Further amend section six thousand three hundred twenty-six and eight hundredths (6326.08), paragraph eight (8), subsection "e", by striking from line two (2) the word "sixteen" and inserting in lieu thereof the word "eighteen".

Sec. 6. Further amend section six thousand three hundred twenty-six and eight hundredths (6326.08), paragraph nine (9), subsection "c", by striking from line two (2) the word "sixteen" and inserting in lieu thereof the word "eighteen".

Further amend by striking the word "section" in line one (1) of the title and inserting in lieu thereof the following:

"Sections six thousand three hundred eighteen (6318) and".

The motion prevailed and the Senate concurred in the House amendment.

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	Elthon	Klein	Rihchie
Barkley	Hart	Leo	Rockhill
Bekman	Harvey	Long	Schluter
Benson	Hawkins	Love	Sharp
Berg	Henningsen	Lynes	Shaw
Byers	Hill	Martin	Sjulin
Clem	Hultman	Miller	Vittetoe
Cromwell	Jacobson	Mowry	Watson
Dewel	Jones	Newsome	White
Doud	Keir	Reilly	Zastrow
Dykhouse	Kirketeg		

Nays, none.

Absent or not voting, 8:

Faul	Foster	Lucas	Pine
Findlay	Knudson	Mercer	Vrba

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

SPECIAL ORDER

Senator Benson asked and received unanimous consent that action on House File 358, Senate File 350 and Senate File 351 be deferred and that they be made a special order of business for Monday, March 26, at 10:15 a. m., and that they be taken up in the order named.

On motion of Senator Doud, Senate File 219, a bill for an act to amend section four thousand two hundred eighty-three and one hundredth (4283.01), Code of Iowa, 1939, relating to the tuition of a child of school age when in a boarding home, was taken up and considered.

Senator White offered the following amendment and moved its adoption:

Amend Senate File 219 by substituting in line 6 thereof for the words, "it is being wholly supported", the words, "fifty (50%) per cent or more of its support is provided".

The amendment was adopted.

Senator Doud moved that the bill be read a third 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	Hart	Leo	Reilly
Barkley	Harvey	Long	Ritchie
Bekman	Hawkins	Love	Rockhill
Benson	Henningsen	Lucas	Schluter
Berg	Hill	Lynes	Sharp
Clem	Hultman	Martin	Shaw
Cromwell	Jacobson	Mercer	Sjulin
Dewel	Jones	Miller	Vittetoe
Doud	Keir	Mowry	Watson
Dykhouse	Kirketeg	Newsome	White
Elthon	Klein	Pine	Zastrow
Faul	Knudson		

Nays, none.

Absent or not voting, 4:

Byers	Findlay	Foster	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 Doud moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

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

AFTERNOON SESSION

The Senate resumed regular session, President Evans presiding.

HOUSE AMENDMENTS CONSIDERED

Senator Reilly called up Senate File 255, a bill for an act to amend subdivisions one (1) and three (3) of section five thousand nine hundred and two (5902), Code, 1939, relating to the powers and duties of dock boards; providing that sections six thousand five hundred and eighty (6580), six thousand six hundred seventy-nine and one tenth (6679.1) and six thousand seven hundred eighty-one and two tenths (6781.2), Code, 1939, do not apply to leases by dock boards; and making this act effective upon publication, amended by the House, and moved that the Senate concur in the following House amendment:

HOUSE AMENDMENT TO SENATE FILE 255

Amend the title to Senate File 255 by inserting after the semicolon (;) in the last line thereof the following:

"and making the provisions of this act applicable to cities acting under special charter;"

Amend section 2, line 12, by inserting after the comma (,) following the word "government" the following:

"having a population of sixty thousand (60,000), or more,".

Amend by adding the following as section 3 of the bill:

"Sec. 3. The provisions of this act shall be applicable to cities acting under special charter."

Renumber section 3 of the bill as section 4.

The motion prevailed and the Senate concurred in the House amendment.

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

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

Ayes, 38:

Augustine	Elthon	Long	Reilly
Barkley	Foster	Love	Ritchie
Bekman	Hart	Lucas	Rockhill
Benson	Hawkins	Lynes	Schluter
Berg	Henningsen	Mercer	Sharp
Byers	Hill	Miller	Shaw
Clem	Hultman	Mowry	Sjulin
Cromwell	Jones	Newsome	Vittetoe
Dewel	Keir	Pine	Watson
Dykhouse	Leo		

Nays, none.

Absent or not voting, 12:

Doud	Harvey	Klein	Vrba
Faul	Jacobson	Knudson	White
Findlay	Kirketeg	Martin	Zastrow

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

Senator Reilly moved that the 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 172, a bill for an act relating to practice of dentistry.

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

House File 268, a bill for an act relating to fee for testing feed samples.

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

House File 274, a bill for an act providing for unemployment compensation.

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 standards for ice cream and other food products.

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 relating to management and state aid to county and district fairs.

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

House File 317, a bill for an act relating to bailiffs of the district court.

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

House File 369, a bill for an act relating to retirement and pensions for fire and police department members.

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 extending compensatory provisions of the workmen's compensation act.

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

House File 458, a bill for an act providing for state treasurer to withdraw state funds in any county treasury.

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

House File 459, a bill for an act granting title to the bed and banks of the Mississippi river to certain cities.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 94, a bill for an act providing for period of limitations for claims for wages.

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

House Concurrent Resolution 19, providing for distribution of pamphlet relating to members of supreme court of Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 94

Amend section 3, line 4, by striking the comma (,) following the word "years" and inserting in lieu thereof a period (.).

Further amend by striking the remainder of the section and inserting in lieu thereof the following: "Any present existing causes of action must be commenced in any court of competent jurisdiction within six (6) months after the effective date of this act".

Further amend by striking section four (4).

HOUSE CONCURRENT RESOLUTION 19

Whereas, There has been prepared by the Historical Department and the department of the Code Editor and Supreme Court Reporter a pamphlet containing the portraits of all the men who have served on the Supreme Court of Iowa, together with sketches of their lives, and

Whereas, Said sketches and portraits have been published in a series in the Annals of Iowa, and

Whereas, 3,000 extra copies have been printed and bound by the State Printing Board, and

Whereas, It is deemed desirable that said pamphlet be distributed to officials and public libraries, therefore

Be It Resolved by the House of the Fifty-first General Assembly, the Senate Concurring: That the State Printing Board is hereby instructed and empowered to distribute one copy of said pamphlet to each member of the Fifty-first General Assembly, to each judge of the Supreme, District, Municipal, and Superior Courts, to each college, high school and public library in the state, the expense for mailing the same to be paid out of the funds heretofore appropriated to the State Printing Board; and

Be It Further Resolved: That said pamphlets may be sold by the State Printing Board to the public at fifteen cents per copy to cover the cost of printing and mailing.

THIRD READING OF BILLS

On motion of Senator Bekman, Senate File 345, a bill for an act to amend sections eight thousand six hundred eighty-four and two

hundredths (8684.02) and eight thousand six hundred eighty-four and three hundredths (8684.03), Code, 1939, as amended, to authorize incorporated nonprofit industrial associations, organized for purposes other than obtaining insurance, to procure group insurance on the lives of employees of the members of such associations subject to certain restrictions, 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 345 by striking subsections (c) and (d) from section one (1) and substituting in lieu thereof the following:

"(c) the insurance premiums are paid by such members to the association; each member, insofar as applicable to his own employees, may collect part of the premium from insured employees, and the method of apportionment of the premium payment between himself and his employees may be varied as among individual members; and

"(d) not less than seventy-five per cent (75%) of the eligible employees of each participating member may be insured where the employees pay a part of the premium."

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	Elthon	Knudson	Reilly
Barkley	Faul	Leo	Ritchie
Bekman	Foster	Long	Rockhill
Benson	Hart	Love	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Martin	Shaw
Clem	Hill	Mercer	Sjulin
Cromwell	Hultman	Miller	Vittetoe
Dewel	Jacobson	Mowry	Watson
Doud	Jones	Newsome	White
Dykhousé	Keir	Pine	

Nays, none.

Absent or not voting, 7:

Findlay	Kirketeg	Lynes	Zastrow
Harvey	Klein	Vrba	

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

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

On motion of Senator Sharp, Senate File 126, a bill for an act to amend section five thousand two hundred sixty-one (5261), Code, 1939, relating to expenditures by board of supervisors on property, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Sharp offered the following amendment and moved its adoption:

Amend Senate File 126 as follows:

Insert after section 1 of the bill a new section as follows:

Sec. 2. Section five thousand one hundred thirty (5130) is hereby amended by inserting in paragraph 13, line 3, after the word "county" the following: "to convert the same to other county purposes or".

Further amend by renumbering section 2 and changing it to section 3.

Further amend the title as follows:

After the words "relating to" insert the following: "the powers of and".

The amendment was adopted.

Senator Faul asked and received unanimous consent that further action on Senate File 126 be deferred and that it retain its place on the calendar.

On motion of Senator Keir, Senate File 333, a bill for an act to amend section four thousand two hundred seventeen (4217), Code, 1939, relating to powers of voters of a school district to establish a schoolhouse fund for future construction and the voting of a tax for a term of years therefor, was taken up and considered.

Senator Keir offered the following amendment by Senators Keir and Doud and moved its adoption:

Amend by striking the period (.) and quotation marks (") at the end of line 11, substituting a comma (,) therefor and adding the following:

"provided that the schoolhouse fund so established shall not be used for any other purpose than herein provided nor shall any transfer of said fund or a part thereof be authorized by the state comptroller; provided further that the local school board shall be authorized to invest said fund in securities of the United States until said fund is expended for the purposes herein provided."

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, 44:

Augustine	Elthon	Keir	Mowry
Barkley	Faul	Kirketeg	Newsome
Bekman	Foster	Klein	Pine
Benson	Hart	Knudson	Reilly
Berg	Harvey	Long	Schluter
Byers	Hawkins	Love	Sharp
Clem	Henningsen	Lucas	Shaw
Cromwell	Hill	Lynes	Sjulin
Dewel	Hultman	Martin	Vittetoe
Doud	Jacobson	Mercer	Watson
Dykhouse	Jones	Miller	White

Nays, none.

Absent or not voting, 6:

Findlay	Ritchie	Vrba	Zastrow
Leo	Rockhill		

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 Berg, House File 240, a bill for an act to amend chapter five hundred five (505), Code, 1939, relating to proof of wills, was taken up and considered.

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

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

Ayes, 45:

Augustine	Findlay	Klein	Reilly
Bekman	Foster	Knudson	Ritchie
Benson	Hart	Leo	Rockhill
Berg	Harvey	Love	Sharp
Byers	Henningsen	Lynes	Schluter
Clem	Hill	Martin	Shaw
Cromwell	Hultman	Mercer	Sjulin
Dewel	Jacobson	Miller	Vittetoe
Doud	Jones	Mowry	Watson
Dykhouse	Keir	Newsome	White
Elthon	Kirketeg	Pine	Zastrow
Faul			

Nays, none.

Absent or not voting, 5:

Barkley	Long	Lucas	Vrba
Hawkins			

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

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

On motion of Senator Mowry, Senate File 95, a bill for an act to amend section one thousand five hundred fifty-six and eight one-hundredths (1556.08), Code, 1939, providing for adjustment of retail cigarette license permits during a period of emergency, was taken up and considered.

Senator Mowry offered the following amendment and moved its adoption:

Amend Senate File 95, section 1, line 10, by striking the word and figure "two (2)" and inserting in lieu thereof the word and figure "three (3)".

The amendment was adopted.

Senator Berg offered the following amendment and moved its adoption:

Amend Senate File 95 as follows:

1. Amend section 1 by striking from line 5 the words and figure "April first (1)" and inserting "July first (1)".
2. Amend section 1 by striking from line 6 the words and figure "April first (1)" and inserting "July first (1)".
3. Strike section 2.

Senator Berg asked and received unanimous consent to withdraw division 3 of the amendment.

The amendment was adopted.

Senator Reilly offered the following amendment and moved its adoption:

Amend Senate File 95 by inserting in line 8 of section 1 following the comma after the word "government" the following: "cities under the city manager form of government,".

The amendment was adopted.

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

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

Ayes, 38:

Barkley	Clem	Elthon	Hill
Bekman	Cromwell	Faul	Hultman
Benson	Dewel	Hart	Jones
Berg	Doud	Harvey	Keir
Byers	Dykhous	Henningsen	Kirketeg

Klein	Martin	Reilly	Shaw
Leo	Mercer	Ritchie	Vittetoe
Love	Miller	Schluter	White
Lucas	Mowry	Sharp	Zastrow
Lynes	Pine		

Nays, 1:

Watson

Absent or not voting, 11:

Augustine	Hawkins	Long	Sjulin
Findlay	Jacobson	Newsome	Vrba
Foster	Knudson	Rockhill	

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

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator 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 84, 151 and 398.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed, in the presence of the Senate, Senate Files 84, 151 and 398.

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 21st day of March, 1945, sent to the Governor for his approval Senate Files 84, 151 and 398.

ROBERT C. REILLY, *Chairman.*

Passed on file.

Senator Cromwell offered the following resolution:

SENATE RESOLUTION 2

Whereas, In the Forty-ninth General Assembly of the State of Iowa, House Concurrent Resolution 18 was adopted providing for, among other things, a Senate and House Committee on Interstate Cooperation which committee members in turn became members of the Iowa Commission on Interstate Cooperation; and

Whereas, Under the provisions of the resolution the President of the Senate was and is empowered to appoint five members of the Senate for the Senate Standing Committee on Interstate Cooperation; therefore.

Be It Resolved by the Senate: That the President of the Senate appoint five members of the Senate to the Senate Standing Committee on Interstate Cooperation, designating one of the committee as chairman.

RESIGNATION OF EMPLOYEE

MR. PRESIDENT: I hereby tender my resignation as a page of the Senate.

JERRY HICKS.

The President announced the acceptance of the resignation.

HOUSE MESSAGES CONSIDERED

House File 172, a bill for an act to amend sections two thousand five hundred sixty-five (2565) and two thousand five hundred sixty-six (2566), Code, 1939, relating to the practice of dentistry, and to further define the practice of dentistry.

Read first and second times and referred to sifting committee.

House File 268, a bill for an act to amend chapter one hundred thirty (130), section 10, Acts of the Forty-ninth General Assembly, relating to the fee for testing seed samples.

Read first and second times and referred to sifting committee.

House File 274, a bill for an act to amend chapter seventy-seven and two tenths (77.2), Code, 1939, as amended, providing for unemployment compensation and regulating the collection of contributions and the payment of benefits thereunder; to amend section one thousand five hundred fifty-one and twenty hundredths (1551.20) relating to the rate of interest on past due contributions; and to provide for the repeal of all acts, or parts of acts, inconsistent with the provisions of this act.

Read first and second times and referred to sifting committee.

House File 280, a bill for an act to amend section three thousand fifty-eight (3058), Code, 1939, relating to standards for ice cream and other food products.

Read first and second times and referred to sifting committee.

House File 295, a bill for an act to amend sections two thousand eight hundred ninety-four (2894), two thousand eight hundred ninety-seven (2897), two thousand eight hundred ninety-eight (2898), two thousand eight hundred ninety-nine (2899), two thousand nine hundred (2900), two thousand nine hundred two and one tenth (2902.1), two thousand nine hundred three (2903), two thousand nine hundred five (2905), two thousand nine hundred seven (2907), two thousand nine hundred nine (2909), and two thousand nine hundred ten (2910), Code, 1939, relating to management and state aid to county and district fairs, and providing for division of funds between fairs held in same county.

Read first and second times and referred to sifting committee.

House File 317, a bill for an act to amend section five thousand one hundred eighty-seven (5187), Code, 1939, relating to bailiffs of the district court, their appointment and duties, and providing that they be deputy sheriffs.

Read first and second times and referred to sifting committee.

House File 369, a bill for an act to amend section six thousand and three hundred fifteen (6315), Code, 1939, relating to retirement and pensions for members of fire and police departments.

Read first and second times and referred to sifting committee.

House File 393, a bill for an act to extend the compensatory provisions of the workmen's compensation act to employers who have employees engaged in agriculture or agricultural pursuits and other employment not excluded from the act, and the employees of such employers.

Read first and second times and referred to sifting committee.

House File 458, a bill for an act to amend section one hundred forty-one (141) of chapter eleven (11), Code, 1939, relating to the withdrawal by the treasurer of state of funds belonging to the state in any county treasury.

Read first and second times and referred to sifting committee.

House File 459, a bill for an act granting to certain cities, including cities acting under special charter, title to the bed and banks of the Mississippi River, islands and made lands therein

abutting upon and lying adjacent to said cities and within stated boundaries.

Read first and second times and referred to sifting committee.

AMENDMENTS FILED

Amend Senate File 229 as amended and passed by the House by striking all of sections 2, 3 and 4 and by substituting in lieu thereof the following:

Sec. 2. The state highway commission shall for the two year period beginning July 1, 1945, and ending June 30, 1947, establish a secondary road aid fund and transfer thereto one million five hundred thousand dollars (\$1,500,000.00) per annum from the primary road fund.

Sec. 3. The state highway commission shall for the two year period beginning July 1, 1945, and ending June 30, 1947, establish a street construction aid fund for cities and towns, including special charter cities, and transfer thereto five hundred thousand dollars (\$500,000.00) per annum from the primary road fund.

Sec. 4. The secondary road aid fund shall only be used for the purpose of grading secondary roads and surfacing the same with gravel, shale or crushed rock.

Sec. 5. The secondary road aid fund shall be allotted among the counties in the ratio that the area of each county bears to the total area of the state and paid to the boards of supervisors of the counties under the following conditions:

1. Each county receiving an allotment from the secondary road aid fund must match such allotment with an equal or greater sum from county funds.

2. The plans and specifications for grading and surfacing said secondary roads shall, by the boards of supervisors, be submitted to and approved by the highway commission.

3. Not more than five hundred dollars (\$500.00) of such allotment from the secondary road aid fund shall be spent on any one mile of secondary road, but nothing herein contained shall be construed as limiting the amount which may be spent from county funds in grading and surfacing any mile of secondary road.

Sec. 6. The street construction aid fund shall be apportioned among incorporated cities and towns of the state in the ratio that the population of each such city or town bears to the total population of all such cities and towns of the state as shown by the latest federal census and such funds shall be paid to the treasurer of the city or town to which funds are allocated under the following conditions:

1. Each city or town receiving an allotment from the secondary road aid fund must match such allotment with an equal or greater sum from city or town funds.

2. The plans and specifications for the construction, resurfacing or improving streets or highways in cities or towns shall be submitted and approved by the state highway commission.

J. KENDALL LYNES.
GEORGE FAUL.

Amend section 1 of Senate File 229 by striking the period (.) after the figure "(8)" in line 7 and adding the following: "and further amends said section by inserting after the comma (,) following the word 'may' in line 2 the words 'if the need exists'".

HERMAN M. KNUDSON.

J. G. LUCAS.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 22, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend W. Dow Crewdson, pastor of the First Church of Christ, Webster City, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Benson, from residents of Greene county, favoring local option.

By Senator Findlay, from residents of Webster county, favoring local option.

By Senator Hart, from residents of Adair, Buena Vista, Des Moines, Linn, Marshall, Page, Palo Alto and Scott counties, favoring local option.

By Senator Harvey, from residents of Harrison county, favoring local option.

By Senator Hawkins, from residents of Union county, favoring local option.

By Senator Hill, from residents of Hardin county, favoring local option.

By Senator Reilly, from members of the Dubuque Chamber of Commerce, in opposition to any increase in tax on gasoline.

By Senator Shaw, from residents of Buena Vista county, favoring local option.

By Senator Sjulín, from residents of Page county, favoring local option.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Kirketeg indefinitely on account of illness on request of Senator Knudson; Senator Vrba for the day on request of Senator Reilly.

INTRODUCTION OF BILLS

Senate File 415, by committee on judiciary 2, a bill for an act to amend Senate File 15, Acts of the 51st General Assembly of Iowa, relating to the salaries of mayor and councilmen of commissioned cities.

Read first and second times and referred to sifting committee.

Senate File 416, by committee on claims, a bill for an act to make appropriations to John Deere Tractor Company, Waterloo, Iowa; Helen Schilling, Des Moines, Iowa; Margaret Ruvane Johnson, administratrix of estate of John J. Ruvane, deceased, Des Moines; Elizabeth Lawless, Madrid, Iowa; Ray's Body & Paint Shop, Ames, Iowa; Anna M. Mickelwait, Glenwood, Iowa; Cramblit & Poling, Ottumwa, Iowa; Winnebago County Drainage District No. 2 and Worth County Drainage District No. 3; Ventura Consolidated Drainage District and Hancock Drainage District No. 52; Percy Edwin McLuen, Stuart, Iowa; City of Iowa City, Iowa City, Iowa; Leo Logan, Waverly, Iowa; New Albin Consolidated School District, New Albin, Iowa, and Iowa Employment Security Commission, Des Moines, Iowa.

Read first and second times and referred to sifting committee.

Senator Jones called up the following concurrent resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION 19

Whereas, There has been prepared by the Historical Department and the department of the Code Editor and Supreme Court Reporter a pamphlet containing the portraits of all the men who have served on the Supreme Court of Iowa, together with sketches of their lives, and

Whereas, Said sketches and portraits have been published in a series in the Annals of Iowa, and

Whereas, 3,000 extra copies have been printed and bound by the State Printing Board, and

Whereas, It is deemed desirable that said pamphlet be distributed to officials and public libraries, therefore

Be It Resolved by the House of the Fifty-first General Assembly, the Senate Concurring: That the State Printing Board is hereby instructed and empowered to distribute one copy of said pamphlet to each member of the Fifty-first General Assembly, to each judge of the Supreme, District, Municipal, and Superior Courts, to each college, high school and public library in the state, the expense for mailing the same to be paid out of the funds heretofore appropriated to the State Printing Board; and

Be It Further Resolved: That said pamphlets may be sold by the

State Printing Board to the public at fifteen cents per copy to cover the cost of printing and mailing.

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 House was asked:

Senate File 177, a bill for an act relating to time for annual meeting for election of directors of insurance companies.

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

House File 196, a bill for an act relating to occupancy of and collection of rent for certain dwellings.

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 relating to soldiers' home and widows of veterans.

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

House File 302, a bill for an act relating to amounts to be levied for garbage disposal and street cleaning funds.

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

House File 445, a bill for an act defining volunteer firemen and providing workmen's compensation rate. A. C. GUSTAFSON, *Chief Clerk*.

HOUSE AMENDMENTS CONSIDERED

Senator Doud called up Senate File 229, a bill for an act to amend section four thousand six hundred forty-four and eleven hundredths (4644.11), Code, 1939, relating to secondary roads and optional maintenance levies, amended by the House, and moved that the Senate concur in the following House amendment:

HOUSE AMENDMENT TO SENATE FILE 229

Amend Senate File 229 by adding at the end thereof the following:

"Sec. 2. Section four (4), Chapter one hundred sixty-five (165), Acts of the Fiftieth General Assembly, is hereby amended by striking from line one (1) of said section the words and figures 'three cents (3c)' and substituting in lieu thereof the words and figures 'four cents (4c)'.

Sec. 3. Section thirty-five (35) of Chapter one hundred sixty-five (165), Acts of the Fiftieth General Assembly is hereby amended as follows:

a. By striking the word 'all' from line two (2) of said section and substituting in lieu thereof the words 'three cents per gallon'.

b. By adding to said section, the following: 'The net proceeds of one cent per gallon license fees and penalties collected under the provisions of this chapter shall be distributed as follows: Three-fifths thereof shall be credited to the secondary road construction fund of the several counties of the state. The treasurer shall apportion said three-fifths portion among the counties of the state in the ratio that the area of each county bears to the total area of the state and shall on the first day of each month remit to the treasurer of each county the amount apportioned to the secondary road construction fund of the county. Two-fifths thereof shall be credited to the street construction fund of the several incorporated cities and towns of the state, which fund is hereby created, for the construction, reconstruction, repair and maintenance of roads and streets in such cities and towns. The treasurer shall apportion said two-fifths portion among the incorporated cities and towns of the state in the ratio that the population of each such city or town bears to the total population of all such cities and towns of the state, as shown by the latest Federal census, and shall, on the first day of each month, remit to the city clerk of each such city or town the amount so apportioned to the street construction fund of such city or town.'

Amend the title by adding thereto the following:

"and to provide additional revenue for the construction and maintenance of secondary roads by amending certain sections of Chapter 251.3, Code, 1939, as amended by Chapter 165, Acts of the 50th General Assembly."

Roll call was demanded.

On the question "Shall the Senate concur in the House amendment?" the vote was:

President Evans announced that Senator Kirketeg had left a written request at the desk to be recorded as voting "Aye" on the concurrence in the House amendment to Senate File 229.

President Evans also announced that Senator Vrba had left a written request to be recorded as voting "No" on the concurrence in the House amendment to Senate File 229.

The requests were granted.

Ayes, 39:

Augustine	Elthon	Keir	Ritchie
Barkley	Findlay	Kirketeg	Rockhill
Bekman	Foster	Klein	Schluter
Benson	Hart	Leo	Sharp
Byers	Harvey	Love	Shaw
Clem	Hawkins	Mercer	Sjulin
Cromwell	Hill	Miller	Vittetoe
Dewel	Hultman	Mowry	Watson
Doud	Jacobson	Newsome	White
Dykhouse	Jones	Pine	

Nays, 8:

Berg
Faul

Knudson
Lucas

Lynes
Martin

Reilly
Vrba

Absent or not voting, 3:

Henningsen

Long

Zastrow

The Senate concurred in the House amendment.

Senator Knudson offered the following amendment and moved its adoption:

Amend the Colburn amendment on Senate File 229 by adding as section 4 the following: "The levies as contemplated by section 4644.11 shall be made only if need exists".

Senator Bekman raised the point of order that the amendment by Senator Knudson was out of order in accordance with Senate Rule 1.

The Chair ruled the point well taken.

Senator Knudson asked and received unanimous consent to withdraw the amendment.

Senator Knudson also asked and received unanimous consent to withdraw the amendment to Senate File 229, filed by Senators Knudson and Lynes on March 21 and found on page 729 of the Senate Journal.

Senator Lynes offered the following amendment by Senators Lynes and Faul:

Amend Senate File 229 as amended and passed by the House by striking all of sections 2, 3 and 4 and by substituting in lieu thereof the following:

Sec. 2. The state highway commission shall for the two year period beginning July 1, 1945, and ending June 30, 1947, establish a secondary road aid fund and transfer thereto one million five hundred thousand dollars (\$1,500,000.00) per annum from the primary road fund.

Sec. 3. The state highway commission shall for the two year period beginning July 1, 1945, and ending June 30, 1947, establish a street construction aid fund for cities and towns, including special charter cities, and transfer thereto five hundred thousand dollars (\$500,000.00) per annum from the primary road fund.

Sec. 4. The secondary road aid fund shall only be used for the purpose of grading secondary roads and surfacing the same with gravel, shale or crushed rock.

Sec. 5. The secondary road aid fund shall be allotted among the counties in the ratio that the area of each county bears to the total area of the state and paid to the boards of supervisors of the counties under the following conditions:

1. Each county receiving an allotment from the secondary road aid

fund must match such allotment with an equal or greater sum from county funds.

2. The plans and specifications for grading and surfacing said secondary roads shall, by the boards of supervisors, be submitted to and approved by the highway commission.

3. Not more than five hundred dollars (\$500.00) of such allotment from the secondary road aid fund shall be spent on any one mile of secondary road, but nothing herein contained shall be construed as limiting the amount which may be spent from county funds in grading and surfacing any mile of secondary road.

Sec. 6. The street construction aid fund shall be apportioned among incorporated cities and towns of the state in the ratio that the population of each such city or town bears to the total population of all such cities and towns of the state as shown by the latest federal census and such funds shall be paid to the treasurer of the city or town to which funds are allocated under the following conditions:

1. Each city or town receiving an allotment from the secondary road aid fund must match such allotment with an equal or greater sum from city or town funds.

2. The plans and specifications for the construction, resurfacing or improving streets or highways in cities or towns shall be submitted and approved by the state highway commission.

Senator Lynes asked and received unanimous consent to withdraw the amendment.

Senator Dykhouse moved the previous question on the bill, which motion prevailed.

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

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

President Evans announced that Senator Kirketeg had left a written request at the desk to be recorded as voting "Aye" on Senate File 229.

The request was granted.

Ayes, 41:

Augustine	Findlay	Keir	Ritchie
Barkley	Foster	Kirketeg	Rockhill
Bekman	Hart	Klein	Schluter
Benson	Harvey	Leo	Sharp
Byers	Hawkins	Love	Shaw
Clem	Henningsen	Mercer	Sjulin
Cromwell	Hill	Miller	Vittetoe
Dewel	Hultman	Mowry	Watson
Doud	Jacobson	Newsome	White
Dykhouse	Jones	Pine	Zastrow
Elthon			

Nays, 8:

Berg	Knudson	Lucas	Martin
Faul	Long	Lynes	Reilly

Absent or not voting, 1:

Vrba

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

Senator Doud asked and received unanimous consent to correct the title to conform to the bill.

Senator Doud moved that the 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 Sharp called up Senate File 126, a bill for an act to amend section five thousand two hundred sixty-one (5261), Code, 1939, relating to expenditures by board of supervisors on property.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 126, as amended by the Senate, by inserting after section 2 as section 3 the following:

"Sec. 3. This Act shall not apply to county hospitals organized and operating under chapter two hundred sixty-nine (269), Code, 1939."

Further amend Senate File 126 by renumbering the remaining section.

The amendment was adopted.

Senator Sharp moved that the bill be read a third 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	Knudson	Reilly
Barkley	Hart	Leo	Ritchie
Bekman	Harvey	Long	Rockhill
Benson	Hawkins	Love	Schluter
Berg	Henningsen	Lynes	Sharp
Clem	Hill	Martin	Shaw
Cromwell	Hultman	Mercer	Sjulin
Dykhouse	Jacobson	Miller	Vittetoe
Elthon	Jones	Mowry	Watson
Faul	Keir	Newsome	White
Findlay	Klein	Pine	Zastrow

Nays, none.

Absent or not voting, 6:

Byers	Doud	Lucas	Vrba
Dewel	Kirketeg		

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

Senator Sharp moved that the 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 took the chair at 11:10 a. m.

THIRD READING OF BILLS

On motion of Senator Shaw, Senate Joint Resolution 7, a joint resolution providing for the appointment of a state building code council by the Governor to prepare a modern and uniform state building code together with a proposed revision and codification of the laws of Iowa relating to building construction, providing for the scope of the work of the council, providing for a report of the council 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 7 as follows: Amend Senate Joint Resolution 7 by inserting after the comma in line 15 of section 1 the following: "the State Board of Education,".

The amendment was adopted.

Senator Hultman offered the following amendment and moved its adoption:

Amend Senate Joint Resolution 7 by striking from section 2 at line 14 the words and figures "twenty-five (\$25.00)" and by inserting in lieu thereof the words and figures "ten (\$10.00)".

Further amend Senate Joint Resolution 7 by striking from line 2, section 4, the following: "fifteen thousand (\$15,000.00)" and by inserting in lieu thereof the words and figures "ten thousand (\$10,000.00)".

The amendment was adopted.

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

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

Ayes, 43:

Augustine	Foster	Knudson	Pine
Bekman	Hart	Leo	Reilly
Benson	Harvey	Long	Ritchie
Berg	Hawkins	Love	Rockhill
Clem	Henningsen	Lucas	Schluter
Cromwell	Hill	Lynes	Shaw
Dewel	Hultman	Martin	Sjulin
Doud	Jacobson	Mercer	Vittetoe
Dykhous	Jones	Miller	Watson
Elthon	Keir	Mowry	Zastrow
Findlay	Klein	Newsome	

Nays, none.

Absent or not voting, 7:

Barkley	Faul	Sharp	White
Byers	Kirketeg	Vrba	

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

Senator Shaw 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 Jacobson, Senate File 406, a bill for an act to make appropriations to Osceola County Fair, Adams County Fair Association, Sac County Fair Association, and Page County Agricultural Association, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Jacobson moved that the bill be read a third 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
Barkley	Hart	Long	Ritchie
Bekman	Harvey	Love	Rockhill
Benson	Hawkins	Lucas	Schluter
Berg	Henningsen	Lynes	Sharp
Clem	Hill	Martin	Shaw
Cromwell	Hultman	Mercer	Sjulin
Dewel	Jacobson	Miller	Vittetoe
Doud	Jones	Mowry	Watson
Dykhous	Keir	Newsome	White
Elthon	Klein	Pine	Zastrow
Findlay	Knudson		

Nays, none.

Absent or not voting, 4:

Byers	Faul	Kirketeg	Vrba
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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.

Senator Jacobson moved that the vote by which the 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 211, a bill for an act to make an appropriation from 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, 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, 45:

Augustine	Foster	Knudson	Pine
Barkley	Hart	Leo	Reilly
Bekman	Harvey	Long	Ritchie
Benson	Hawkins	Love	Rockhill
Berg	Henningsen	Lucas	Schluter
Clem	Hill	Lynes	Sharp
Cromwell	Hultman	Martin	Shaw
Dewel	Jacobson	Mercer	Sjulin
Doud	Jones	Miller	Vittetoe
Dykhouse	Keir	Mowry	Watson
Elthon	Klein	Newsome	White
Findlay			

Nays, none.

Absent or not voting, 5:

Byers	Kirketeg	Vrba	Zastrow
Faul			

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 Long, House File 306, a bill for an act to amend section six thousand nine hundred forty-three and one hundred thousandths (6943.100), Code, 1939, relating to allocation of revenues of the income, corporation and sales 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, 44:

Augustine	Findlay	Knudson	Reilly
Barkley	Foster	Long	Ritchie
Bekman	Hart	Love	Rockhill
Benson	Harvey	Lucas	Schluter
Berg	Henningsen	Lynes	Sharp
Clem	Hill	Martin	Shaw
Cromwell	Hultman	Mercer	Sjulin
Dewel	Jacobson	Miller	Vittetoe
Doud	Jones	Mowry	Watson
Dykhouse	Keir	Newsome	White
Elthon	Klein	Pine	Zastrow

Nays, none.

Absent or not voting, 6:

Byers	Hawkins	Leo	Vrba
Faul	Kirketeg		

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 Long, House File 328, a bill for an act to amend chapter two hundred thirty-seven (237), Acts of the Forty-ninth General Assembly, relative to the allocation of revenue for old age assistance, 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, 45:

Augustine	Foster	Knudson	Reilly
Barkley	Hart	Long	Ritchie
Bekman	Harvey	Love	Rockhill
Benson	Hawkins	Lucas	Schluter
Berg	Henningsen	Lynes	Sharp
Clem	Hill	Martin	Shaw
Cromwell	Hultman	Mercer	Sjulin
Dewel	Jacobson	Miller	Vittetoe
Doud	Jones	Mowry	Watson
Dykhouse	Keir	Newsome	White
Elthon	Klein	Pine	Zastrow
Findlay			

Nays, none.

Absent or not voting, 5:

Byers	Kirketeg	Leo	Vrba
Faul			

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 Long, House File 374, a bill for an act to authorize the purchase of certain farm land adjoining the state sanatorium, and to provide for an appropriation therefor, 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	Long	Ritchie
Barkley	Foster	Love	Rockhill
Bekman	Hart	Lucas	Schluter
Benson	Harvey	Lynes	Sharp
Berg	Hawkins	Martin	Shaw
Clem	Henningsen	Mercer	Sjulin
Cromwell	Hill	Miller	Vittetoe
Dewel	Jacobson	Mowry	Watson
Doud	Jones	Newsome	White
Dykhouse	Keir	Pine	Zastrow
Elthon	Klein	Reilly	

Nays, none.

Absent or not voting, 7:

Byers	Hultman	Knudson	Vrba
Faul	Kirketeg	Leo	

The bill having received a constitutional and two-thirds 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 Long, House File 362, a bill for an act to authorize the purchase of certain farm land adjoining the state sanatorium, and to provide for an appropriation therefor, 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, 42:

Augustine	Foster	Love	Ritchie
Barkley	Hart	Lucas	Rockhill
Bekman	Harvey	Lynes	Schluter
Berg	Hawkins	Martin	Sharp
Clem	Henningsen	Mercer	Shaw
Cromwell	Hill	Miller	Sjulin
Dewel	Jacobson	Mowry	Vittetoe
Doud	Jones	Newsome	Watson
Dykhouse	Keir	Pine	White
Elthon	Klein	Reilly	Zastrow
Findlay	Long		

Nays, none.

Absent or not voting, 8:

Benson	Faul	Kirketeg	Leo
Byers	Hultman	Knudson	Vrba

The bill having received a constitutional and two-thirds 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.

PRESENTATION OF VISITORS

Senator Faul asked and received unanimous consent to present to the Senate the members of the 9-B civics class of Roosevelt high school who were present in the balcony with their teacher.

Senator Cromwell asked and received unanimous consent to present to the Senate the members of the basketball squad of the Sperry high school who were present in the chamber with their superintendent.

Senator Lynes presented to the Senate the members of the Tripoli high school basketball team who were present in the chamber with their coach.

HOUSE MESSAGES CONSIDERED

House File 196, 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 and referred to sifting committee.

House File 294, a bill for an act to amend section three thousand three hundred eighty-four and five hundredths (3384.05), Code, 1939, relating to soldiers' home and to widows of veterans.

Read first and second times and referred to sifting committee.

House File 302, a bill for an act to amend chapter one hundred eighty-four (184), Acts of the Fiftieth General Assembly, relating to amounts that may be levied in cities and towns for garbage disposal and street cleaning funds.

Read first and second times and referred to sifting committee.

House File 445, a bill for an act to amend section one thousand three hundred sixty-one (1361), Code, 1939, section one thousand three hundred ninety-seven (1397), Code, 1939, and section one thousand four hundred twenty-one (1421), Code, 1939, relating to workmen's compensation for volunteer firemen, defining volunteer firemen and providing the rate of compensation under the Iowa workmen's compensation law.

Read first and second times and referred to sifting committee.

On motion of Senator Schluter, the Senate recessed until 1.30 p. m.

AFTERNOON SESSION

The Senate resumed regular session, President Evans presiding.

THIRD READING OF BILLS

On motion of Senator Faul, House File 87, a bill for an act to amend chapter two hundred sixty-four (264), Acts of the Fiftieth General Assembly, relating to the compensation of shorthand reporters, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Faul offered the following amendment:

Amend House File 87 by inserting after section 1 as section 2 the following:

"Sec. 2. Chapter two hundred sixty-four (264), Acts of the Fiftieth General Assembly is amended by striking the word 'eleven' from line three (3) of section one (1) and inserting in lieu thereof the word 'twelve' and by striking the words 'twenty-seven hundred' from line four (4) of section two (2) and inserting in lieu thereof the words 'three thousand'."

Further amend House File 87 by renumbering the remaining section.

Senator Faul offered the following amendment to the amendment and moved its adoption:

Amend by striking from lines 7 and 8 the words "three thousand" and inserting in lieu thereof the words "two thousand eight hundred eighty".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

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

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

Ayes, 45:

Augustine	Findlay	Klein	Pine
Barkley	Foster	Knudson	Reilly
Bekman	Hart	Long	Ritchie
Benson	Harvey	Love	Rockhill
Berg	Hawkins	Lucas	Schluter
Byers	Henningsen	Lynes	Shaw
Clem	Hill	Martin	Sjulin
Cromwell	Hultman	Mercer	Vittetoe
Dewel	Jacobson	Miller	Watson
Dykhous	Jones	Mowry	White
Elthon	Keir	Newsome	Zastrow
Faul			

Nays, none.

Absent or not voting, 5:

Doud	Leo	Sharp	Vrba
Kirketeg			

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 Long, House File 292, a bill for an act to protect the public against milk borne disease and for this purpose to provide, within the department of agriculture, for dairy specialists and bacteriologists for the purpose of efficient control of sanitary production, processing and marketing of dairy products and to provide adequate laboratory facilities for this purpose, 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, 40:

Barkley	Faul	Keir	Newsome
Bekman	Findlay	Klein	Pine
Benson	Foster	Knudson	Reilly
Berg	Hart	Long	Rockhill
Byers	Harvey	Lucas	Schluter
Clem	Henningsen	Lynes	Sharp
Cromwell	Hill	Martin	Shaw
Dewel	Hultman	Mercer	Vittetoe
Dykhouse	Jacobson	Miller	White
Elthon	Jones	Mowry	Zastrow

Nays, 3.

Hawkins	Ritchie	Watson
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Absent or not voting, 7:

Augustine	Kirketeg	Love	Vrba
Doud	Leo	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 Faul, House File 106, a bill for an act to amend section five thousand two hundred twenty-eight (5228), Code, 1939, fixing the salaries of county attorneys, was taken up and considered.

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

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

Ayes, 46:

Augustine	Findlay	Knudson	Reilly
Barkley	Foster	Long	Ritchie
Bekman	Hart	Love	Rockhill
Benson	Harvey	Lucas	Schluter
Berg	Hawkins	Lynes	Sharp
Byers	Henningsen	Martin	Shaw
Clem	Hill	Mercer	Sjulin
Cromwell	Hultman	Miller	Vittetoe
Dewel	Jacobson	Mowry	Watson
Dykhouse	Jones	Newsome	White
Elthon	Keir	Pine	Zastrow
Faul	Klein		

Nays, none.

Absent or not voting, 4:

Doud	Kirketeg	Leo	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 Faul moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Faul, House File 107, a bill for an act to amend section five thousand two hundred twenty-nine (5229), Code, 1939, fixing the salaries of assistant county attorneys, was taken up and considered.

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

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

Ayes, 46:

Augustine	Findlay	Knudson	Reilly
Barkley	Foster	Long	Ritchie
Bekman	Hart	Love	Rockhill
Benson	Harvey	Lucas	Schluter
Berg	Hawkins	Lynes	Sharp
Byers	Henningsen	Martin	Shaw
Clem	Hill	Mercer	Sjulin
Cromwell	Hultman	Miller	Vittetoe
Dewel	Jacobson	Mowry	Watson
Dykhouse	Jones	Newsome	White
Elthon	Keir	Pine	Zastrow
Faul	Klein		

Nays, none.

Absent or not voting, 4:

Doud	Kirketeg	Leo	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 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, House File 109, a bill for an act to amend section ten thousand eight hundred eleven (10811), Code, 1939, relating to necessary hotel and living expenses of court reporters, 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, 44:

Augustine	Faul	Keir	Pine
Barkley	Findlay	Klein	Reilly
Bekman	Foster	Knudson	Ritchie
Benson	Hart	Long	Rockhill
Berg	Harvey	Love	Schluter
Byers	Hawkins	Lynes	Sharp
Clem	Henningsen	Martin	Shaw
Cromwell	Hill	Mercer	Sjulin
Dewel	Hultman	Miller	Vittetoe
Dykhouse	Jacobson	Mowry	Watson
Elthon	Jones	Newsome	White

Nays, none.

Absent or not voting, 6:

Doud	Leo	Vrba	Zastrow
Kirketeg	Lucas		

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 Hultman, House File 392, a bill for an act to amend sections one thousand seven hundred three and thirty-two hundredths (1703.32), one thousand seven hundred three and thirty-nine hundredths (1703.39) and one thousand seven hundred three and forty hundredths (1703.40), Code, 1939, relating to salary adjustments of the members and employees of the state conservation commission, was taken up and considered.

Senator Hultman moved that the bill be read a third 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:

Barkley	Findlay	Klein	Pine
Bekman	Foster	Knudson	Reilly
Benson	Hart	Long	Ritchie
Berg	Harvey	Love	Rockhill
Byers	Hawkins	Lucas	Schluter
Clem	Henningsen	Lynes	Sharp
Cromwell	Hill	Martin	Shaw
Dewel	Hultman	Mercer	Sjulin
Dykhous	Jacobson	Miller	Vittetoe
Elthon	Jones	Mowry	Watson
Faul	Keir	Newsome	White

Nays, none.

Absent or not voting, 6:

Augustine	Kirketeg	Vrba	Zastrow
Doud	Leo		

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

Senator Hultman moved that the vote by which the 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 187, a bill for an act to amend section one thousand seven hundred ninety-four and eighty-two thousandths (1794.082), Code, 1939, relating to non-resident fish and game licenses, was taken up and considered.

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

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

Ayes, 42:

Augustine	Faul	Keir	Ritchie
Barkley	Findlay	Klein	Rockhill
Bekman	Foster	Long	Schluter
Benson	Hart	Love	Sharp
Berg	Harvey	Lucas	Shaw
Byers	Hawkins	Martin	Sjulin
Clem	Henningsen	Miller	Vittetoe
Cromwell	Hill	Mowry	Watson
Dewel	Hultman	Newsome	White
Dykhous	Jacobson	Reilly	Zastrow
Elthon	Jones		

Nays, none.

Absent or not voting, 8:

Doud	Knudson	Lynes	Pine
Kirketeg	Leo	Mercer	Vrba

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 Love, Senate File 205, a bill for an act to repeal chapter forty-seven (47), Acts of the Fiftieth (50th) General Assembly, relating to the stoppage of payments on state warrants unredeemed within one (1) year or longer, 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, 42:

Augustine	Faul	Keir	Reilly
Barkley	Findlay	Klein	Ritchie
Bekman	Foster	Long	Rockhill
Benson	Hart	Love	Schluter
Berg	Harvey	Lucas	Sharp
Byers	Hawkins	Martin	Shaw
Clem	Henningsen	Mercer	Sjulin
Cromwell	Hill	Miller	Vittetoe
Dewel	Hultman	Mowry	Watson
Dykhouse	Jacobson	Newsome	White
Elthon	Jones		

Nays, none.

Absent or not voting, 8:

Doud	Knudson	Lynes	Vrba
Kirketeg	Leo	Pine	Zastrow

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.

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, 125 and 255, and House Files 130 and 240.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *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, 125 and 255, and House Files 130 and 240.

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 22nd day of March, 1945, sent to the Governor for his approval, Senate Files 45, 125 and 255.

ROBERT C. REILLY, *Chairman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 22nd he had approved the following bills:

Senate File 84, relating to issuance of bonds for airport purposes.

Senate File 151, relating to car dealers.

The following communication was received from the office of the state appeal board:

To WM. J. SCARBOROUGH
Secretary of Senate

In accordance with the provisions of section 3 of chapter 61, Acts of the 49th General Assembly, I hand you herewith claims acted upon by the State Appeal Board. Each claim bears the recommendation of the Board.

List of claims as follows:

Claim No.	Claimant	Amt. Claimed	Amt. Recommended
H-70-45	Katharyn Hatton Busch, Admx. for Estate of W. B. Hatton.....	\$611.04	\$ Rejected
84	Mid-Continent Airlines, Inc.....		Rejected
85	Leo P. Pepper.....	No stated amt.	Rejected

86	Gust A. Stark.....	100.00	Referred to Claims Committee without recommendation subject to any further investigation that may be made.
	(Also Western Adjustment & Inspection Co.)		
	Western Adjustment & Inspection Co.	513.19	Rejected
		C. FRED PORTER, <i>Chairman,</i> <i>State Appeal Board.</i>	

Received of C. Fred Porter, Chairman, State Appeal Board the above numbered claims H-70-45; also 84 to 86, inclusive. March 22, 1945.

W. J. SCARBOROUGH, *Secretary 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 File 412	House File 219
House File 184	Senate File 25
Senate File 415	Senate File 323
Senate File 279	House File 393
Senate File 402	House File 280
House File 138	House File 183
Senate File 289	House File 54
Senate File 290	House File 459
Senate File 291	

The following bills subject to being referred to appropriations committee under Rule 21:

Senate File 413	House File 448
Senate File 414	House File 462
Senate File 416	Senate File 332
House File 444	House Joint Resolution 8
House File 447	

STANLEY L. HART, *Chairman.*

BILLS ASSIGNED TO COMMITTEE

President Evans announced the following assignment of bills to committee:

Bill No.	Committee Assignment
S. F. 413	Committee on appropriations.
S. F. 414	Committee on appropriations.
S. F. 416	Committee on appropriations.
H. F. 444	Committee on appropriations.
H. F. 447	Committee on appropriations.

- H. F. 448 Committee on appropriations.
H. F. 462 Committee on appropriations.
S. F. 332 Committee on appropriations.
H. J.R. 8 Committee on appropriations.

AMENDMENTS FILED

Amend House File 198 as follows:

Strike from lines 1 and 2 of section 1 the words "that the City of Clinton in Clinton County, Iowa" and insert in lieu thereof the words "that in all cities having a population of not less than 26,000 as shown by the last census."

Further amend by correcting the title by striking out all thereof following the words "an act" and inserting in lieu thereof the following: "authorizing an emergency fund levy for all cities in the state having a population of not less than 26,000 nor more than 27,000 as shown by the last census."

O. H. HENNINGSSEN.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 23, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend Reed Kessler, pastor of the Congregational church, Stuart, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Vrba for the day on request of Senator Reilly.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Berg, from residents of Black Hawk county, favoring proposed pension legislation.

By Senator Dewel, from residents of Kossuth county, favoring local option.

By Senator Dykhous, from residents of Sioux county, favoring local option.

By Senator Faul, from residents of Polk county, favoring local option.

By Senator Hart, from members of United Packing Workers' Association, of Fort Dodge, favoring proposed occupational disease legislation; also from residents of Cass, Iowa, Linn and Poweshiek counties, favoring local option.

By Senator Hill, from residents of Wright county, favoring local option.

By Senator Keir, from residents of O'Brien county, favoring proposed legislation for county officials; also from residents of Webster county, favoring local option.

By Senator Newsome, from residents of Wayne county, favoring local option.

INTRODUCTION OF BILLS

Senate File 417, by committee on social security, a bill for an act to amend Senate File two hundred twenty-two (222), Acts of the 51st General Assembly, relating to unemployment compensation and the collection of contributions of employers.

Read first and second times and referred to sifting committee.

Senate File 418, by committee on judiciary 1, a bill for an act to amend section four thousand six hundred forty-four and eleven hundredths (4644.11), Code, 1939, relating to optional levies by the board of supervisors.

Read first and second times and referred to sifting committee.

Senate File 419, by committee on judiciary 1, a bill for an act to repeal chapter one hundred thirty-seven (137) of the Laws of the Forty-ninth (49th) General Assembly, and to repeal section thirty-five hundred twenty-seven (3527), Code, 1939, and to enact a substitute therefor to provide for the transfer of insane from a state hospital.

Read first and second times and referred to sifting committee.

Senate File 420, by committee on insurance, a bill for an act relating to group insurance, to define selected group life, accident and health insurance and to authorize the writing of such insurance, subject to certain restrictions.

Read first and second times and referred to sifting committee.

Senate File 421, by committee on insurance, a bill for an act authorizing qualified life insurance companies, associations and interinsurance exchanges to write life, health and accident insurance for the individual members of organized industrial, business and professional groups or their organized employees.

Read first and second times and referred to sifting committee.

PRESENTATION OF VISITORS

Senator Keir asked and received unanimous consent to present to the Senate the Calumet Indians, members of the Calumet high school basketball team; also the members of the Gaza consolidated high school basketball team who were present in the balcony with their superintendent.

Senator Dykhousé asked and received unanimous consent to present to the Senate the members of the Inwood high school

basketball team who were present in the balcony with their coach.

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 365, a bill for an act creating airport commissions.

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

House File 366, a bill for an act relating to airport zoning regulations.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 405, a bill for an act making appropriations for the departments of state.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 405

1. Amend section thirteen (13), immediately following line twelve (12), by striking the following words and figures: "For lake and stream improvement for each year of the biennium 100,000.00".

Further amend section thirteen (13) by striking from line seventeen (17) the figures "\$350,000.00" and inserting in lieu thereof the following: "\$250,000.00".

2. Amend section twenty-eight (28), line seven (7), by striking the figures "\$6,000.00" and inserting in lieu thereof the figures "\$5,000.00".

Further amend section twenty-eight (28) by striking from line nine (9) the figures "\$40,500.00" and inserting in lieu thereof the figures "\$41,500.00".

3. Amend section 37, line five (5), by striking the words and figures "fourteen thousand dollars (\$14,000.00)" and inserting in lieu thereof the following: "fifteen thousand seven hundred ninety-three dollars and sixty cents (\$15,793.60)".

Further amend said section, line nine (9), by striking the figures "4,500.00" and inserting in lieu thereof the figures "4,000.00".

Further amend said section, line sixteen (16), by striking the figures "16,293.60" and inserting in lieu thereof the figures "15,793.60".

4. Amend section 29, lines four (4) and five (5), by striking therefrom the words and figures "seventy-six thousand seven hundred seventy dollars (\$76,770.00)" and inserting in lieu thereof the words and figures "seventy-five thousand seven hundred seventy dollars (\$75,770.00)".

Further amend said section, line twenty-three (23), by striking therefrom the figures "42,925.00" and inserting in lieu thereof the figures "41,925.00".

Further amend said section, line twenty-six (26), by striking the figures "76,770.00" and inserting in lieu thereof the figures "75,770.00".

5. Amend section 36, lines four (4) and five (5), by striking therefrom the words and figures "one million one hundred thirteen thousand two hundred thirty-seven dollars (\$1,113,237.00)" and inserting in lieu

thereof the words and figures "one million one hundred two thousand nine hundred eighty-seven dollars (\$1,102,987.00)".

Further amend said section by striking the following figures appearing at the end thereof, "\$1,113,237.00", and inserting in lieu thereof the figures "\$1,102,987.00".

HOUSE MESSAGES CONSIDERED

House File 365, a bill for an act to amend chapter three hundred three and one-tenth (303.1), Code, 1939, and to amend sections five thousand nine hundred three and two hundredths (5903.02), five thousand nine hundred three and three hundredths (5903.03), five thousand nine hundred three and seven hundredths (5903.07), and five thousand nine hundred three and nine hundredths (5903.09) of chapter three hundred three and one tenth (303.1), Code, 1939; and to amend chapter two hundred ten (210), Acts of the Forty-ninth General Assembly; and to amend section six thousand nine hundred forty-four (6944), chapter three hundred thirty (330), Code, 1939; relating to airports and airport approaches; the powers of political subdivisions with respect thereto, including the acquisition and planning thereof, acceptance of federal aid therefor and issuance of revenue bonds for improvements thereupon, the creation of airport commissions, and exemption from taxation, under certain circumstances, of land used for airport purposes.

Read first and second times and referred to sifting committee.

House File 366, a bill for an act to empower municipalities including cities acting under special charter, 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 property, in the vicinity of airports, and to acquire, by purchase, grant, condemnation or otherwise air rights and other interest in land; and to empower the state aeronautics commission to exercise like powers under given circumstances; and to provide penalties and remedies for violations of this act or any ordinance or regulation made under the authority conferred herein; and for other purposes as appear herein.

Read first and second times and referred to sifting committee.

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 177 and 229.

ROBERT C. REILLY, *Chairman Senate Committee.*
CARL A. ANDERSON, *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 177 and 229.

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 23rd day of March, 1945, sent to the Governor for his approval, Senate Files 177 and 229. ROBERT C. REILLY, *Chairman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 22nd he had approved the following bills:

Senate File 45, relating to benefits under retirement systems for policemen and firemen.

Senate File 125, relating to chauffeur's license.

Senate File 255, relating to powers and duties of dock boards.

Senate File 398, relating to erecting and equipping an office building on the state capitol grounds.

MEMORIAL RESOLUTION

Senator Henningsen formally notified the Senate of the death of Senator O. J. Kirketeg in Mercy hospital at 8:25 p. m., March 22nd, and moved that the President of the Senate appoint a committee of three to draft a memorial resolution of respect for the Senator and sympathy for the family.

The motion prevailed and President Evans appointed as such committee Senators Henningsen, Hultman and Knudson.

Senator Henningsen offered the following memorial resolution and moved its adoption:

MR. PRESIDENT: Your committee, named to draft resolutions of respect for the late Senator O. J. Kirketeg, begs leave to submit the following:

Whereas, On the 22nd day of March, A. D. 1945, our friend and colleague, the Honorable O. J. Kirketeg, state Senator from the Sixth District of Iowa, passed away, and

Whereas, We of the Senate knew him to be a true and faithful public servant, a devoted husband, and

Whereas, We mourn and regret the loss to this body of an esteemed friend, now, therefore,

Be It Resolved by the Senate: That we extend to the bereaved family and relatives of the late Honorable O. J. Kirketeg our deep and profound sympathy in their sorrow, and that the President of the Senate appoint a committee of three to represent the Senate at the funeral of the deceased, and that six honorary pallbearers be also appointed.

Be It Further Resolved: That an original signed copy of this resolution be forwarded to Mrs. O. J. Kirketeg, of Bedford, Iowa.

O. H. HENNINGSEN.

O. N. HULTMAN.

H. M. KNUDSON.

The resolution was adopted and President Evans appointed Senators Henningsen, Hultman and Knudson as a committee to represent the Senate at the funeral services of Senator Kirketeg.

President Evans also appointed as honorary pallbearers, Senators Henningsen, Hultman, Knudson, Sharp, Pine and Vrba.

AMENDMENTS FILED

Substitute the following amendments for the amendments filed by me on February 23 to Senate File 207:

(a) There shall be installed by the Board of Control of State Institutions as soon as is practicable, in the penitentiary at Fort Madison, Iowa, a lethal gas chamber to be used for the purpose of executing criminals against whom a judgment of death has been entered.

(b) At such time as said lethal gas chamber is completely installed and ready for operation, then all criminals condemned to death shall be executed in said gas chamber.

(c) Amend section 13986, Code, 1939, as follows:

By striking from lines six (6) and seven (7) the words "or within the yard or enclosure adjoining thereto". Further amend said section by striking from lines eight (8) and nine (9) the words "by hanging by the neck until dead" and insert in lieu thereof the following: "by gassing with lethal gas until dead".

Further, by amending the title in conformity herewith.

A. D. CLEM.

On motion of Senator Henningsen and out of respect for Senator Kirketeg, the Senate adjourned at 10:35 a. m. until Monday, March 26th, at 10:00 a. m.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 26, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend J. J. Brabbs, pastor of the First Methodist church, Gray, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Clem, from residents of Woodbury county, favoring local option.

By Senator Cromwell, from residents of Des Moines county, favoring local option.

By Senator Dewel, from residents of Kossuth county, favoring local option.

By Senator Harvey, from residents of Harrison county, favoring local option.

By Senator Hawkins, from residents of Decatur county, favoring local option.

By Senator Leo, from residents of Benton county, favoring local option.

By Senator Long, from residents of Delaware county, favoring local option.

By Senator Rockhill, from residents of Marshall county, favoring local option.

LEAVE OF ABSENCE

Leave of absence was granted the following Senators for the day to attend the funeral of the late Senator Kirketeg: Senator Henningsen, Senator Hultman, Senator Knudson, Senator Sharp, Senator Pine, Senator Vrba, Senator Benson, Senator Ritchie, Senator Lucas and Senator Doud, on request of Senator Hill; Senator Love for the day on request of Senator Vittetoe; Senator Jones for the day on request of Senator Martin.

INTRODUCTION OF BILLS

Senate File 422, by committee on military and veterans affairs, a bill for an act creating an Iowa department of veterans' affairs to assist all members of the armed forces, veterans, their dependents and beneficiaries; prescribing the powers and duties thereof and making an appropriation therefor; authorizing the establishment of information and service centers for servicemen and women and veterans in counties, cities and towns, including special charter cities; providing for payment of expenses therefor; repealing that part of section four hundred sixty-seven and forty-four hundredths (467.44), Code, 1939, relating to the permanent registry of veterans' graves and repealing chapter thirty-two and two tenths (32.2), Code, 1939.

Read first and second times and referred to sifting committee.

Senate File 423, by committee on military and veterans affairs, a bill for an act to provide for the administration and supervision of the retraining and education within the state of Iowa of returning veterans of World War II as provided for under the Acts of the Congress of the United States and contracts and agreements made thereunder with the federal government and to provide funds to carry out the provisions of this act.

Read first and second times and referred to sifting committee.

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

SENATE RESOLUTION 2

Whereas, In the Forty-ninth General Assembly of the State of Iowa, House Concurrent Resolution 18 was adopted providing for, among other things, a Senate and House Committee on Interstate Cooperation which committee members in turn became members of the Iowa Commission on Interstate Cooperation; and

Whereas, Under the provisions of the resolution the President of the Senate was and is empowered to appoint five members of the Senate for the Senate Standing Committee on Interstate Cooperation; therefore,

Be It Resolved by the Senate: That the President of the Senate appoint five members of the Senate to the Senate Standing Committee on Interstate Cooperation, designating one of the committee as chairman.

The motion prevailed and the resolution was adopted.

President Evans appointed, on the part of the Senate, Senators Doud, Cromwell, Miller, Jones and Augustine.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendments to and passed House File 87, a bill for an act relating to compensation of shorthand reporters.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 135, a bill for an act relating to filing of statements when conducting business under trade name.

Also: That the House has amended and failed to pass the following bill in which the concurrence of the House was asked:

Senate File 391, a bill for an act relating to local boards of health.

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

House File 460, a bill for an act relating to officers and employees of the General Assembly.

A. C. GUSTAFSON, *Chief Clerk*.

AMENDMENTS TO SENATE FILE 135

Amend section 4 by adding at the end thereof the following: "A parcel of real estate outside of the limits of cities and towns shall be all the unplatted land described in any deed or transfer of title lying within one numbered section of land."

Amend the title, line eleven (11), by striking therefrom the word "treasurer" and inserting in lieu thereof the word "recorder".

AMENDMENTS TO SENATE FILE 391

Amend section 1, line four (4), by inserting after the word "counties," the following: "outside of cities and towns".

Further amend by adding the following new section:

"Sec. 8. It shall be the duty of the township clerk to cooperate with the county board of health in the enforcement of the provisions of this act."

SPECIAL ORDER

The hour of 10:15 a. m. having arrived, the Chair announced the special order for the consideration of House File 358, Senate File 350 and Senate File 351.

Senator Hill asked and received unanimous consent that due to the absence of a large number of the Senators, the special order of business be deferred until Tuesday, March 27, at 10:15 a. m.

President Evans announced that a number of the Senators who had been excused had left written requests to be recorded as

voting "Aye" on certain bills on the calendar, if considered during their absence.

The requests were granted.

THIRD READING OF BILLS

On motion of Senator Martin, House File 142, a bill for an act to amend chapter three hundred twenty-nine (329), Code, 1939, by adding thereto a new section relating to rights of owners of certain riparian lands, was taken up and considered.

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, 38:

Augustine	Elthon	Keir	Newsonme
Barkley	Faul	Klein	Reilly
Bekman	Findlay	Leo	Rockhill
Berg	Foster	Long	Schluter
Byers	Hart	Lynes	Shaw
Clem	Harvey	Martin	Vittetoe
Cromwell	Hawkins	Mercer	Watson
Dewel	Henningsen	Miller	White
Doud	Hill	Mowry	Zastrow
Dykhouse	Jacobson		

Nays, none.

Absent or not voting, 11:

Benson	Knudson	Pine	Sjulin
Hultman	Love	Ritchie	Vrba
Jones	Lucas	Sharp	.

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.

BILL WITHDRAWN FROM FURTHER CONSIDERATION

Senator Martin asked and received unanimous consent to withdraw from further consideration of the Senate, Senate File 97, a companion bill to House File 142.

Senator Dykhouse asked and received unanimous consent that Senate File 279 be made a special order of business immediately following the action on House File 358 and Senate Files 350 and 351.

On motion of Senator Dykhouse, Senate File 412, a bill for an act to legalize an election held in the city of Sibley, Iowa, on March 12, 1945, for the annexation of certain unplatted real estate of the city of Sibley, Osceola county, Iowa, was taken up and considered.

President pro tempore Hart took the chair at 10:30 a. m.

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	Elthon	Keir	Newsome
Barkley	Faul	Klein	Reilly
Bekman	Findlay	Leo	Rockhill
Berg	Foster	Long	Schluter
Byers	Hart	Lucas	Shaw
Clem	Harvey	Lynes	Vittetoe
Cromwell	Hawkins	Martin	Watson
Dewel	Henningsen	Mercer	White
Doud	Hill	Miller	Zastrow
Dykhouse	Jacobson	Mowry	

Nays, none.

Absent or not voting, 10:

Benson	Knudson	Ritchie	Sjulin
Hultman	Love	Sharp	Vrba
Jones	Pine		

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 AMENDMENT CONSIDERED

Senator Faul called up Senate File 135, a bill for an act to amend sections seven thousand two hundred sixty-three (7263), seven thousand two hundred eighty-four (7284), and five thousand ten and eight hundredths (5010.08), Code, 1939, relating to fees to be charged by the county treasurer; section five thousand one hundred fifty-five (5155), Code, 1939, relating to fees to be charged by the county auditor; sections five thousand one hundred seventy-seven (5177) and ten thousand thirty-one (10031), Code, 1939, relating to fees to be charged by the county treasurer; and chapter four hundred twenty-nine and one tenth

(429.1), Code, 1939, relating to the filing of verified statements when conducting business under a trade name; to provide for a fee or increase in fees to be charged by the county treasurer, auditor and recorder, amended by the House, and moved that the Senate concur in the following House amendment:

HOUSE AMENDMENT TO SENATE FILE 135

Amend section 4 by adding at the end thereof the following: "A parcel of real estate outside of the limits of cities and towns shall be all the unplatted land described in any deed or transfer of title lying within one numbered section of land."

Amend the title, line eleven (11), by striking therefrom the word "treasurer" and inserting in lieu thereof the word "recorder".

The motion prevailed and the Senate concurred in the House amendment.

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

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

Ayes, 35:

Augustine	Elthon	Klein	Reilly
Barkley	Faul	Leo	Rockhill
Bekman	Findlay	Long	Schluter
Berg	Foster	Lynes	Shaw
Byers	Hart	Martin	Vittetoe
Clem	Harvey	Mercer	Watson
Cromwell	Hawkins	Miller	White
Dewel	Hill	Mowry	Zastrow
Dykhouse	Keir	Newsome	

Nays, none.

Absent or not voting, 14:

Benson	Jacobson	Lucas	Sharp
Doud	Jones	Pine	Sjulin
Henningsen	Knudson	Ritchie	Vrba
Hultman	Love		

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 Hill, House File 184, a bill for an act to legalize the action of the board of supervisors of Hamilton county, Iowa, in transferring funds in the amount of twelve

thousand six hundred twenty dollars and fourteen cents (\$12,-620.14) from the county poor fund to the county hospital fund, was taken up and considered.

Senator Hill asked and received unanimous consent that further action on House File 184 be deferred and that it retain its place on the calendar.

On motion of Senator Cromwell, Senate File 415, a bill for an act to amend Senate File 15, Acts of the 51st General Assembly of Iowa, relating to the salaries of mayor and councilmen of commissioned cities, was taken up and considered.

Senator Cromwell offered the following amendment and moved its adoption:

In line 6, section 1, strike the words "this act" and insert in lieu thereof the following "Senate File 15."

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	Dykhouse	Keir	Mowry
Barkley	Elthon	Klein	Newsome
Bekman	Faul	Leo	Reilly
Benson	Findlay	Long	Schluter
Berg	Foster	Lucas	Shaw
Byers	Hart	Lynes	Vittetoe
Clem	Harvey	Martin	Watson
Cromwell	Henningsen	Mercer	White
Dewel	Hill	Miller	Zastrow
Doud	Jacobson		

Nays, none.

Absent or not voting, 11:

Hawkins	Knudson	Ritchie	Sjulin
Hultman	Love	Rockhill	Vrba
Jones	Pine	Sharp	

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 called up for further consideration House File 184.

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

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

Ayes, 39:

Augustine	Elthon	Keir	Newsome
Barkley	Faul	Klein	Reilly
Bekman	Findlay	Leo	Rockhill
Berg	Foster	Long	Schluter
Byers	Hart	Lucas	Shaw
Clem	Harvey	Lynes	Vittetoe
Cromwell	Hawkins	Martin	Watson
Dewel	Henningsen	Mercer	White
Doud	Hill	Miller	Zastrow
Dykhouse	Jacobson	Mowry	

Nays, none.

Absent or not voting, 10:

Benson	Knudson	Ritchie	Sjulin
Hultman	Love	Sharp	Vrba
Jones	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.

On motion of Senator Faul, House File 138, a bill for an act to amend section ten thousand six hundred eighty-eight (10688), Code, 1939, relating to the salaries of the judges of the municipal court of the state of Iowa, was taken up and considered.

Senator Clem offered the following amendment and moved its adoption:

Amend the title of House File 138 by inserting after the comma after the number 10688 the words and figures "and Section ten thousand six hundred forty-six (10646)" and adding after the word "salaries" in line 3 of the title the words "and number".

Further amend House File 138 by adding "Section 2" after line 19 thereof as follows:

"Sec. 2.

Amend section ten thousand six hundred forty-six (10646), Code, 1939, by striking from line 10 thereof the word "thirty" and substituting in lieu thereof the word "forty".

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, 39:

Augustine	Dykhouse	Keir	Pine
Barkley	Elthon	Klein	Reilly
Bekman	Faul	Leo	Rockhill
Benson	Findlay	Long	Schluter
Berg	Foster	Lynes	Shaw
Byers	Hart	Martin	Vittetoe
Clem	Harvey	Mercer	Watson
Cromwell	Henningsen	Miller	White
Dewel	Hill	Mowry	Zastrow
Doud	Jacobson	Newsome	

Nays, none.

Absent or not voting, 10:

Hawkins	Knudson	Ritchie	Sjulin
Hultman	Love	Sharp	Vrba
Jones	Lucas		

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended 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 Shaw, Senate File 289, a bill for an act authorizing conveyance of the Iowa Great Lakes Sewage Disposal System in Dickinson county, Iowa, 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, 37:

Augustine	Elthon	Keir	Newsome
Barkley	Faul	Klein	Reilly
Bekman	Findlay	Leo	Rockhill
Berg	Foster	Long	Schluter
Byers	Hart	Lynes	Shaw
Clem	Harvey	Martin	Vittetoe
Cromwell	Hawkins	Mercer	Watson
Dewel	Hill	Miller	White
Doud	Jacobson	Mowry	Zastrow
Dykhouse			

Nays, none.

Absent or not voting, 12:

Benson	Jones	Lucas	Sharp
Henningsen	Knudson	Pine	Sjulin
Hultman	Love	Ritchie	Vrba

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 290, a bill for an act relating to the Iowa Great Lakes Sewage Disposal System in Dickinson county, Iowa; defining the state's title and jurisdiction in respect thereto; providing for the operation and maintenance thereof; and prescribing the powers and duties of the state conservation commission in relation thereto, 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, 38:

Augustine	Elthon	Keir	Newsome
Barkley	Faul	Klein	Reilly
Bekman	Findlay	Leo	Rockhill
Berg	Foster	Long	Schluter
Byers	Hart	Lynes	Shaw
Clem	Harvey	Martin	Vittetoe
Cromwell	Hawkins	Mercer	Watson
Dewel	Henningsen	Miller	White
Doud	Hill	Mowry	Zastrow
Dykhouse	Jacobson		

Nays, none.

Absent or not voting, 11:

Benson	Knudson	Pine	Sjulin
Hultman	Love	Ritchie	Vrba
Jones	Lucas	Sharp	

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 Berg, Senate File 25, a bill for an act to provide for a pension and annuity retirement system for employees of municipally owned waterworks in any city having a population of five thousand or more, and to authorize city council or board of waterworks trustees, whichever is authorized to man-

age and operate such waterworks, to formulate and establish such plan and adopt appropriate rules and regulations therefor, was taken up and considered.

Senator Berg offered the following amendment and moved its adoption:

Amend Senate File 25 as follows:

1. By striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. The city council, board of waterworks trustees, or other board or commission, whichever is authorized by law to manage and operate any municipally owned waterworks system, or other municipally owned and operated public utility, in cities having a population of five thousand or more, including special charter cities, cities under commission form of government, and cities under city manager plan, may establish a pension and annuity retirement system for the employees of any such waterworks system, or other municipally owned and operated public utility.

Sec. 2. The fund for such pension and annuity retirement system shall be created from any or all of the following sources:

a. From the proceeds of the assessments on the wages and salaries of employees, of any such waterworks system, or other municipally owned and operated public utility, eligible to receive the benefits thereof.

b. From the interest on any permanent fund which may be created by gift, bequest or otherwise.

c. From moneys derived from the operation of such waterworks, or other municipally owned and operated public utility, available and appropriated therefor by the city council, board of waterworks trustees, or other board or commission, whichever is authorized by law to manage and operate such waterworks or other municipally owned and operated public utility. Such money so expended shall constitute an operating expense of such utility.

Sec. 3. The city council, board of waterworks trustees, or other board or commission, whichever is authorized by law to manage and operate such waterworks, or other municipally owned and operated public utility, shall formulate and establish such pension and annuity retirement system, and shall make and establish such rules and regulations for the operation thereof as may be deemed necessary or appropriate.

Sec. 4. The city council, board of waterworks trustees, or other board or commission, whichever is authorized by law to manage and operate any such waterworks, or other municipally owned and operated public utility, shall have the right and power to contract with any legal reserve insurance company, authorized to conduct its business in the state of Iowa, for the payment by such insurance company of the pensions and annuities provided in any such pension and annuity retirement system, and may pay the premiums accruing under such contract out of the fund provided for in section two (2) hereof."

2. By striking all of title and inserting in lieu thereof the following:

"An Act to provide for a pension and annuity retirement system for employees of a municipally owned waterworks, or other municipally owned and operated public utility, in any city having a population of five thousand or more, and to authorize city council, board of waterworks trustees, or other board or commission, whichever is authorized to manage and operate such waterworks, or other municipally owned and operated public utility, to formulate and establish such plan and adopt appropriate rules and regulations therefor."

Senator Berg asked and received unanimous consent that further action on Senate File 25 be deferred and that it retain its place on the calendar.

HOUSE MESSAGE CONSIDERED

House File 460, a bill for an act to amend chapter two (2), Code, 1939, relating to officers and employees of the General Assembly.

Read first and second times and referred to sifting committee.

AMENDMENTS FILED

Amend Senate File 289 by inserting after the word "the" in line 3 of section 2 the following: "Pocahontas Record Democrat", and by inserting after the word "at" in line 3 "Pocahontas".

Further amend by inserting in line 4 of section 2 after the word "the" the following: "Wright County Monitor", and by inserting in line 5 of section 2 preceding the comma the word "Clarion". A. J. SHAW.

Amend Senate File 290 by inserting after the word "the" in line 3 of section 5 the following: "Pocahontas Record Democrat", and by inserting after the word "at" in line 3 "Pocahontas".

Further amend by inserting in line 4 of section 5 after the word "the" the following: "Wright County Monitor", and by inserting in line 5 of section 5 preceding the comma the word "Clarion". A. J. SHAW.

Amend House File 365 by striking from section eight (8) thereof everything following the quotation marks in line eight (8).

Further amend House File 365 by adding the following to section five (5): "This section shall be construed as granting additional power, without limiting the power already existing in political subdivisions."

AERONAUTICS COMMITTEE,

RALPH E. BENSON, *Chairman*.

Amend House File 415 by adding thereto a new section, as follows:

"Sec. 12. There is hereby appropriated from the General Fund of the state of Iowa, for each year of the biennium ending June 30, 1947, the sum of \$5,000.00, or as much thereof as may be necessary, and same to be added to the appropriation for the board of vocational education and to be used in carrying out the intents and purposes of this Act."

JOHN BERG.

Amend Senate File 279 as follows:

1. Strike from lines 2 and 3 of section 2 the following: "adding after the word 'state' in line one (1) the words 'and county' and by".
2. Strike all of section 3 and renumber remaining sections.
3. Insert in line 3 of section 9 between the word "associations" and the comma (,) immediately following it "or county mutual associations".
4. Change the period (.) at the end of section 11 to a comma (,) and add thereafter "except as herein before limited".

A. J. SHAW, R. W. ZASTROW,
ED S. WHITE and R. A. ROCKHILL.

Amend House Joint Resolution 8 by adding a new section following section 4, as follows:

Sec. 5. In view of the recent decision of the Supreme Court of the United States, in which insurance was held to be a subject of interstate commerce, and in further view of the passing of Senate File 340 by the United States Congress providing that Congress shall not by its silence be construed to impose any barrier to the regulation of taxation of such business until January 1st, 1948, the said committee shall make a special study of the matter of taxation of insurance companies, both domestic and foreign, and formulate any necessary changes in the law, for the aid and guidance of the next general assembly.

2. Renumber remaining sections.

A. J. SHAW.

Amend Senate File 291 in the following particulars:

Amend section 3, lines 6 and 7, by striking the words "conclusive and not subject to review in any manner, directly or indirectly" and inserting in lieu thereof the words "necessary for adoption".

Amend section 4, line 25, by striking the words "day and hour when" and insert in lieu thereof the words "date, hour and".

Amend section 5, line 11, by striking the comma after the word "limit" and the word "increase". Further amend section 5, line 12, by inserting a new sentence after the period following the word "petition" as follows: "The boundaries of any proposed district shall not be changed to incorporate therein any property not included in the original petition and published notice until the owner or owners of said property shall be given notice thereof as on the original hearing".

Amend section 10, line 5, by inserting after the word "form" the words "and amount".

Amend section 12, line 24, by inserting after the word "than" the word "sixty".

Amend section 13, line 2, by striking all after the period following the word "effect" and inserting in lieu thereof the following: "All ordinances, resolutions, orders, rules and regulations adopted by the board shall take effect five (5) days from and after their adoption and publication. The publication thereof shall be by one publication in a newspaper published in the district or by posting copies thereof in five (5) public places within the district".

Further amend Senate File 291 by adding a new section as follows:

Sec. 23. Any person aggrieved by any proceeding had by the board of supervisors or by the board of trustees as herein provided in relation

to any matter involving his rights may appeal to the district court of the county in which the proceedings were had. R. A. ROCKHILL.

On motion of Senator Hill and out of respect for the late Senator Kirketeg, the Senate adjourned until 10:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 27, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend Dale E. Strong, pastor of the Methodist church, Missouri Valley, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Benson, from residents of Sac county, favoring local option.

By Senator Elthon, from residents of Mitchell county, favoring local option.

By Senator Foster, from residents of Washington county, favoring local option.

By Senator Henningsen, from residents of Clinton county, favoring proposed legislation relating to food standards.

By Senator Hill, from residents of Hamilton county, favoring local option.

By Senator Jacobson, from residents of Allamakee county, favoring local option.

By Senator Leo, from residents of Benton county, favoring local option.

By Senator Lucas, from residents of Boone and Story counties, favoring local option.

By Senator Mercer, from residents of Iowa county, favoring local option.

By Senator Miller, from residents of Audubon and Guthrie counties, favoring local option.

By Senator Newsome, from residents of Lucas county, favoring local option.

By Senator Vrba, from residents of Mitchell county, favoring local option.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Pine for the day on account of illness on request of Senator Hill.

INTRODUCTION OF BILLS

Senate File 424, by committee on judiciary 2, a bill for an act to legalize and validate the proceedings authorizing and providing for the acquisition, ownership and operation by the city of Keokuk, Iowa, of the existing toll bridge extending across the Mississippi River from said city, and for the issuance, sale and delivery by said city of bridge revenue bonds in connection therewith, and the provisions made for the payment of said bonds and declaring said proceedings and the bonds issued pursuant thereto legally sufficient and enforceable.

Read first and second times and referred to sifting committee.

Senate File 425, by committee on judiciary 1, a bill for an act to legalize and validate the proceedings authorizing and providing for the acquisition, ownership and operation by the city of Muscatine, Iowa, of the existing toll bridge extending across the Mississippi River from said city, and for the issuance, sale and delivery by said city of bridge revenue bonds in connection therewith, and the provisions made for the payment of said bonds and declaring said proceedings and the bonds issued pursuant thereto legally sufficient and enforceable.

Read first and second times and referred to sifting committee.

Senate File 426, by committee on appropriations, a bill for an act to repeal House File eighty-eight (88), Acts of the 51st General Assembly, and to amend chapter twenty-six (26), Acts of the 49th General Assembly, relating to expenses of the General Assembly and to make an appropriation therefor.

Read first and second times and referred to sifting committee.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendments to and passed House File

138, a bill for an act relating to salaries of judges of the municipal court 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 395, a bill for an act relating to gross premium taxes to be paid by insurance companies.

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

Senate File 415, a bill for an act amending Senate File 15 relating to salaries of mayor and councilmen of commissioned cities.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File 395, a bill for an act relating to gross premium taxes to be paid by insurance companies and associations.

Read first and second times and referred to sifting committee.

HOUSE AMENDMENTS CONSIDERED

Senator Mowry called up Senate File 94, a bill for an act to repeal chapter 267, Laws of the Fiftieth General Assembly, 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, amended by the House, and moved that the Senate concur in the following House amendments:

HOUSE AMENDMENTS TO SENATE FILE 94

Amend section 3, line 4, by striking the comma (,) following the word "years" and inserting in lieu thereof a period (.).

Further amend by striking the remainder of the section and inserting in lieu thereof the following: "Any present existing causes of action must be commenced in any court of competent jurisdiction within six (6) months after the effective date of this act".

Further amend by striking section four (4).

The motion prevailed and the Senate concurred in the House amendments.

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	Faul	Keir	Newsome
Barkley	Findlay	Klein	Reilly
Bekman	Foster	Knudson	Ritchie
Benson	Hart	Leo	Rockhill
Berg	Harvey	Long	Schluter
Clem	Hawkins	Lucas	Shaw
Cromwell	Henningsen	Lynes	Vittetoe
Dewel	Hill	Martin	Vrba
Doud	Hultman	Mercer	White
Dykhouse	Jacobson	Miller	Zastrow
Elthon	Jones	Mowry	

Nays, none.

Absent or not voting, 6:

Byers	Pine	Sjulin	Watson
Love	Sharp		

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 Long called up Senate File 405, a bill for an act to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1945, and ending June 30, 1947, 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 concur in the following House amendments:

HOUSE AMENDMENTS TO SENATE FILE 405

1. Amend section thirteen (13), immediately following line twelve (12), by striking the following words and figures: "For lake and stream improvement for each year of the biennium 100,000.00".

Further amend section thirteen (13) by striking from line seventeen (17) the figures "\$350,000.00" and inserting in lieu thereof the following: "\$250,000.00."

2. Amend section twenty-eight (28), line seven (7), by striking the figures "\$6,000.00" and inserting in lieu thereof the figures "\$5,000.00".

Further amend section twenty-eight (28) by striking from line nine (9) the figures "\$40,500.00" and inserting in lieu thereof the figures "\$41,500.00".

3. Amend section 37, line five (5), by striking the words and figures "fourteen thousand dollars (\$14,000.00)" and inserting in lieu thereof the following: "fifteen thousand seven hundred ninety-three dollars and sixty cents (\$15,793.60)".

Further amend said section, line nine (9), by striking the figures "4,500.00" and inserting in lieu thereof the figures "4,000.00".

Further amend said section, line sixteen (16), by striking the figures "16,293.60" and inserting in lieu thereof the figures "15,793.60".

4. Amend section 29, lines four (4) and five (5), by striking therefrom the words and figures "seventy-six thousand seven hundred seventy dollars (\$76,770.00)" and inserting in lieu thereof the words and figures "seventy-five thousand seven hundred seventy dollars (\$75,770.00)".

Further amend said section, line twenty-three (23), by striking therefrom the figures "42,925.00" and inserting in lieu thereof the figures "41,925.00".

Further amend said section, line twenty-six (26), by striking the figures "76,770.00" and inserting in lieu thereof the figures "75,770.00".

5. Amend section 36, lines four (4) and five (5), by striking therefrom the words and figures "one million one hundred thirteen thousand two hundred thirty-seven dollars (\$1,113,237.00)" and inserting in lieu thereof the words and figures "one million one hundred two thousand nine hundred eighty-seven dollars (\$1,102,987.00)".

Further amend said section by striking the following figures appearing at the end thereof, "\$51,113,237.00", and inserting in lieu thereof the figures "\$1,102,987.00".

Roll call was demanded.

Senator Mercer moved the previous question on the motion, which motion prevailed.

On the question "Shall the Senate concur in the House amendments?" the vote was:

Ayes, 5:

Knudson	Long	Lynes	Watson
Leo			

Nays, 42:

Augustine	Elthon	Jones	Reilly
Barkley	Faul	Keir	Ritchie
Bekman	Findlay	Klein	Rockhill
Benson	Foster	Love	Schluter
Berg	Hart	Lucas	Sharp
Byers	Harvey	Martin	Shaw
Clem	Hawkins	Mercer	Vittetoe
Cromwell	Henningsen	Miller	Vrba
Dewel	Hill	Mowry	White
Doud	Hultman	Newsome	Zastrow
Dykhous	Jacobson		

Absent or not voting, 2:

Pine	Sjulin
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The Senate refused to concur in the House amendments.

Senator Faul asked and received unanimous consent that House File 395 be substituted for Senate File 279, now on the calendar under special order.

Senator Faul asked and received unanimous consent that House File 395 be made a special order of business immediately upon reconvening.

Senator Benson asked and received unanimous consent that due to the illness of Senator Pine, the special order for the consideration of House File 358 and Senate Files 350 and 351 be deferred until Wednesday, March 28, at 10:15 a. m.

UNFINISHED BUSINESS

Senator Faul called up Senate File 25, a bill for an act to provide for a pension and annuity retirement system for employees of municipally owned waterworks in any city having a population of five thousand or more, and to authorize city council or board of waterworks trustees, whichever is authorized to manage and operate such waterworks, to formulate and establish such plan and adopt appropriate rules and regulations therefor.

Senator Berg offered the following amendment and moved its adoption:

Amend Senate File 25 as follows:

1. By striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. The city council, board of waterworks trustees, or other board or commission, whichever is authorized by law to manage and operate any municipally owned waterworks system, or other municipally owned and operated public utility, in cities having a population of five thousand or more, including special charter cities, cities under commission form of government, and cities under city manager plan, may establish a pension and annuity retirement system for the employees of any such waterworks system, or other municipally owned and operated public utility.

Sec. 2. The fund for such pension and annuity retirement system shall be created from any or all of the following sources:

a. From the proceeds of the assessments on the wages and salaries of employees, of any such waterworks system, or other municipally owned and operated public utility, eligible to receive the benefits thereof.

b. From the interest on any permanent fund which may be created by gift, bequest or otherwise.

c. From moneys derived from the operation of such waterworks, or other municipally owned and operated public utility, available and appropriated therefor by the city council, board of waterworks trustees, or other board or commission, whichever is authorized by law to manage and operate such waterworks or other municipally owned and operated public utility. Such money so expended shall constitute an operating expense of such utility.

Sec. 3. The city council, board of waterworks trustees, or other board

or commission, whichever is authorized by law to manage and operate such waterworks, or other municipally owned and operated public utility, shall formulate and establish such pension and annuity retirement system, and shall make and establish such rules and regulations for the operation thereof as may be deemed necessary or appropriate.

Sec. 4. The city council, board of waterworks trustees, or other board or commission, whichever is authorized by law to manage and operate any such waterworks, or other municipally owned and operated public utility, shall have the right and power to contract with any legal reserve insurance company, authorized to conduct its business in the state of Iowa, for the payment by such insurance company of the pensions and annuities provided in any such pension and annuity retirement system, and may pay the premiums accruing under such contract out of the fund provided for in section two (2) hereof."

2. By striking all of title and inserting in lieu thereof the following:

"An Act to provide for a pension and annuity retirement system for employees of a municipally owned waterworks, or other municipally owned and operated public utility, in any city having a population of five thousand or more, and to authorize city council, board of waterworks trustees, or other board or commission, whichever is authorized to manage and operate such waterworks, or other municipally owned and operated public utility, to formulate and establish such plan and adopt appropriate rules and regulations therefor."

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, 40:

Augustine	Elthon	Jones	Reilly
Barkley	Faul	Keir	Rockhill
Bekman	Findlay	Leo	Schluter
Benson	Foster	Long	Sharp
Berg	Hart	Love	Shaw
Byers	Harvey	Lucas	Vittetoe
Clem	Hawkins	Mercer	Vrba
Cromwell	Henningsen	Miller	Watson
Dewel	Hill	Mowry	White
Dykhouse	Hultman	Newsome	Zastrow

Nays, none.

Absent or not voting, 9:

Doud	Knudson	Martin	Ritchie
Jacobson	Lynes	Pine	Sjulin
Klein			

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 Berg asked and received unanimous consent that Senate File 25 be immediately messaged to the House, which request was complied with.

THIRD READING OF BILLS

On motion of Senator Hultman, Senate File 402, a bill for an act to amend section nine thousand three hundred fifty-four and one tenth (9354.1), Code, 1939, relating to salary of supervisor of building and loan associations, was taken up and considered.

Senator Hultman offered the following amendment and moved its adoption:

Amend Senate File 402 by inserting after the word "the" in line 3 of section 2 the words "Stanton Zephyr", and by inserting in line 4 preceding the first comma the word "Stanton".

Further amend by inserting after the word "the" in line 4 of section 2 the words "Malvern Leader".

Further amend line 5 of section 2 by inserting after the word "at" the word "Malvern".

The amendment was adopted.

Senator Hultman moved that the bill be read a third 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	Klein	Newsome
Barkley	Foster	Knudson	Reilly
Bekman	Hart	Leo	Ritchie
Benson	Harvey	Long	Rockhill
Berg	Hawkins	Love	Schluter
Byers	Henningsen	Lucas	Sharp
Clem	Hill	Lynes	Shaw
Cromwell	Hultman	Martin	Vittetoe
Dewel	Jacobson	Mercer	Vrba
Doud	Jones	Miller	Watson
Dykhouse	Keir	Mowry	White
Elthon			

Nays, none.

Absent or not voting, 4:

Faul	Pine	Sjulin	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 Hultman moved that the vote by which the 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 291, a bill for an act to create sanitary districts and to provide for sewage disposal and providing for the government, operation and financing of such districts, was taken up and considered.

Senator Rockhill offered the following amendment and moved its adoption:

Amend section 3, lines 6 and 7, by striking the words "conclusive and not subject to review in any manner, directly or indirectly" and inserting in lieu thereof the words "necessary for adoption".

Amend section 4, line 25, by striking the words "day and hour when" and insert in lieu thereof the words "date, hour and".

Amend section 5, line 11, by striking the comma after the word "limit" and the word "increase". Further amend section 5, line 12, by inserting a new sentence after the period following the word "petition" as follows: "The boundaries of any proposed district shall not be changed to incorporate therein any property not included in the original petition and published notice until the owner or owners of said property shall be given notice thereof as on the original hearing".

Amend section 10, line 5, by inserting after the word "form" the words "and amount".

Amend section 12, line 24, by inserting after the word "than" the word "sixty".

Amend section 13, line 2, by striking all after the period following the word "effect" and inserting in lieu thereof the following: "All ordinances, resolutions, orders, rules and regulations adopted by the board shall take effect five (5) days from and after their adoption and publication. The publication thereof shall be by one publication in a newspaper published in the district or by posting copies thereof in five (5) public places within the district".

Further amend Senate File 291 by adding a new section as follows:

Sec. 23. Any person aggrieved by any proceeding had by the board of supervisors or by the board of trustees as herein provided in relation to any matter involving his rights may appeal to the district court of the county in which the proceedings were had.

President pro tempore Hart took the chair at 11:15 a. m.

Senator Rockhill asked and received unanimous consent that further action on Senate File 291 be deferred and that it retain its place on the calendar.

On motion of Senator Dykhous, House File 219, a bill for an act to amend section six thousand nine hundred forty-three and forty-seven thousandths (6943.047), six thousand nine hundred

forty-three and fifty-two thousandths (6943.052) and six thousand nine hundred forty-three and sixty-four thousandths (6943.064), Code, 1939, providing for taxation of limited partnerships under the state income tax law, 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, 45:

Augustine	Findlay	Klein	Reilly
Bekman	Foster	Knudson	Ritchie
Benson	Hart	Leo	Rockhill
Berg	Harvey	Long	Schluter
Byers	Hawkins	Lucas	Sharp
Clem	Henningsen	Lynes	Shaw
Cromwell	Hill	Martin	Vittetoe
Dewel	Hultman	Mercer	Vrba
Doud	Jacobson	Miller	Watson
Dykhouse	Jones	Mowry	White
Elthon	Keir	Newsome	Zastrow
Faul			

Nays, none.

Absent or not voting, 4:

Barkley	Love	Pine	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 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 Dewel, Senate File 323, a bill for an act to amend section five thousand four hundred twelve (5412), Code, 1939, relating to the costs of official publications, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Jones offered the following amendment and moved its adoption:

Amend Senate File 323 by striking from line 5 the word "fifty" and inserting in lieu thereof the word "forty".

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 5:

Findlay	Jones	Klein	Schluter
Foster			

Nays, 38:

Barkley	Harvey	Love	Ritchie
Benson	Hawkins	Lucas	Rockhill
Berg	Henningsen	Lynes	Sharp
Byers	Hill	Martin	Shaw
Clem	Hultman	Mercer	Vittetoe
Dewel	Jacobson	Miller	Vrba
Doud	Keir	Mowry	Watson
Dykhouse	Knudson	Newsome	White
Elthon	Leo	Reilly	Zastrow
Hart	Long		

Absent or not voting, 6:

Augustine	Cromwell	Pine	Sjulin
Bekman	Faul		

The amendment was lost.

Senator Dewel moved that the bill be read a third 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	Klein	Reilly
Barkley	Findlay	Knudson	Ritchie
Bekman	Foster	Leo	Rockhill
Benson	Hart	Long	Schluter
Berg	Harvey	Love	Sharp
Byers	Hawkins	Lucas	Shaw
Clem	Henningsen	Lynes	Vittetoe
Cromwell	Hill	Martin	Vrba
Dewel	Hultman	Mercer	Watson
Doud	Jacobson	Miller	White
Dykhouse	Jones	Mowry	Zastrow
Elthon	Keir	Newsome	

Nays, none.**Absent or not voting, 2:**

Pine	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 Dewel moved that the 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 CONCURRENT RESOLUTION 16

Be It Resolved by the Senate, the House Concurring: That the 51st General Assembly adjourn sine die at 5:00 o'clock p. m. on Tuesday, April 10, 1945.

G. R. HILL.
STANLEY L. HART.
IRVING D. LONG.
ARTHUR JACOBSON.
FRED CROMWELL.
J. A. NEWSOME.
R. A. ROCKHILL.
T. H. KLEIN.
ROBERT KEIR.
J. T. DYKHOUSE.
O. H. HENNINGSSEN.
J. G. LUCAS.
FRED J. RITCHIE.
DUANE E. DEWEL.
R. W. ZASTROW.
ROBERT W. HARVEY.
ED S. WHITE.
A. E. AUGUSTINE.
H. M. KNUDSON.
EDWIN C. SCHLUTER.
A. D. CLEM.
AI MILLER.
DE VERE WATSON.
FRANK C. BYERS.
CARL O. SJULIN.

HARLAN C. FOSTER.
ROBERT C. REILLY.
FLOYD JONES.
FRANK D. MARTIN.
C. V. FINDLAY.
ED VRBA.
J. BERG.
R. E. BENSON.
ROSS R. MOWRY.
H. S. LOVE.
LEO ELTHON.
LUKE VITTETOE.
A. J. SHAW.
LEROY MERCER.
GEORGE FAUL.
RICHARD V. LEO.
R. B. HAWKINS.
ALDEN L. DOUD.
J. KENDALL LYNES.
F. E. SHARP.
O. N. HULTMAN.
J. R. BARKLEY.
ELMER K. BEKMAN.
FLOYD J. PINE.

PRESENTATION OF VISITORS

Senator Lucas asked and received unanimous consent to present to the Senate the members of the senior class of the Pilot Mound high school who were present in the balcony with their superintendent.

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

AFTERNOON SESSION

The Senate reconvened, President Evans presiding.

THIRD READING OF BILLS

The time having arrived for consideration of the special order, on motion of Senator Dykhous, House File 395, a bill for an act

relating to gross premium taxes to be paid by insurance companies and associations, was taken up and considered.

Senator Shaw offered the following amendment by Senators Shaw, White, Rockhill, Zastrow and Watson and moved its adoption:

1. Strike from lines 2 and 3 of section 2 the following: "Adding after the word 'state' in line 1 the words 'and County' and by".
2. Strike all of section 3 and renumber all of remaining sections.
3. Insert in line 3 of section 10 between the word "associations" and the comma (,) following the said word "associations" the words "or county mutual associations".
4. Change the period (.) at the end of section 12 to a comma (,) and add thereafter "except as hereinbefore limited."

Senator Dewel 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, 33:

Augustine	Hultman	Martin	Schluter
Barkley	Jacobson	Mercer	Sharp
Benson	Jones	Miller	Shaw
Elthon	Keir	Mowry	Vittetoe
Findlay	Klein	Newsome	Vrba
Foster	Leo	Reilly	Watson
Harvey	Long	Ritchie	White
Hawkins	Lynes	Rockhill	Zastrow
Henningsen			

Nays, 11:

Bekman	Clem	Dykhouse	Hill
Berg	Cromwell	Faul	Knudson
Byers	Dewel	Hart	

Absent or not voting, 5:

Doud	Lucas	Pine	Sjulin
Love			

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, 47:

Augustine	Benson	Clem	Doud
Barkley	Berg	Cromwell	Dykhouse
Bekman	Byers	Dewel	Elthon

Faul	Jacobson	Lynes	Schluter
Findlay	Jones	Martin	Sharp
Foster	Keir	Mercer	Shaw
Hart	Klein	Miller	Vittetoe
Harvey	Knudson	Mowry	Vrba
Hawkins	Leo	Newsome	Watson
Henningsen	Long	Reilly	White
Hill	Love	Ritchie	Zastrow
Hultman	Lucas	Rockhill	

Nays, none.

Absent or not voting, 2:

Pine Sjulín

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.

BILL WITHDRAWN FROM FURTHER CONSIDERATION

Senator Dykhouse asked and received unanimous consent to withdraw from further consideration of the Senate, Senate File 279, a companion bill to House File 395.

COMMUNICATION FROM STATE APPEAL BOARD

The following communication was received from the office of the state appeal board:

To WM. SCARBOROUGH
Secretary of Senate

In accordance with the provisions of section 3 of chapter 61, Acts of the 49th General Assembly, I hand you herewith claims acted upon by the State Appeal Board. Each claim bears the recommendation of the board.

List of claims as follows:

Claim No.	Claimant	Amt. Claimed	Amt. Recommended
87	Fred Collenbaugh	\$54.25	\$ Rejected
88	Wallace Homestead Company.....	55.75	55.75
H-69-45	C. M. St. P. & P. R. R. Co.....	51.50	51.50

C. FRED PORTER, *Chairman,*
State Appeal Board.

Received of C. Fred Porter, chairman, State Appeal Board, the above claims numbered 87 and 88; also highway claim No. H-69-45, March 27, 1945.

W. J. SCARBOROUGH, *Secretary of Senate.*

Senator Sharp offered the following memorial resolution:

SENATE MEMORIAL RESOLUTION

Be It Resolved by the Senate: That a committee be appointed by the President of the Senate to prepare a memorial resolution commemorating the services of Byron W. Newberry, a former member of the Senate.

Senator Bekman offered the following memorial resolution:

SENATE MEMORIAL RESOLUTION

Be It Resolved by the Senate: That a committee be appointed by the President of the Senate to prepare a memorial resolution commemorating the services of Chester W. Whitmore, a former member of the Senate.

Senator Clem offered the following memorial resolution:

SENATE MEMORIAL RESOLUTION

Be It Resolved by the Senate: That a committee be appointed by the President of the Senate to prepare a memorial resolution commemorating the services of John H. Jackson, a former member of the Senate.

Senator Klein offered the following memorial resolution:

SENATE MEMORIAL RESOLUTION

Be It Resolved by the Senate: That a committee be appointed by the President of the Senate to prepare a memorial resolution commemorating the services of John T. Clarkson, a former member of the Senate.

Senator Hultman offered the following memorial resolution:

SENATE MEMORIAL RESOLUTION

Be It Resolved by the Senate: That a committee be appointed by the President of the Senate to prepare a memorial resolution commemorating the services of H. A. Darting, a former member of the Senate.

Senator Findlay offered the following memorial resolution:

SENATE MEMORIAL RESOLUTION

Be It Resolved by the Senate: That a committee be appointed by the President of the Senate to prepare a memorial resolution commemorating the services of Olaf M. Oleson, a former member of the Senate.

Senator Schluter offered the following memorial resolution:

SENATE MEMORIAL RESOLUTION

Be It Resolved by the Senate: That a committee be appointed by the President of the Senate to prepare a memorial resolution commemorating the services of Frederick O. Ellison, a former member of the Senate.

Senator Augustine offered the following memorial resolution:

SENATE MEMORIAL RESOLUTION

Be It Resolved by the Senate: That a committee be appointed by the President of the Senate to prepare a memorial resolution commemorating the services of Warren A. Caldwell, a former member of the Senate.

Senator White offered the following memorial resolution:

SENATE MEMORIAL RESOLUTION

Whereas, The Honorable Frank Pelzer, who was a member of this body, representing the eighteenth senatorial district, composed of Cass and Shelby counties, in the Forty-seventh, Forty-eighth, Forty-ninth, Fiftieth, and Fiftieth Extra General Assemblies died at his home in Marne, Monday, August 28, 1944,

Be It Resolved by the Senate: That a committee be appointed to draft suitable resolutions commemorating his life, character, and service to the state.

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 94, 135 and 415, and House Files 87, 106, 107, 109, 187, 211, 292, 306, 328, 362, 374 and 392.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *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 94, 135 and 415 and House Files 87, 106, 107, 109, 187, 211, 292, 306, 328, 362, 374 and 392.

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 27th day of March, 1945, sent to the Governor for his approval, Senate Files 94, 135 and 415.

ROBERT C. REILLY, *Chairman.*

Passed on file.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

Senate File 295

Senate Joint Resolution 6

House File 446

Senate File 385

House File 452

STANLEY L. HART, *Chairman.*

REPORTS OF COMMITTEES

Senator Long submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred House Joint Resolution 8, a bill for an act to create a special committee to make a study of taxation in Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

IRVING D. LONG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 118, a bill for an act providing for reimbursement to school districts of pupil transportation costs, etc., begs leave to report it has had the same under consideration and recommends that the same be amended and do pass.

IRVING D. LONG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 178, a bill for an act to make an appropriation to Muscatine County, Iowa, begs leave to report it has had the same under consideration and returns the bill without recommendation.

IRVING D. LONG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 444, a bill for an act to create a State War Surplus Commodities Board, to define its powers and duties, and to make an appropriation of five hundred thousand dollars as a revolving fund for the use of said board, begs leave to report it has had the same under consideration and recommends the same do pass.

IRVING D. LONG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 462, a bill for an act making an appropriation for

the payment of the cost of legislative printing, begs leave to report it has had the same under consideration and recommends the same do pass.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 332, a bill for an act to create a permanent agricultural land credit fund, begs leave to report it has had the same under consideration and recommends the same be amended; and when so amended the bill do pass.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 388, a bill for an act to provide for the use of state funds to supplement funds of school districts in support of education and to repeal section three thousand nine hundred two (3902), Code, 1939, relating to state aid to schools, begs leave to report it has had the same under consideration and recommends the same be amended and do pass.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 413, a bill for an act to make appropriations to certain named persons in settlement of damages sustained by them 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.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 414, a bill for an act to make appropriations to Hamilton's Funeral Home, W. G. Griffith & Son, Biersborn Funeral Home, O'Brien Co-op Burial Ass'n., Tyler Funeral Home, McLaren Funeral Home, Curl Furniture and Undertaking Co., L. Fowler & Son, Pella Cooperative Burial Ass'n., and R. K. Crane, begs leave to report it has had the same under consideration and returns the bill without recommendation.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 416, a bill for an act to make appropriations to

certain individuals, etc., begs leave to report it has had the same under consideration and returns the bill without recommendation.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED

Amend the amendment to Senate File 291 by inserting in line 3 of section 23 after the word "rights" the words "not included under the provisions of section twenty-two (22) of this act".

Further amend such amendment by adding to section 23 as a new sentence the following: "Such appeals shall be governed in all respects as is provided by pertinent sections under chapter 353, Code, 1939".

R. A. ROCKHILL.

Amend Senate File 291 by inserting in section 12, line 24, after the word "than", the words and figures "forty (40)".

Further amend Senate File 291 by inserting in section 18 after the word "exceeding" in line 5, the words and figures "two (2)".

A. J. SHAW.

Amend section 11, line 10, of House File 358, by striking therefrom the words "Executive Council." and inserting in lieu thereof the words "governor and comptroller."

LEROY S. MERCER.

Amend House File 358 by striking from section 12, line 33, the word "police" and inserting in line 33, after the word "enforcement" the words "and within the scope of such duties" and inserting in line 33 after the word "powers" the words "of peace officers".

R. A. ROCKHILL.

Amend House File 459 by adding thereto a new section as follows:
"Sec. 2. This act shall not affect existing rights of owners of riparian lands or rights thereto in the cities and towns herein designated."

Further amend House File 459 by renumbering the remaining section.

FRED CROMWELL.

Amend Senate File 291 by inserting after the word "when" in line 25 of section 4 the word "and".

Further amend Senate File 291 by striking from lines 3 and 4 of section 12 the following: "which they are elected,".

GEORGE FAUL.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 28, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend Andrew Parks, pastor of the A. M. E. Methodist church, Cedar Rapids, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Clem, from residents of Woodbury county, favoring local option.

By Senator Doud, from residents of Van Buren county, favoring local option.

By Senator Foster, from residents of Henry county, favoring local option.

By Senator Hart, from residents of Adair, Cherokee, Davis, Dickinson, Fayette, Greene, Grundy, Hamilton, Humboldt, Lee, Linn, Lucas, Mahaska, Marshall, Mills, Palo Alto, Pocahontas, Poweshiek, Ringgold, Sac, Sioux, Story, Tama, Taylor, Van Buren, Wapello, Washington, Webster and Winnebago counties, favoring local option.

By Senator Harvey, from residents of Crawford county, favoring proposed school legislation.

By Senator Henningsen, from residents of Clinton county, favoring local option.

By Senator Hultman, from residents of Cass county, favoring local option.

By Senator Jones, from residents of Warren county, favoring local option.

By Senator Knudson, from residents of Franklin county, favoring local option.

By Senator Love, from residents of Dallas county, favoring local option.

By Senator Lucas, from residents of Boone and Story counties, favoring local option.

By Senator Miller, from residents of Guthrie county, favoring local option.

By Senator Rockhill, from residents of Marshall county, favoring local option.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Pine for the day on account of illness on request of Senator Hill.

INTRODUCTION OF BILLS

Senate File 427, by committee on claims, a bill for an act to make appropriations to N. L. Newton, Anamosa, Iowa; Mary Jeanette Benfer, Des Moines, Iowa; Sgt. Charles G. Cole, Ottumwa, Iowa; Tecla Hutton, Madrid, Iowa, and Wallace-Homestead Company, Des Moines, Iowa.

Read first and second times and referred to sifting committee.

Senate File 428, by committee on claims, a bill for an act to make appropriations to certain named persons in settlement of damages sustained by them on account of accidents on primary roads, or on account of collisions with state highway equipment, or on account of acts of commission or omission by the state highway commission or its employees.

Read first and second times and referred to sifting committee.

Senate File 429, by committee on appropriations, a bill for an act to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1945, and ending June 30, 1947, funds for the Iowa State Vegetable Growers Association.

Read first and second times and referred to sifting committee.

Senate File 430, by committee on appropriations, 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 and referred to sifting committee.

Senate File 431, by committee on appropriations, a bill for an act to make appropriations to Woodrow H. Sherin, Des Moines, Iowa;

Laurence K. Smith, Des Moines, Iowa, and K. Edward Johnson, Des Moines, Iowa.

Read first and second times and referred to sifting committee.

Senate File 432, by committee on appropriations, a bill for an act relating to the approval of compensation of employees of the state during the biennial fiscal period beginning July 1, 1945, and ending June 30, 1947.

Read first and second times and referred to sifting committee.

Senate File 433, by committee on appropriations, 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 49th General Assembly, by creating therefrom a general contingent fund, and a contingent fund for the institutions under the board of control, and a fund for the social welfare commission for county administration, all for the ensuing biennium and providing for the administration of said funds.

Read first and second times and referred to sifting committee.

Senate File 434, by committee on judiciary 1, a bill for an act to make permanent a certain temporary transfer of funds of Crawford county, Iowa, made by authority of the state comptroller.

Read first and second times and referred to sifting committee.

Senate File 435, by committee on claims, a bill for an act to make appropriation to Drainage District Assessment No. 40, Cerro Gordo county, Mason City, Iowa.

Read first and second times and referred to sifting committee.

PRESENTATION OF QUEEN

Senator Clem asked and received unanimous consent to have presented to the Senate the charming secretary to Mr. Scarborough, Miss Doris Hollingsworth, who was chosen queen of the Iowa Senate by the pages.

Miss Hollingsworth was escorted to the rostrum by the pages and Lieutenant Governor Evans officially crowned Doris queen of the Senate. Miss Hollingsworth thanked the pages, who presented her with a bouquet of roses.

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 insists on its amendments to Senate File 405, a bill for an act making an appropriation for departments of state, and requests a conference committee, and the Speaker has appointed as such committee on the part of the House: Representatives Walter of Pottawattamie, McFarlane of Black Hawk, Miller of Humboldt, Prentiss of Ringgold.

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

Senate File 406, a bill for an act making appropriations to county fair and agricultural associations. A. C. GUSTAFSON, *Chief Clerk*.

CONFERENCE COMMITTEE APPOINTED

The President appointed Senators Shaw, Knudson, Cromwell, and Dewel on the part of the Senate on Senate File 405.

THIRD READING OF BILLS

The time having arrived for consideration of the special order, on motion of Senator Benson, House File 358, a bill for an act relating to aeronautics: providing for the development and promotion thereof within this state; creating a state aeronautics commission and the office of director of aeronautics; prescribing the powers and duties of such commission and director; providing for the registration of persons engaged in aeronautics, aircraft, and aeronautic facilities; prescribing penalties, and providing for the repeal of chapter 383.1, Code, 1939, and chapter 383.2, Code, 1939; and providing for an appropriation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Doud offered the following amendment and moved its adoption:

Amend House File 358, section 36, lines 4, 5 and 6, by striking therefrom the following sentence: "Any money in said fund not necessary for the maintenance of the state aeronautics commission shall revert to the general fund of the state."

Amend section 38 by adding thereto the following sentence: "All unexpended moneys in said fund, in excess of twenty-five thousand dollars (\$25,000.00) at the end of each fiscal year shall be paid into the general fund of the state."

The amendment was adopted.

In the absence of Senator Pine, Senator Doud offered the following amendment by Senator Pine and moved its adoption:

Amend House File 358 by striking all of section 6 and inserting in lieu thereof the following:

"Sec. 6. Compensation. No member of the commission shall receive any salary for his services, but each shall be reimbursed for necessary expenses incurred by him in the performance of his duties, and each shall be paid, in addition to said expenses, the sum of nine dollars (\$9.00) per diem, or part thereof, spent in attending to his duties as commissioner, provided such per diem compensation shall not exceed four hundred fifty dollars for each fiscal year."

The amendment was adopted.

Senator Mercer offered the following amendment and moved its adoption:

Amend section 11, line 10, by striking therefrom the words "Executive Council." and inserting in lieu thereof the words "governor and comptroller."

The amendment was adopted.

Senator Rockhill offered the following amendment and moved its adoption:

Amend House File 358 by striking from section 12, line 33, the word "police" and inserting in line 33, after the word "enforcement" the words "and within the scope of such duties" and inserting in line 33 after the word "powers" the words "of peace officers".

The amendment was adopted.

Senator Doud moved that the bill be read a third 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	Knudson	Reilly
Barkley	Findlay	Leo	Ritchie
Bekman	Foster	Long	Rockhill
Benson	Hart	Love	Schluter
Berg	Harvey	Lucas	Sharp
Byers	Hawkins	Lynes	Sjulin
Clem	Henningsen	Martin	Vittetoe
Cromwell	Hill	Mercer	Vrba
Dewel	Jacobson	Miller	Watson
Doud	Jones	Mowry	White
Dykhouse	Keir	Newsome	Zastrow
Elthon	Klein		

Nays, none.

Absent or not voting, 3:

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

On motion of Senator Benson, Senate File 350, a bill for an act to amend chapter three hundred three and one tenth (303.1), Code, 1939, and to amend sections five thousand nine hundred three and two hundredths (5903.02), five thousand nine hundred three and three hundredths (5903.03), five thousand nine hundred three and five hundredths (5903.05), five thousand nine hundred three and seven hundredths (5903.07), and five thousand nine hundred three and nine hundredths (5903.09) of chapter three hundred three and one tenth (303.1), Code, 1939; and to amend chapter two hundred ten (210), Acts of the Forty-ninth General Assembly; and to amend section six thousand two hundred thirty-nine (6239), chapter three hundred nineteen (319), Code, 1939; and to amend section six thousand nine hundred forty-four (6944), chapter three hundred twenty (320), Code, 1939, relating to airport and airport approaches; the powers of political subdivisions with respect thereto, including the acquisition and planning thereof, acceptance of federal aid therefor and issuance of revenue bonds for improvements thereupon, the creation of airport commissions, and exemption from taxation, under certain circumstances, of land used for airport purposes, was taken up.

Senator Benson asked and received unanimous consent that House File 365 be substituted for Senate File 350, a companion bill.

On motion of Senator Benson, House File 365, a bill for an act to amend chapter three hundred three and one tenth (303.1), Code, 1939, and to amend sections five thousand nine hundred three and two hundredths (5903.02), five thousand nine hundred three and three hundredths (5903.03), five thousand nine hundred three and seven hundredths (5903.07), and five thousand nine hundred three and nine hundredths (5903.09) of chapter three hundred three and one tenth (303.1), Code, 1939; and to amend chapter two hundred ten (210), Acts of the Forty-ninth General Assembly; and to amend section six thousand nine hundred forty-four (6944), chapter three hundred thirty (330), Code, 1939; relating to airports and airport approaches; the powers of political subdivisions with respect thereto, in-

cluding the acquisition and planning thereof, acceptance of federal aid therefor and issuance of revenue bonds for improvements thereupon, the creation of airport commissions, and exemption from taxation, under certain circumstances, of land used for airport purposes, was taken up and considered.

The following committee amendment was considered:

Amend House File 365 by striking from section eight (8) thereof everything following the quotation marks in line eight (8).

Further amend House File 365 by adding the following to section five (5): "This section shall be construed as granting additional power, without limiting the power already existing in political subdivisions."

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, 47:

Augustine	Faul	Knudson	Ritchie
Barkley	Findlay	Leo	Rockhill
Bekman	Foster	Long	Schluter
Benson	Hart	Love	Sharp
Berg	Harvey	Lucas	Shaw
Byers	Hawkins	Lynes	Sjulin
Clem	Henningsen	Martin	Vittetoe
Cromwell	Hill	Mercer	Yrba
Dewel	Jacobson	Miller	Watson
Doud	Jones	Mowry	White
Dykhouse	Keir	Newsome	Zastrow
Elthon	Klein	Reilly	

Nays, none.

Absent or not voting, 2:

Hultman Pine

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 Benson, Senate File 351, a bill for an act to empower 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 property, in the vicinity of airports, and to acquire, by purchase, grant, condemnation or other-

wise air rights and other interests in land; and to empower the state aeronautics commission to exercise like powers under given circumstances; and to provide penalties and remedies for violations of this act of any ordinance or regulation made under the authority conferred herein; and for other purposes as appear herein, was taken up.

Senator Benson asked and received unanimous consent that House File 366 be substituted for Senate File 351.

On motion of Senator Benson, House File 366, a bill for an act to empower municipalities, including cities acting under special charter, 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 property, in the vicinity of airports, and to acquire, by purchase, grant, condemnation or otherwise air rights and other interest in land; and to empower the state aeronautics commission to exercise like powers under given circumstances; and to provide penalties and remedies for violations of this act or any ordinance or regulation made under the authority conferred herein; and for other purposes as appear herein, 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	Faul	Knudson	Ritchie
Barkley	Findlay	Leo	Rockhill
Bekman	Foster	Long	Schluter
Benson	Hart	Love	Sharp
Berg	Harvey	Lucas	Shaw
Byers	Hawkins	Lynes	Sjulin
Clem	Henningsen	Martin	Vittetoe
Cromwell	Hill	Mercer	Vrba
Dewel	Jacobson	Miller	Watson
Doud	Jones	Mowry	White
Dykhouse	Keir	Newsome	Zastrow
Elthon	Klein	Reilly	

Nays, none.

Absent or not voting, 2:

Hultman 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.

BILLS WITHDRAWN FROM FURTHER CONSIDERATION

Senator Benson asked and received unanimous consent to withdraw from further consideration of the Senate, Senate Files 350 and 351, companion bills to House Files 365 and 366.

UNFINISHED BUSINESS

Senator Shaw called up for further consideration Senate File 291, a bill for an act to create sanitary districts and to provide for sewage disposal and providing for the government, operation and financing of such districts.

Senator Rockhill called up the following amendment:

Amend Senate File 291 in the following particulars:

Amend section 3, lines 6 and 7, by striking the words "conclusive and not subject to review in any manner, directly or indirectly" and inserting in lieu thereof the words "necessary for adoption".

Amend section 4, line 25, by striking the words "day and hour when" and insert in lieu thereof the words "date, hour and".

Amend section 5, line 11, by striking the comma after the word "limit" and the word "increase". Further amend section 5, line 12, by inserting a new sentence after the period following the word "petition" as follows: "The boundaries of any proposed district shall not be changed to incorporate therein any property not included in the original petition and published notice until the owner or owners of said property shall be given notice thereof as on the original hearing".

Amend section 10, line 5, by inserting after the word "form" the words "and amount".

Amend section 12, line 24, by inserting after the word "than" the word "sixty".

Amend section 13, line 2, by striking all after the period following the word "effect" and inserting in lieu thereof the following: "All ordinances, resolutions, orders, rules and regulations adopted by the board shall take effect five (5) days from and after their adoption and publication. The publication thereof shall be by one publication in a newspaper published in the district or by posting copies thereof in five (5) public places within the district".

Further amend Senate File 291 by adding a new section as follows:

Sec. 23. Any person aggrieved by any proceeding had by the board of supervisors or by the board of trustees as herein provided in relation to any matter involving his rights may appeal to the district court of the county in which the proceedings were had.

Senator Rockhill offered the following amendment to the amendment and moved its adoption:

Amend the amendment by inserting in line 3 of section 23 after the word "rights" the words "not included under the provisions of section twenty-two (22) of this act".

Further amend such amendment by adding to section 23 as a new sentence the following: "Such appeals shall be governed in all respects as is provided by pertinent sections under chapter 353, Code, 1939".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Shaw offered the following amendment and moved its adoption:

Amend Senate File 291 by inserting in section 12, line 24, after the word "than", the word and figure "forty (40)".

Further amend Senate File 291 by inserting in section 18 after the word "exceeding" in line 5, the words and figures "two (2)".

Senator Shaw asked and received unanimous consent to withdraw division 1 of the amendment.

The amendment was adopted.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 291 by inserting after the word "when" in line 25 of section 4 the word "and".

Further amend Senate File 291 by striking from lines 3 and 4 of section 12 the following: "which they are elected,".

Senator Faul asked and received unanimous consent to withdraw division 1 of the amendment.

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	Faul	Knudson	Reilly
Barkley	Findlay	Leo	Ritchie
Bekman	Foster	Long	Rockhill
Benson	Hart	Love	Schluter
Berg	Harvey	Lucas	Sharp
Byers	Hawkins	Lynes	Shaw
Clem	Henningsen	Martin	Sjulin
Cromwell	Hill	Mercer	Vittetoe
Dewel	Hultman	Miller	Watson
Doud	Jacobson	Mowry	White
Dykhouse	Keir	Newsome	Zastrow
Elthon	Klein		

Nays, none.

Absent or not voting, 3:

Jones

Pine

Vrba

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.

In the absence of Senator Pine, on motion of Senator Watson, House Joint Resolution 4, a joint resolution to provide that a survey be made of drainage district No. 13 in Muscatine county with the purpose of abandoning said district and converting the area into a wildlife refuge, was taken up and considered.

Senator Mowry offered the following amendment and moved its adoption:

Amend House Joint Resolution 4 as follows:

1. By striking the word "is" in section 1, line 1, and inserting in lieu thereof the words "and the Committee on Retrenchment and Reform are".

2. By inserting after the word "Commission" in section 2, line 1, the words "on recommendation of the Committee on Retrenchment and Reform".

The amendment was adopted.

Senator Doud asked and received unanimous consent to withdraw the amendment to House Joint Resolution 4 filed by Senators Doud and Lynes on February 22 and found on page 507 of the Senate Journal.

Senator Watson 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	Elthon	Keir	Reilly
Barkley	Faul	Klein	Ritchie
Bekman	Findlay	Knudson	Rockhill
Benson	Foster	Leo	Schluter
Berg	Hart	Long	Sharp
Byers	Harvey	Lynes	Shaw
Clem	Hawkins	Martin	Sjulin
Cromwell	Henningsen	Mercer	Vittetoe
Dewel	Hill	Miller	Watson
Doud	Hultman	Mowry	White
Dykhouse	Jones	Newsome	Zastrow

Nays, none.

Absent or not voting, 5:

Jacobson	Lucas	Pine	Vrba
Love			

The resolution 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 resolution passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

In the absence of Senator Pine, on motion of Senator Watson, House File 178, a bill for an act making an appropriation to Muscatine county, Iowa, 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, 44:

Augustine	Elthon	Klein	Reilly
Barkley	Findlay	Knudson	Ritchie
Bekman	Foster	Leo	Rockhill
Benson	Hart	Long	Schluter
Berg	Harvey	Lucas	Sharp
Byers	Hawkins	Lynes	Shaw
Clem	Henningsen	Martin	Sjulin
Cromwell	Hill	Mercer	Vittetoe
Dewel	Hultman	Miller	Watson
Doud	Jacobson	Mowry	White
Dykhouse	Keir	Newsome	Zastrow

Nays, none.

Absent or not voting, 5:

Faul	Love	Pine	Vrba
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 moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Sharp, House File 393, a bill for an act to extend the compensatory provisions of the workmen's compensation act to employers who have employees engaged in agri-

culture or agricultural pursuits and other employment not excluded from the act, and the employees of such employers, was taken up and considered.

Senator Sharp moved that the bill be read a third 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	Klein	Reilly
Barkley	Findlay	Knudson	Ritchie
Bekman	Foster	Leo	Rockhill
Benson	Hart	Long	Schluter
Berg	Harvey	Love	Sharp
Byers	Hawkins	Lucas	Shaw
Clem	Henningsen	Lynes	Sjulin
Cromwell	Hill	Martin	Vittetoe
Dewel	Hultman	Mercer	Watson
Doud	Jacobson	Miller	White
Dykhouse	Jones	Mowry	Zastrow
Elthon	Keir	Newsome	

Nays, none.

Absent or not voting, 2:

Pine Vrba

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

Senator Sharp moved that the 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 Lucas asked and received unanimous consent to present to the Senate 46 members of the senior class of Nevada high school who were present in the balcony with their superintendent.

Senator Faul asked and received unanimous consent to present to the Senate the members of the civics class of Woodrow Wilson junior high school who were present in the balcony with their teacher.

EXECUTIVE SESSION

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

The Senate arose from executive session, and on motion of Senator Hart, recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened at 1:45 p. m., President Evans presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House requests the return of House File 274, a bill for an act providing for unemployment compensation and the repeal of all acts inconsistent with the provisions of this act.

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

House Joint Resolution 7, extending the time for celebrating the Iowa Centennial.

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

House File 125, a bill for an act providing for special education of handicapped children.

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

House File 177, a bill for an act appropriating funds to build bridge over Squaw Creek.

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 authorizing purchase of a farm at the Iowa Training School for Boys.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 396, a bill for an act relating to agricultural lime.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 396

Amend section 3, line 2, by striking after the colon (:) the words "for an amount not exceeding five hundred tons, five (\$5.00) dollars; for an amount exceeding five hundred tons and not exceeding two thousand five hundred tons, ten (\$10.00) dollars; and for all amounts exceeding two thousand five hundred tons, twenty-five (\$25.00) dollars." and inserting in lieu thereof the following: "for anticipated sale of five hundred (500) tons, five (\$5.00) dollars; for a total anticipated sale of one thousand five hundred (1500) tons, fifteen (\$15.00) dollars; for a total anticipated sale of two thousand five hundred (2500) or more tons, twenty-five (\$25.00) dollars."

Further amend section 3, line 9, by striking the words "file a true and accurate report of" and inserting in lieu thereof the following: "secure an adequate license for".

Amend section 5, lines 14 and 18, by striking the words "number sixty" and inserting in lieu thereof the words "number fifty" and in line 19, by striking the word "sixty" and inserting in lieu thereof the word "fifty".

Amend section 6, line 17, by striking the word "shall" and inserting in in lieu thereof the word "may".

THIRD READING OF BILLS

On motion of Senator Lynes, House File 280, a bill for an act to amend section three thousand fifty-eight (3058), Code, 1939, relating to standards for ice cream and other food products, 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	Elthon	Klein	Ritchie
Barkley	Faul	Knudson	Rockhill
Bekman	Findlay	Leo	Schluter
Benson	Foster	Long	Sharp
Berg	Hart	Love	Shaw
Byers	Harvey	Lucas	Sjulin
Clem	Henningsen	Lynes	Vittetoe
Cromwell	Hill	Martin	Vrba
Dewel	Jacobson	Mercer	Watston
Doud	Jones	Mowry	Zastrow
Dykhouse	Keir	Newsome	

Nays, none.

Absent or not voting, 6:

Hawkins	Miller	Reilly	White
Hultman	Pine		

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 Elthon, House File 183, a bill for an act to amend section one thousand seven hundred three and fifty hundredths (1703.50), Code, 1939, to authorize the state conservation commission to provide fire protection for state parks, forest and wildlife lands, 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, 45:

Augustine	Faul	Klein	Reilly
Barkley	Findlay	Knudson	Ritchie
Bekman	Hart	Leo	Rockhill
Benson	Harvey	Long	Schluter
Berg	Hawkins	Love	Sharp
Byers	Henningsen	Lucas	Shaw
Clem	Hill	Lynes	Sjulin
Cromwell	Hultman	Martin	Vittetoe
Dewel	Jacobson	Mercer	Vrba
Doud	Jones	Mowry	Watson
Dykhouse	Keir	Newsome	Zastrow
Elthon			

Nays, none.

Absent or not voting, 4:

Foster	Miller	Pine	White
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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.

On motion of Senator Elthon, House File 54, a bill for an act to amend section four thousand eight hundred twenty-nine and eighteen hundredths (4829.18), Code, 1939, relating to the authority of the board of supervisors to cut all weeds and second or undergrowth brush on county trunk and local county roads between the fence lines of such roads, was taken up and considered.

Senator Love offered the following amendment and moved its adoption:

Amend section 1, line 7, after the word "exceed" strike the word "one-half" and insert in lieu thereof the word "three-fourths".

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, 43:

Augustine	Benson	Cromwell	Dykhouse
Barkley	Berg	Dewel	Elthon
Bekman	Byers	Doud	Faul

Findlay	Jacobson	Lynes	Rockhill
Foster	Jones	Martin	Schluter
Hart	Keir	Mercer	Shaw
Harvey	Klein	Miller	Sjulin
Hawkins	Knudson	Mowry	Vittetoe
Henningsen	Leo	Newsome	Vrba
Hill	Long	Reilly	Watson
Hultman	Love	Ritchie	

Nays, none.

Absent or not voting, 6:

Clem	Pine	White	Zastrow
Lucas	Sharp		

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 Cromwell, House File 459, a bill for an act granting to certain cities, including cities acting under special charter, title to the bed and banks of the Mississippi River, islands and made lands therein abutting upon and lying adjacent to said cities and within stated boundaries, was taken up and considered.

Senator Cromwell offered the following amendment and moved its adoption:

Amend House File 459 by adding thereto a new section as follows:

"Sec. 2. This act shall not affect existing rights of owners of riparian lands or rights thereto in the cities and towns herein designated."

Further amend House File 459 by renumbering the remaining sections.

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, 40:

Augustine	Faul	Knudson	Newsome
Barkley	Findlay	Leo	Reilly
Bekman	Hart	Long	Ritchie
Berg	Harvey	Love	Rockhill
Byers	Hawkins	Lucas	Schluter
Clem	Henningsen	Lynes	Shaw
Cromwell	Hill	Martin	Sjulin
Dewel	Hultman	Mercer	Vittetoe
Doud	Jacobson	Miller	Vrba
Dykhouse	Klein	Mowry	Watson

Nays, none.

Absent or not voting, 9:

Benson	Jones	Pine	White
Elthon	Keir	Sharp	Zastrow
Foster			

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 Leo, House File 446, a bill for an act to legalize the action of the town council of the town of Atkins, Benton county, Iowa, in respect to expenditure of funds for the purchase and construction of a filter and addition to pumphouse connected with its waterworks system and warrants issued in payment thereof, was taken up and considered.

Senator Leo asked and received unanimous consent that further action on House File 446 be deferred and that it retain its place on the calendar.

On motion of Senator Schluter, House File 452, a bill for an act to amend section three thousand seven hundred forty-one (3741), Code, 1939, as amended by chapter one hundred thirty-one (131) of the Laws of the Fiftieth General Assembly, to amend section two (2) of chapter one hundred thirty-one (131) of the Laws of the Fiftieth General Assembly, relating to salaries at the state penitentiary and men's reformatory, was taken up and considered.

Senator Hart offered the following amendment and moved its adoption:

Amend House File 452 by adding the following:

"Sec. 3. Section three thousand seven hundred forty-one (3741), Code, 1939, is further amended by striking from line 4 the words 'two hundred fifty' and inserting in lieu thereof the words 'three hundred'".

The amendment was adopted.

Senator Hart offered the following amendment and moved its adoption:

Amend House File 452 by adding a new section as follows:

"Sec. 4. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Fort Madison Democrat, a newspaper published at Fort Madison, Iowa, and in the Anamosa Eureka, a newspaper published at Anamosa, 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.

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

Ayes, 43:

Barkley	Faul	Knudson	Reilly
Bekman	Findlay	Leo	Ritchie
Benson	Hart	Long	Rockhill
Berg	Harvey	Love	Schluter
Byers	Henningsen	Lucas	Shaw
Clem	Hill	Lynes	Sjulin
Cromwell	Hultman	Martin	Vittetoe
Dewel	Jacobson	Mercer	Vrba
Doud	Jones	Miller	Watson
Dykhous	Keir	Mowry	Zastrow
Eithon	Klein	Newsome	

Nays, none.

Absent or not voting, 6:

Augustine	Hawkins	Sharp	White
Foster	Pine		

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.

Senator Berg asked and received unanimous consent that in accordance with the request of the House, House File 274 be returned to the House.

HOUSE MESSAGES CONSIDERED

House Joint Resolution 7, a resolution extending the time for celebrating the Iowa Centennial and making an appropriation therefor.

Read first and second times and referred to sifting committee.

House File 125, a bill for an act to provide for the special education of handicapped children, to create a state administrative authority, to enable school directors and boards of education to establish and maintain classes and schools for handicapped children, to provide for payments from state funds of the excess cost of maintaining and operating such classes and schools over the

cost of maintaining and operating schools for normal children, and to establish controls for the distribution of such funds.

Read first and second times and referred to sifting committee.

House File 177, a bill for an act to appropriate funds from the general fund of the state, to build a bridge over Squaw Creek on the Thirteenth Street Road between the city of Ames and Iowa State College, on land owned by the state of Iowa.

Read first and second times and referred to sifting committee.

House File 468, a bill for an act to authorize the purchase of certain farm land adjoining the Iowa Training School for Boys, and to provide for an appropriation therefor.

Read first and second times and referred to sifting committee.

SENATE CONCURRENT RESOLUTION 17

Be It Resolved by the Senate, the House Concurring:

Whereas, The congress of the United States has enacted legislation providing for additional flood control and also for a further development of navigation on the Missouri river, and

Whereas, Plans are being made for an even greater development of the Missouri river including a great development of irrigation, and

Whereas, Said improvements should be made at the earliest possible time in view of the destruction of life and property and the loss to industry, agriculture and commerce caused by recent floods and the continuous waste of valuable water resources within this basin, and

Whereas, Improvements of the type contemplated have been carried on in the past by the Corps of Engineers, United States Army, and the Bureau of Reclamation, Department of Interior, and

Whereas, The said government agencies have had charge of such developments for many years and have planned and are prepared to execute the said works of improvement with no delay at the conclusion of the war, and

Whereas, It has been suggested that in order to further the progress of this development, a Missouri Valley Authority should be formed with broad powers similar to the Tennessee Valley Authority.

Now, Therefore, Be It Resolved by the General Assembly of the State of Iowa:

1. That we endorse the aforementioned improvement program and recommend and urge upon the congress of the United States of America that the co-ordinated plan for the control and use of the waters of the Missouri River Basin, as now authorized by law, be given immediate adequate appropriation so that the plan can be executed as expeditiously as is consistent with the public economy.

2. That we commend the corps of engineers and the bureau of reclama-

mation for their action in effecting co-ordination of their activities within the Missouri River Basin.

3. That we oppose Senate Bill 555, introduced on February 15, 1945, and is now in the Committee on Commerce, because such bill would,

(a) Create a federal corporation clothed with the power of government, fortified by law with a functional flexibility of a private corporation and freed of all the legal restraints which experience has demonstrated are necessary and desirable.

(b) Place the states within the Missouri Valley Basin, subservient to a super-state controlled by three men, so far as the control and development of the water resources of the Missouri Valley Basin are concerned.

(c) Stifle industrial growth, individual enterprise and agricultural development inasmuch as the proposed federal corporation would be in control of a basic economic resource.

(d) Establish a precedent for the establishment of a similar Authority in the Missouri Valley Basin, which would be detrimental to the best interests of the State of Iowa and the nation at large.

4. That a copy of this resolution, suitably engrossed, be transmitted by the Chief Clerk of the House of Representatives and the Secretary of the Senate to the Vice President of the United States, to the Speaker of the House of Representatives of the United States, to each member from Iowa in the Senate of the United States and in the House of Representatives of the United States, and to the Legislature of each state bordering or through which the Missouri river flows.

G. R. HILL.
DE VERE WATSON.
A. D. CLEM.
E. K. BEKMAN.

RALPH E. BENSON.
J. A. NEWSOME.
A. H. JACOBSON.

Senators Knudson and Watson offered the following resolution :

RESOLUTION 3

Whereas, The people of Iowa join with millions of others in the prayer and hope that an early cessation may come in the present world tragedy, and

Whereas, It would appear that a God-fearing people can best express its gratitude to their Creator by assembling in places of worship in the various communities of the state for prayer and thanksgiving rather than by undue excesses, and

Whereas, It would seem fitting to have the Governor of our great state issue a proper proclamation to that effect, therefore,

Be It Resolved: That the Governor of Iowa be requested to issue a proclamation, directed to the people of Iowa, urging them, at the proper time, to express their appreciation of Victory in a manner in keeping with the spirit of the preamble of this resolution.

Senator Hart offered the following memorial resolution :

SENATE MEMORIAL RESOLUTION

Whereas, The Honorable Joseph R. Frailey, of Lee county, who was a member of this body during the Thirty-sixth, Thirty-seventh, Thirty-eighth, Thirty-ninth, Forty-second, Forty-third, Forty-fourth, and Forty-fifth regular sessions and the Forty-second and Forty-fifth Extraordinary sessions of the General Assembly, died at his home in Fort Madison on October 5, 1944, therefore

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

Senator White offered the following memorial resolution:

SENATE MEMORIAL RESOLUTION

Whereas, The Honorable Charles Edward Malone, who was a member of this body representing the eighteenth senatorial district composed of Cass and Shelby counties in the Forty-sixth General Assembly, died March 22, 1945; therefore,

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

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 27th he had approved the following bills:

Senate File 229, relating to secondary roads.

Senate File 415, relating to salaries of city officials.

The following communications were received:

STATE OF IOWA
OFFICE OF THE GOVERNOR

Des Moines

March 26, 1945

HONORABLE K. A. EVANS

Lieutenant Governor

Senate Chamber

Building

Dear Lieutenant Governor:

In connection with Senate File 229, which I have signed, I desire to make some observations.

I suggested that no new or additional taxes be levied at this session. At the same time, I suggested the wisdom of considering the question of devoting a larger portion of Motor Vehicle and Gasoline taxes to the building of Farm to Market roads, and the maintenance of roads in cities and towns, upon the payment of the primary road debt in 1950. I believed 1947 or 1949, as we approached the payment of the primary

road debt, would present an opportunity for a consideration of the whole road program, and that in the meantime the war would prevent extended road construction beyond the amount of our present road funds. Subsequent conditions showed an interest on the part of the majority of the people in this legislation.

I congratulate you upon devoting this fund to secondary roads and roads in cities and towns. A large portion of all motor traffic is upon the streets of cities and towns. Formerly these roads, built by taxes on abutting property, were devoted to local traffic. Today great trucks, licensed by the state and carrying the commerce of a nation, are using and destroying this pavement.

While great strides were made in building our primary roads, improvements in secondary roads lagged behind. In 1939 the legislature passed the Farm to Market road act, but before it could more than get started, war ended road building.

While everyone hopes for full employment after the war, experience teaches us that wars are usually followed by economic depression. Your action in providing funds for road building and for building needed improvements at our state institutions should be approved by the citizens of Iowa, as a constructive, postwar, public works building program. It will help provide the returning veteran with a job in place of a dole.

You are to be congratulated upon your forward looking approach to the problems and conditions which are almost certain to confront post-war Iowa.

Respectfully yours,

ROBERT D. BLUE, *Governor.*

EXECUTIVE COUNCIL OF IOWA
OFFICE OF THE SECRETARY

March 26, 1945.

MR. W. J. SCARBOROUGH
Secretary of Senate
Building
Dear Mr. Scarborough:

The Executive Council, at a meeting held this date, suggests that after the adjournment of the Legislature all employees of the House and Senate be encouraged to work thirty to sixty days at the Ordnance Plant before permanent jobs are taken.

Please inform all employees to this effect.

Respectfully

HENRY WEICHMAN, *Secretary.*

AMENDMENTS FILED

Amend Senate File 332 by striking from line 7 of section 1 thereof the figures "\$700,000.00" and inserting in lieu thereof the figures "\$500,000.00".
IRVING D. LONG.

Amend Senate File 388 by adding thereto a new section as follows:

"Sec. 8. There is hereby appropriated from the general fund of the

state of Iowa for each year of the biennium beginning July 1, 1945, and ending June 30, 1947, for the purposes set forth in this act, the sum of one million five hundred thousand dollars (\$1,500,000.00) or so much thereof as may be necessary.

IRVING D. LONG.

Amend Senate File 410 by striking line 5 of section 1 and inserting in lieu thereof the following: "6. The gross receipts from the sales of tangible personal property the use of".

STANLEY L. HART.

Amend Senate File 411 by striking therefrom section 2 and substituting in lieu thereof the following:

"Sec. 2. Further amend section six thousand nine hundred forty-three and one hundred two thousandths (6943.102), Code, 1939, by inserting between the word 'manufacturing' and the word 'or' in line 23 the following: ', mining,'."

Amend the title by changing the word "sections" to "section" in line 1, and by striking from lines 3 and 4 the words and figures "and six thousand nine hundred forty-three and one hundred four thousandths (6943.104)".

STANLEY L. HART.

Amend House File 118 by striking from section 16, line 4, thereof the words and figures "two million dollars (\$2,000,000.00)" and inserting in lieu thereof the words and figures "one million five hundred thousand dollars (\$1,500,000.00)".

Further amend House File 118 by striking from lines 11 and 12 of section 16 the words and figures "two million dollars (\$2,000,000.00)" and inserting in lieu thereof the words and figures "one million five hundred thousand dollars (\$1,500,000.00)".

IRVING D. LONG.

Amend House File 222 by adding thereto the following:

Amend line seven (7) of paragraph two (2) of section three thousand six hundred twelve (3612), Code, 1939, by striking therefrom the word "fifteen" and inserting in lieu thereof the word "eighteen".

C. V. FINDLAY.

Amend House File 228 by striking the words "two and three-fourths" in lines 5 and 6 of section 1 and inserting in lieu thereof the words "seven and one-half."

J. KENDALL LYNES.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 29, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend Victor A. Bloomquist, pastor of the Methodist church, Corning, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Benson, from residents of Carroll county, favoring local option.

By Senator Cromwell, from residents of Guthrie county, favoring local option.

By Senator Doud, from residents of Van Buren county, favoring local option.

By Senator Hart, from residents of Carroll, Black Hawk, Greene, Lyon, Mahaska, Marion and Page counties, favoring local option.

By Senator Hill, from residents of Wright county, favoring local option.

By Senator Jones, from residents of Warren county, favoring local option.

By Senator Keir, from residents of Clay county, favoring local option.

By Senator Love, from residents of Madison county, favoring local option.

By Senator Lynes, from residents of Butler county, favoring local option.

By Senator Mercer, from residents of Johnson county, favoring local option.

By Senator Miller, from residents of Dallas and Guthrie counties, favoring local option.

By Senator Mowry, from residents of Jasper county, favoring local option.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Pine indefinitely on account of illness on request of Senator Vrba.

INTRODUCTION OF BILLS

Senate File 436, by special committee on public employees retirement plan, a bill for an act to provide for the general welfare of public employees by establishing an old age and survivor insurance system; to provide for the administration of such system; to provide for deductions from pay of public employees and contributions from the state, political subdivisions and other instrumentalities of the state and all political subdivisions thereof including public school districts to raise funds for such retirement system; to repeal conflicting laws and to declare an emergency.

Read first and second times and referred to sifting committee.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendments to and passed House File 358, a bill for an act creating state aeronautics commission and providing registration of persons engaged in aeronautics.

Also: That the House has concurred in Senate amendments to and passed House File 365, a bill for an act relating to airport and airport approaches.

Also: That the House has amended and concurred in Senate amendments to and passed House File 395, a bill for an act relating to gross premium taxes to be paid by insurance companies and associations.

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 relief for honorably discharged members of armed forces.

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

Senate File 53, a bill for an act relating to mechanics' liens.

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 providing for imposition of use tax upon purchases of certain property.

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

Senate File 71, a bill for an act relating to discontinuance of municipal corporations.

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 costs of official publications.

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

Senate File 345, a bill for an act authorizing industrial associations to procure group insurance on lives of employees.

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 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 279, a bill for an act providing for purchase of law libraries by county board of supervisors.

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

House File 293, a bill for an act relating to contributing to own support in soldiers' home.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 395

Amend the Senate amendment to section 10 of House File 395 by inserting immediately after the word "associations" at the end of said amendment the following: "and non-profit hospital and medical service corporations".

HOUSE AMENDMENT TO SENATE FILE 2

Amend Senate File 2 by adding at the end of section 7 thereof the following:

"Further amend said section by striking from line 7 the words 'one dollar' and inserting in lieu thereof the words 'two and one-half dollars'."

HOUSE AMENDMENTS CONSIDERED

Senator Dykhouse called up House File 395, a bill for an act relating to gross premium taxes to be paid by insurance companies and associations, amended by the Senate and further amended by the House, and moved that the Senate concur in the following House amendment to the Senate amendment:

Amend the Senate amendment to section 10 of House File 395 by inserting immediately after the word "associations" at the end of said amendment the following: "and non-profit hospital and medical service corporations".

The motion prevailed and the Senate concurred in the House amendment.

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, 48:

Augustine	Faul	Klein	Reilly
Barkley	Findlay	Knudson	Ritchie
Bekman	Foster	Leo	Rockhill
Benson	Hart	Long	Schluter
Berg	Harvey	Love	Sharp
Byers	Hawkins	Lucas	Shaw
Clem	Henningsen	Lynes	Sjulin
Cromwell	Hill	Martin	Vittetoe
Dewel	Hultman	Mercer	Vrba
Doud	Jacobson	Miller	Watson
Dykhouse	Jones	Mowry	White
Elthon	Keir	Newsome	Zastrow

Nays, none.

Absent or not voting, 1:

Pine

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

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

EXECUTIVE SESSION

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

The Senate in executive session confirmed the following appointments:

Ulrich A. Hauber, of Scott county, as a member of the board of examiners in basic sciences.

Benjamin H. Peterson, of Linn county, as a member of the board of examiners in basic sciences.

James C. Jensen, of Pottawattamie county, to fill the unexpired term of George Larson as a member of the conservation commission.

Walter L. Bierring, M. D., of Polk county, commissioner of health.

Ewald Trost, of Webster county, to fill the unexpired term of J. D. Lowe on the conservation commission.

J. R. Pfefferle, of Polk county, as a member of the employment security commission.

Chris Jenson, of Audubon county, as a member of the soil conservation commission.

George L. Scott, of Fayette county, as a member of the Iowa liquor control commission.

The Senate arose from executive session and resumed regular session.

PRESENTATION OF VISITORS

Senator Leo asked and received unanimous consent to present to the Senate, Lieutenant David Weichman, son of Representative Harry E. Weichman, who was present in the Senate chamber.

Senator Hill called up the following concurrent resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 16

Be It Resolved by the Senate, the House Concurring: That the 51st General Assembly adjourn sine die at 5:00 o'clock p. m. on Tuesday, April 10, 1945.

The motion prevailed and the resolution was adopted.

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

RESOLUTION 3

Whereas, The people of Iowa join with millions of others in the prayer and hope that an early cessation may come in the present world tragedy, and

Whereas, It would appear that a God-fearing people can best express its gratitude to their Creator by assembling in places of worship in the various communities of the state for prayer and thanksgiving rather than by undue excesses, and

Whereas, It would seem fitting to have the Governor of our great state issue a proper proclamation to that effect, therefore,

Be It Resolved: That the Governor of Iowa be requested to issue a proclamation, directed to the people of Iowa, urging them, at the proper time, to express their appreciation of Victory in a manner in keeping with the spirit of the preamble of this resolution.

The motion prevailed and the resolution was adopted.

HOUSE AMENDMENT CONSIDERED

Senator Faul called up Senate File 2, a bill for an act to amend section three thousand eight hundred twenty-eight and fifty-one thousandths (3828.051), to repeal section three thousand eight hundred twenty-eight and fifty-three thousandths (3828.053), to amend section three thousand eight hundred twenty-eight and fifty-five thousandths (3828.055), to amend section three thousand eight hundred twenty-eight and fifty-six thousandths (3828.056), to repeal section three thousand eight hundred twenty-eight and fifty-seven thousandths (3828.057), to amend section three thousand eight hundred twenty-eight and fifty-eight thousandths (3828.058), to amend section three thousand eight hundred twenty-eight and sixty-one thousandths (3828.061), to amend section three thousand eight hundred twenty-eight and sixty-four thousandths (3828.064), and to amend section three thousand eight hundred twenty-eight and sixty-five thousandths (3828.065), Code, 1939, relating to relief for honorably discharged men and women of the United States who have served in the military or naval forces of the United States during any war in which the United States was engaged, amended by the House, and moved that the Senate concur in the following House Amendment:

Amend Senate File 2 by adding at the end of section 7 thereof the following:

"Further amend said section by striking from line 7 the words 'one dollar' and inserting in lieu thereof the words 'two and one-half dollars'."

The motion prevailed and the Senate concurred in the House amendment.

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	Faul	Knudson	Ritchie
Barkley	Findlay	Leo	Rockhill
Bekman	Foster	Long	Schluter
Benson	Hart	Love	Sharp
Berg	Harvey	Lynes	Shaw
Byers	Hawkins	Martin	Sjulin
Clem	Henningsen	Mercer	Vittetoe
Cromwell	Hill	Miller	Vrba
Dewel	Jacobson	Mowry	Watson
Doud	Jones	Newsome	White
Dykhouse	Keir	Reilly	Zastrow
Elthon	Klein		

Nays, none.

Absent or not voting, 3:

Hultman Lucas Pine

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 Elthon called up Senate File 396, a bill for an act to repeal chapter one hundred fifty-four and one tenth (154.1), Code, 1939, and to enact a substitute therefor, relating to agricultural lime, amended by the House, and moved that the Senate concur in the following House amendments:

Amend section 3, line 2, by striking after the colon (:) the words "for an amount not exceeding five hundred tons, five (\$5.00) dollars; for an amount exceeding five hundred tons and not exceeding two thousand five hundred tons, ten (\$10.00) dollars; and for all amounts exceeding two thousand five hundred tons, twenty-five (\$25.00) dollars." and inserting in lieu thereof the following: "for anticipated sale of five hundred (500) tons, five (\$5.00) dollars; for a total anticipated sale of one thousand five hundred (1500) tons, fifteen (\$15.00) dollars; for a total anticipated sale of two thousand five hundred (2500) or more tons, twenty-five (\$25.00) dollars."

Further amend section 3, line 9, by striking the words "file a true and accurate report of" and inserting in lieu thereof the following: "secure an adequate license for".

Amend section 5, lines 14 and 18, by striking the words "number sixty" and inserting in lieu thereof the words "number fifty" and in line 19, by striking the word "sixty" and inserting in lieu thereof the word "fifty".

Amend section 6, line 17, by striking the word "shall" and inserting in lieu thereof the word "may".

The motion prevailed and the Senate concurred in the House amendments.

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, 48:

Augustine	Faul	Klein	Reilly
Barkley	Findlay	Knudson	Ritchie
Bekman	Foster	Leo	Rockhill
Benson	Hart	Long	Schluter
Berg	Harvey	Love	Sharp
Byers	Hawkins	Lucas	Shaw
Clem	Henningsen	Lynes	Sjulin
Cromwell	Hill	Martin	Vittetoe
Dewel	Hultman	Mercer	Vrba
Doud	Jacobson	Miller	Watson
Dykhouse	Jones	Mowry	White
Elthon	Keir	Newsome	Zastrow

Nays, none.

Absent or not voting, 1:

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.

THIRD READING OF BILLS

On motion of Senator Vrba, Senate Joint Resolution 6, a joint resolution proposing the adoption of "Largo" by Antonin Dvorak as the official instrumental music of the state of Iowa, was taken up and considered.

Senator Vrba 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, 48:

Augustine	Doud	Henningsen	Long
Barkley	Dykhouse	Hill	Love
Bekman	Elthon	Hultman	Lucas
Benson	Faul	Jacobson	Lynes
Berg	Findlay	Jones	Martin
Byers	Foster	Keir	Mercer
Clem	Hart	Klein	Miller
Cromwell	Harvey	Knudson	Mowry
Dewel	Hawkins	Leo	Newsome

Reilly
Ritchie
Schluter

Rockhill
Sharp
Shaw

Sjulin
Vittetoe
Vrba

Watson
White
Zastrow

Nays, none.

Absent or not voting, 1:

Pine

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

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

On motion of Senator Schluter, Senate File 385, a bill for an act to amend section six thousand nine hundred fifty-two and one tenth (6952.1), Code, 1939, relating to the keeping of a suspended tax list and the entries made therein, 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, 45:

Augustine
Barkley
Bekman
Benson
Berg
Byers
Clem
Cromwell
Dewel
Doud
Dykhouse
Elthon

Findlay
Foster
Hart
Harvey
Hawkins
Henningsen
Hill
Hultman
Jacobson
Keir
Klein

Leo
Long
Love
Lucas
Lynes
Martin
Mercer
Miller
Mowry
Newsome
Reilly

Ritchie
Rockhill
Schluter
Sharp
Shaw
Sjulin
Vittetoe
Vrba
Watson
White
Zastrow

Nays, none.

Absent or not voting, 4:

Faul

Jones

Knudson

Pine

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.

HOUSE MESSAGES CONSIDERED

House File 69, 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 or municipal courts in cities having a population of one hundred twenty-five thousand or more.

Read first and second times and referred to the sifting committee.

House File 279, a bill for an act to provide for the purchase and maintaining of law libraries by the county board of supervisors for the use of the courts, county officers and attorneys.

Read first and second times and referred to the sifting committee.

House File 293, a bill for an act to amend section three thousand three hundred eighty-four and fourteen hundredths (3384.14), Code, 1939, relating to contributing to own support in the soldiers' home.

Read first and second times and referred to the sifting committee.

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

AFTERNOON SESSION

The Senate reconvened, President pro tempore Hart presiding.

THIRD READING OF BILLS

On motion of Senator Faul, Senate File 295, a bill for an act to amend section six thousand nine hundred eighty-six (6986), Code, 1939, relating to the apportionment of revenue derived from the tax on moneys and credits, was taken up and considered.

Senator Faul offered the following amendment and moved its adoption:

Amend Senate File 295 by striking from line 6 thereof the words "twenty-five" and substituting in lieu thereof the word "twenty", and by striking from line 7 thereof the words "twenty-five" and substituting in lieu thereof the word "thirty".

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	Faul	Klein	Reilly
Barkley	Findlay	Knudson	Rockhill
Bekman	Foster	Long	Schluter
Benson	Hart	Love	Sharp
Berg	Harvey	Lynes	Shaw
Byers	Hawkins	Martin	Sjulin
Cromwell	Henningsen	Mercer	Vittetoe
Dewel	Hill	Miller	Vrba
Doud	Hultman	Mowry	Watson
Dykhous	Jones	Newsome	White
Elthon	Keir		

Nays, 1:

Clem

Absent or not voting, 6:

Jacobson	Lucas	Ritchie	Zastrow
Leo	Pine		

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 House File 395.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *Chairman House Committee.*

Report adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed, in the presence of the Senate, House File 395.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 29th he had approved the following bills:

Senate File 94, relating to claims arising out of federal statutes.

Senate File 135, relating to fees charged by county officers.

Senate File 177, relating to election of directors of insurance companies.

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 426	House File 460
Senate File 430	House File 458
Senate File 431	House File 164
Senate File 432	House File 268
Senate File 433	Senate File 335
House File 161	Senate File 409
House File 295	House File 279
House File 250	Senate File 424
House File 193	Senate File 425
Senate File 434	House File 220

The following referred to appropriation committee under Rule 21:

Senate File 427	Senate File 436
Senate File 428	House File 125
Senate File 435	

STANLEY L. HART, *Chairman*.

BILLS ASSIGNED TO COMMITTEE

President Evans announced the following assignment of bills to committee:

Bill No.	Committee Assignment
S. F. 427	Committee on appropriations.
S. F. 428	Committee on appropriations.
S. F. 435	Committee on appropriations.
S. F. 436	Committee on appropriations.
H. F. 125	Committee on appropriations.

AMENDMENTS FILED

Amend House File 118 as passed by the House by adding at the end of subsection two (2) of section ten (10) thereof the following:

"When the board has established a bus route to transport pupils to a public school, it may permit pupils who attend denominational schools to be transported on the bus operating over such established route,

providing that there is adequate seating capacity for such pupils. The board shall not establish new routes, extend an established route, or enlarge or expand its transportation facilities to furnish transportation for such pupils."

A. H. JACOBSON.

Amend Senate File 428 by striking from section 1 lines 14 and 15.

O. H. HENNINGSEN.

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

JOURNAL OF THE SENATE

SENATE CHAMBER
DES MOINES, IOWA, MARCH 30, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by Brigadier E. D. Hicks, Salvation Army, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zastrow for the day, on request of Senator Ritchie; Senator Schluter for the day, on request of Senator Leo; Senator Faul for the day, on request of Senator Long; Senator Dykhous for the day, on request of Senator Henningsen.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Foster, from residents of Henry county, favoring local option.

By Senator Hart, from residents of Woodbury county, favoring proposed legislation relating to the construction of museums; also from residents of Cass, Boone, Humboldt, Lee, Madison, Scott, Story, Van Buren and Woodbury counties, favoring local option.

By Senator Jacobson, from residents of Fayette county, favoring local option.

By Senator Jones, from residents of Warren county, favoring local option.

By Senator Long, from residents of Buchanan county, favoring local option.

By Senator Lynes, from residents of Bremer county, favoring revision of the school code.

By Senator Miller, from residents of Guthrie county, favoring local option.

By Senator Mowry, from residents of Guthrie county, favoring local option.

Senator Elthon presented the following petition and asked and received unanimous consent that the same be printed in the Senate Journal and referred to the sifting committee:

TO THE MEMBERS OF THE SENATE SIFTING COMMITTEE:

We, the undersigned State Senators of the Fifty-first General Assembly, do hereby respectfully petition the Senate Sifting Committee to place H. F. 63 on the Senate calendar for consideration by the entire membership of the Senate.

This bill, providing for local option on beer sales, passed the House with a vote of 69 FOR and only 39 AGAINST it. It gives to the citizens their right of democracy, and places upon them the responsibility for conditions in their communities.

Therefore, we believe this matter should be settled by a vote of ALL the members of the Senate.

LEO ELTHON.

HARLAN C. FOSTER.

R. B. HAWKINS.

C. V. FINDLAY.

R. W. ZASTROW.

A. E. AUGUSTINE.

A. J. SHAW.

E. K. BEKMAN.

O. J. KIRKETEG.

ED. S. WHITE

J. A. NEWSOME.

FLOYD JONES.

A. D. CLEM.

AI MILLER.

H. S. LOVE.

EDWIN C. SCHLUTER.

CARL SJULIN.

J. R. BARKLEY.

GEORGE FAUL.

RALPH E. BENSON.

I. D. LONG.

J. T. DYKHOUSE.

INTRODUCTION OF BILL

Senate File 437, by committee on schools and educational institutions, a bill for an act to amend section four thousand three hundred forty-five (4345), Code, 1939, relating to pension systems for teachers in certain cities.

Read first and second times and referred to sifting committee.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendments to and passed House Joint Resolution 4, providing for converting drainage district 13 into wildlife refuge.

Also: That the House has concurred in Senate amendments to and passed House File 54, a bill for an act relating to cutting weeds and brush on county trunk and local county roads.

Also: That the House has concurred in Senate amendments to and passed House File 452, 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 459, a bill for an act granting certain cities title to bed and bank of the Mississippi River.

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 defining classes of persons engaged in practice of optometry.

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

House File 311, a bill for an act relating to sewerage systems.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 52, a bill for an act relating to watchmakers and watch-making.

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

Senate File 248, a bill for an act providing for unemployment compensation and regulating collection and payment of benefits.

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

House File 75, a bill for an act relating to profits of state liquor commission.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 397, a bill for an act relating to board of educational examiners.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 52

Amend Senate File 52 by inserting immediately after the word "members" in section 3, line five (5), the following: "only three of whom shall belong to the same political party."

Further amend section 3 by inserting immediately after the word "board" in line thirty-five (35) the following: "but such salary shall not exceed fifteen hundred dollars."

Further amend by striking from lines thirteen (13) and fourteen (14), section 10, the following: "The action of the board on such charges shall be final," and substituting in lieu thereof the following: "If the board should refuse any such application and refuse to renew any such license, the applicant may within thirty (30) days after the order of the board and not afterward appeal therefrom by a writ of certiorari to the district court where upon such appeal the hearing shall be de novo and all legal evidence pertaining to the matter of whether or not such license should

be renewed may be submitted, including new evidence not submitted to the board."

HOUSE AMENDMENT TO SENATE FILE 397

Amend Senate File 397 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Section three thousand eight hundred seventy-two and two hundredths (3872.02), Code 1939, is amended by striking the word "four" in line three (3) and substituting the word "six", and is further amended by adding to said section at the end thereof the following:

"5. Emergency teachers' certificates.

6. Substitute teachers' certificates.

Every person employed as an administrator, supervisor or teacher in the public schools shall hold a certificate valid for the type of position in which he is employed."

Sec. 2. Section three thousand eight hundred seventy-two and three hundredths (3872.03), Code 1939, is hereby amended by striking the word "and" in line three (3) and substituting a comma (,) therefor, and by inserting the words "and limited elementary certificate" after the word "certificate" in line four (4), and by adding to said section the following:

"3. Limited elementary certificate. On and after September 1, 1946, the limited elementary certificate shall be issued to a person who has graduated from an approved four-year high school or has had equivalent academic training and who is the holder of official statements certifying to the completion of standard college work in an institution or institutions approved by the board of educational examiners for this purpose. The amount of such standard work shall be as follows: after September 1, 1946, 10 semester hours; after September 1, 1948, 30 semester hours; after September 1, 1950, and up to August 31, 1952, 45 semester hours. From and after August 31, 1952, no limited elementary certificates shall be issued except in renewal of a certificate previously issued as provided in section 3872.08.

The limited elementary certificates shall be valid for teaching only in the elementary school field."

Sec. 3. Section three thousand eight hundred seventy-two and six hundredths (3872.06), Code 1939, is amended by adding to said section the following:

"The board of educational examiners is hereby authorized to enter into reciprocity agreement with any other state for the certification of teachers on an equitable basis of mutual exchange, when such action is in conformity with law."

Sec. 4. Section three thousand eight hundred seventy-two and seven hundredths (3872.07), Code 1939, is hereby amended by adding to said section at the end thereof the following: "The limited elementary certificate shall be valid for a term of three (3) years."

Sec. 5. Section three thousand eight hundred seventy-two and eight hundredths (3872.08), Code 1939, is hereby amended by adding to said section the following:

"Limited elementary certificate. The limited elementary certificate

shall be subject at expiration to one renewal for a term of three years upon the filing with the board of educational examiners of such evidence as the board may require showing professional spirit, physical and moral fitness for work in the schools and successful teaching experience, except that the board of educational examiners may accept credit earned in an approved college in lieu of teaching experience."

Sec. 6. Section three thousand eight hundred seventy-two and nine hundredths (3872.09), Code 1939, is amended by striking the words "immediately preceded the date of application for renewal for life." in lines ten (10) and eleven (11) and substituting in lieu thereof the words "occurred during the term of the certificate offered for life renewal."

Sec. 7. Section three thousand eight hundred seventy-two and ten hundredths (3872.10), Code 1939, is amended by striking the words "five-year or special" in lines two (2) and three (3).

Sec. 8. Section three thousand eight hundred seventy-two and eleven hundredths (3872.11), Code 1939, is amended by striking the entire section and substituting in lieu thereof the following:

"Applications for the issuance or the renewal of all special and five-year certificates, limited elementary certificates, substitute teachers' certificates, and emergency certificates shall be made to the superintendent of public instruction. All fees for the issuance, renewal, or exchange of such certificates shall be paid to the superintendent of public instruction who shall deposit one-half of each fee received from these sources in a state trust fund to be used to carry on the teacher certification work of the board of educational examiners, including preparation and printing of courses of study to be used in teacher training and the supervision of such training. From and after the close of the fiscal year beginning July 1, 1946, and ending June 30, 1947, the superintendent of public instruction shall remit to the county superintendents of schools on or before the first day of the following January one-half of all such fees received during each fiscal year. Such payments shall be made to each county superintendent on a pro rata basis as determined by the ratio that the number of public school teachers who taught in said county during the fiscal year for which payment is made bears to the total number of public school teachers who taught in the several counties in the entire state in the same period, said numbers to be based upon the total number of teachers employed for said fiscal year as shown by the reports of each county superintendent for said fiscal year.

The county superintendent of schools shall deposit such funds with the county treasurer to the credit of the improvement of instruction fund."

Sec. 9. Chapter one hundred ninety-three (193), Code 1939, is amended by inserting as separate sections following section 3878, Code 1939, each of the following two paragraphs:

"Whenever a sufficient number of certificated teachers cannot be secured to supply the schools of any county, the board of educational examiners may, upon request of the county superintendent, issue emergency teachers' certificates to applicants meeting the requirements prescribed by said board. Such emergency certificates shall be valid for teaching the subject or subjects specified in the field or fields designated on the certificate for a term of one year and shall be subject to renewal of one

year under such conditions as shall be prescribed by the board of educational examiners."

"A substitute teacher's certificate may be issued to persons who have at some previous time held a valid Iowa teacher's certificate, upon presentation of such evidence and under such conditions as the board of educational examiners may require. Such certificate shall be valid for substitute teaching in the type of school, subjects or grade in which the holder was previously qualified to teach and for which the holder has at some time been granted approval by the department of public instruction. Such certificates shall be valid for two years and may be renewed at expiration without any additional training."

Sec. 10. Section three thousand eight hundred eighty-eight (3888), Code 1939, is amended by changing the period (.) at the end of the section to a comma (,) and adding thereto the following:

"provided that whenever there is a sufficient number of holders of advanced and standard elementary certificates available to supply the elementary schools in any county it shall not be incumbent upon the county superintendent to register limited elementary certificates."

Sec. 11. Chapter one hundred ninety-three (193), Code 1939, is amended by adding to said chapter as a separate section following section 3888, Code 1939, the following:

"Uniform county certificates and normal training high-school certificates in force or renewable at the dates when the respective repeals affecting them in this act become effective, shall be subject to term renewals upon the filing with the board of educational examiners of such evidence as the board may require, showing professional spirit, physical and moral fitness for work in the schools, and successful experience in administration, supervision or teaching for at least nine months during the term for which the certificate was issued. The board may, at its discretion, accept credit in an approved college or graduate school in lieu of the teaching experience required for renewal of certificates."

Sec. 12. Section three thousand eight hundred sixty-one (3861), Code 1939, is hereby repealed.

Sec. 13. Sections three thousand eight hundred seventy-three (3873), three thousand eight hundred seventy-five (3875), three thousand eight hundred seventy-six (3876), three thousand eight hundred seventy-seven (3877), three thousand eight hundred seventy-nine (3879), three thousand eight hundred eighty (3880), three thousand eight hundred eighty-one (3881), three thousand eight hundred eighty-two (3882), three thousand eight hundred eighty-three (3883), three thousand eight hundred eighty-four (3884), three thousand eight hundred eighty-five (3885), three thousand eight hundred eighty-six (3886), three thousand eight hundred eighty-seven (3887), three thousand eight hundred eighty-nine (3889) and three thousand eight hundred ninety (3890), Code 1939, are hereby repealed effective September 1, 1946.

Sec. 14. Section three thousand eight hundred ninety-one (3891), is hereby amended by changing the comma (,) in line four (4) to a period (.) and by striking the remainder of the section.

Sec. 15. Chapter one hundred ninety-four (194), Code 1939, is hereby repealed, effective September 1, 1948.

HOUSE MESSAGES CONSIDERED

House File 81, a bill for an act to amend section two thousand five hundred seventy-four (2574), Code, 1939, further defining classes of persons deemed engaged in the practice of optometry.

Read first and second times and referred to sifting committee.

House File 311, 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 sections two thousand two hundred four (2204) and two thousand two hundred six (2206), 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 sewerage into state-owned lakes.

Read first and second times and referred to sifting committee.

House File 75, a bill for an act to amend sections one thousand nine hundred twenty-one and eighteen thousandths (1921.018) and one thousand nine hundred twenty-one and fifty thousandths (1921.050), Code, 1939, relating to a tax on liquor.

Read first and second times and referred to sifting committee.

Senator Jacobson asked and received unanimous consent to withdraw the amendment to House File 118, filed by him on March 29 and found on page 827 of the Senate Journal.

Senator Mercer asked and received unanimous consent to change his seat No. 5 to seat No. 27, formerly occupied by the late Senator Kirketeg.

Senator Klein asked and received unanimous consent to change his seat No. 39 to seat No. 5, formerly occupied by Senator Mercer.

On motion of Senator Hill, the Senate stood at ease until the fall of the gavel.

The Senate reconvened, President Evans presiding.

Senator Bekman asked and received unanimous consent to have 500 copies of the amendment filed by him, as chairman of the com-

mittee on insurance, on March 30 to Senate File 281 printed in pamphlet form.

Senator Bekman asked and received unanimous consent to have 500 copies of the amendment filed by Senators Bekman and Clem on March 30 to Senate File 383 printed in pamphlet form.

THIRD READING OF BILLS

On motion of Senator Jacobson, Senate File 413, a bill for an act to make appropriations to certain named persons in settlement of damages sustained by them on account of accidents on primary roads, or on account of collisions with state highway equipment, or on account of acts of commission or omission by the state highway commission or its employees, with report of committee without recommendation, was taken up and considered and the report of the committee adopted.

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

The Chair announced that Senator Schluter had left a written request to be recorded as voting "aye" on Senate Files 413 and 414.

The request was granted.

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

Ayes, 42:

Augustine	Hart	Leo	Reilly
Barkley	Harvey	Long	Ritchie
Bekman	Hawkins	Love	Rockhill
Berg	Henningsen	Lucas	Schluter
Clem	Hill	Lynes	Sharp
Cromwell	Hultman	Martin	Shaw
Dewel	Jacobson	Mercer	Sjulin
Doud	Jones	Miller	Vittetoe
Elthon	Keir	Mowry	Watson
Findlay	Klein	Newsome	White
Foster	Knudson		

Nays, none.

Absent or not voting, 7:

Benson	Dykhouse	Pine	Zastrow
Byers	Faul	Vrba	

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

Senator Jacobson moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Jacobson, Senate File 414, a bill for an act to make appropriations to Hamilton's Funeral Home, W. G. Griffith & Son, Biersborn Funeral Home, Winter Funeral Home, O'Brien Cooperative Burial Association, Tyler Funeral Home, McLaren Funeral Home, Curl Furniture and Undertaking Company, L. Fowler & Son, Pella Cooperative Burial Association, and R. K. Crane, with report of committee without recommendation, was taken up and considered and the report of the committee adopted.

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

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

Ayes, 43:

Augustine	Foster	Knudson	Reilly
Barkley	Hart	Leo	Ritchie
Bekman	Harvey	Long	Rockhill
Berg	Hawkins	Love	Schluter
Byers	Henningsen	Lucas	Sharp
Clem	Hill	Lynes	Shaw
Cromwell	Hultman	Martin	Sjulin
Dewel	Jacobson	Mercer	Vittetoe
Doud	Jones	Miller	Watson
Elthon	Keir	Mowry	White
Findlay	Klein	Newsome	

Nays, none.

Absent or not voting, 6:

Benson	Faul	Vrba	Zastrow
Dykhouse	Pine		

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

Senator Jacobson moved that the 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 Senate File 52, a bill for an act relating to watchmakers and watchmaking, defining the term "watchmaking", creating a board and other officers, providing for a seal and collection of fees and expenditures, providing for the issuance and revocation of certificates, prohibit-

ing the practice of watchmaking as defined in the act without a certificate; providing penalties for the violation thereof, amended by the House, and moved that the Senate concur in the House amendments found on pages 831 and 832 of the Senate Journal.

The Senate concurred in the House amendments.

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, 34:

Bekman	Harvey	Leo	Newsome
Benson	Hawkins	Long	Reilly
Byers	Hill	Love	Ritchie
Cromwell	Hultman	Lucas	Sharp
Dewel	Jacobson	Martin	Sjulin
Doud	Jones	Mercer	Vittetoe
Elthon	Keir	Miller	Vrba
Findlay	Klein	Mowry	Watson
Hart	Knudson		

Nays, 5:

Augustine	Henningsen	Rockhill	White
Barkley			

Absent or not voting, 10:

Berg	Faul	Pine	Shaw
Clem	Foster	Schluter	Zastrow
Dykhouse	Lynes		

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

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

Senator Keir called up for consideration Senate File 397, a bill for an act to amend chapter one hundred ninety-three (193), Code, 1939, and to repeal chapter one hundred ninety-four (194), Code, 1939, all relating to the board of educational examiners, certification of teachers, and high school normal training courses, amended by the House, and moved that the Senate concur in the House amendments found on pages 832, 833 and 834 of the Senate Journal.

The Senate concurred in the House amendments.

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	Knudson	Newsome
Barkley	Hart	Leo	Reilly
Bekman	Harvey	Long	Rockhill
Benson	Henningsen	Love	Sharp
Berg	Hill	Lucas	Shaw
Byers	Hultman	Lynes	Sjulin
Clem	Jacobson	Martin	Vittetoe
Cromwell	Jones	Mercer	Vrba
Dewel	Keir	Miller	Watson
Doud	Klein	Mowry	White
Elthon			

Nays, none.

Absent or not voting, 8:

Dykhouse	Foster	Pine	Schluter
Faul	Hawkins	Ritchie	Zastrow

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.

Senator Keir called up for consideration House File 122, a bill for an act to amend section four thousand three hundred forty-one (4341), Code, 1939, as amended by chapter one hundred sixty-five (165), Acts of the Forty-ninth General Assembly, relating to the minimum wages of teachers in the public schools, and moved that the Senate insist upon its amendments to House File 122.

The Senate insisted upon its amendments to House File 122.

CONFERENCE COMMITTEE APPOINTED

The President appointed Senators Doud, Keir, Berg and Mowry on the part of the Senate on House File 122.

THIRD READING OF BILLS

On motion of Senator Martin, House File 279, a bill for an act to provide for the purchase and maintaining of law libraries by the county board of supervisors for the use of the courts, county officers and attorneys, was taken up and considered.

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, 40:

Augustine	Elthon	Klein	Reilly
Barkley	Findlay	Knudson	Ritchie
Bekman	Foster	Leo	Rockhill
Benson	Hart	Long	Sharp
Berg	Harvey	Love	Shaw
Byers	Hill	Martin	Sjulin
Clem	Hultman	Mercer	Vittetoe
Cromwell	Jacobson	Miller	Vrba
Dewel	Jones	Mowry	Watson
Doud	Keir	Newsome	White

Naye, none.

Absent or not voting, 9:

Dykhouse	Henningsen	Lynes	Schluter
Faul	Lucas	Pine	Zastrow
Hawkins			

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.

BILL WITHDRAWN FROM FURTHER CONSIDERATION

Senator Martin asked and received unanimous consent to withdraw from further consideration of the Senate, Senate File 307, a companion bill to House File 279.

On motion of Senator Cromwell, House Joint Resolution 8, a joint resolution to create a special committee to make a study of taxation in Iowa, embracing the entire structure of state and counties, cities and school districts of raising revenues, to make inquiries into the present system of assessment of real and personal property, to make a study of changes in the existing tax system which may be necessary or advisable, to equalize taxes, and study the loss of tax revenues and increased costs of state government by reason of federal action, for the purpose of making recommendations to the Governor and to the General Assembly of such revisions as may be necessary to meet postwar problems, arising in part from the war, prescribing the powers and authority of such committee and making an appropriation for its expenses, was taken up.

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 53, 54, 71, 323, 345 and 406, and House Files 138, 142, 184 and 219.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *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 53, 54, 71, 323, 345 and 406, and House Files 138, 142, 184 and 219.

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, 1945, sent to the Governor for his approval: Senate Files 53, 54, 71, 323, 345, and 406.

ROBERT C. REILLY, *Chairman.*

Passed on file.

AMENDMENTS FILED

Amend Senate File 427 by striking from line 3 of the title the word "Madrid," and inserting in lieu thereof the word "Ames."

Further amend Senate File 427 by striking from line 2 of section 4 the word "Madrid," and inserting in lieu thereof the word "Ames."

ARTHUR H. JACOBSON.

Amend Senate File 437 as follows:

1. Amend section 1 by striking from line 4 the word "fifteen" and inserting in lieu thereof the word "five"; and by adding to said section the following: "Said section is further amended by inserting after the word "teachers" in line 6 thereof, the words "and other employees".

2. Amend by adding the following section:

Sec. 2. Section four thousand three hundred forty-six (4346), Code, 1939, is amended by inserting after the word "teachers" in line 2 and line 6 of subsection 1 and in line 3 of subsection 2 thereof the words "and other employees".

3. Amend the title by changing the word "section" to "sections" in line 1 and by inserting in line 2 after the figures "(4345)," the following: "and

four thousand three hundred forty-six (4346)"; and inserting after the word "teachers" in line 3 the words "and other employees".

JOHN BERG.

ROBERT KEIR.

Amend House File 118, as passed by the House, by striking from section 6, line 1, the word "board" and inserting in lieu thereof the word "department."

ROBERT KEIR.

Amend House File 198 by striking from lines 1 and 2 of section 1 the words "That the city of Clinton in Clinton County, Iowa," and inserting in lieu thereof the following: "Any city having a population of not less than 26,000 nor more than 27,000, as shown by the last census,".

O. H. HENNINGSEN.

Amend Senate File 281 by striking all following the enacting clause and substituting the following:

Section 1. Insurer defined—exemptions. From and after the taking effect of this act, the provisions thereof shall apply to every insurance company, association, reciprocal or interinsurance exchange or other insurer, hereinafter referred to as "insurer," operating in the state of Iowa and assuming the risks provided for under the provisions of section eight thousand nine hundred forty (8940), Code, 1939, except county mutual assessment associations operating under the provisions of chapter four hundred six (406), Code, 1939, and the following kinds of business: (a) reinsurance risks, (b) ocean marine risks, (c) inland marine risks, (d) insurance against loss of or damage to or against liability, other than workmen's compensation and employers' liability, arising out of the ownership, maintenance or use of any aircraft, (e) insurance on the rolling stock of interstate railroads, (f) accident and health insurance, and (g) risks assumed by nonprofit hospital and medical service corporations or associations.

Sec. 2. Filings required—rating bureaus. Every insurer subject to the provisions of this act shall file with the commissioner of insurance, hereinafter referred to as "commissioner," its manuals of classifications, rates, rating plans and schedules for measuring hazards and determining rates or premiums charged for risks located in this state, and the same shall not take effect until approved by the commissioner as reasonable, adequate and not unfairly discriminatory. As soon as reasonably possible after a filing has been made with the commissioner, he shall approve or disapprove the same, provided that any filing shall be deemed approved unless disapproved within thirty days.

Any such filing with respect to a fidelity, surety or guaranty bond shall be deemed approved from the date of filing to the date of such formal approval or disapproval.

An insurer may elect to make the filings required by this act by becoming a member of, or a subscriber to, one or more rating bureaus, within or without the state, licensed by the commissioner, and by authorizing the commissioner to deal with such bureau as its agent, but no such insurer shall belong to more than one bureau for the purpose of rating the same assumed risk. Such bureau shall be licensed by the commis-

sioner upon application for such license in such form as the commissioner may require and filing with its application a copy of its constitution, its articles of agreement or association or its certificate of incorporation, the names of insurers for which it proposes to act, the rating service rendered to each, the name and address of a resident of the state upon whom notice or orders of the commissioner may be served and such other information as the commissioner may require. The license fee of such a bureau shall be twenty-five dollars, and on discontinuance of operations such license shall be cancelled by the commissioner. Each rating bureau having five (5) or more members shall, subject to reasonable rules and regulations, permit any insurer, not a member, to become a subscriber to any or all of its rating services in respect to the kinds of insurance or subdivisions thereof which the company is licensed to write in this state. The refusal of any rating bureau to admit an insurer as a subscriber, at the request of such insurer, shall be reviewed by the commissioner at a hearing held upon ten days' written notice to such rating bureau and such insurer. Every rating bureau shall notify the commissioner promptly of every change in the list of its members and subscribers and the rating service rendered to each. Any notice provided by this act to any rating bureau shall be deemed proper and sufficient notice to the members and subscribers of such rating bureau.

The expenses of any rating bureau shall be shared in proportion to the gross premiums received by each member or subscriber for the kinds of business for which rating service is rendered, and, in addition, a reasonable annual fee may be added. Each member shall have one vote in the management of the affairs of a rating bureau.

Sec. 3. Commissioner may make inquiry concerning rates. The commissioner may address inquiries to any individual, association or bureau, or any insurer or insurers, which is or has been engaged in making or filing rates or estimates for insurance in this state, in relation to its organization, maintenance or operation, or any other matter connected with its transactions, and it shall be the duty of every such individual, association, bureau or insurer, or some officer thereof, to promptly make such filing and reply to such inquiries in writing.

The commissioner and every insurer and rating bureau may exchange information and experience data with insurance supervisory officials, insurers and rating bureaus in other states and may consult and co-operate with them with respect to rate-making and the application of rating systems.

Sec. 4. Commissioner may examine rating bureaus. The commissioner of insurance shall have power to examine any such rating bureau as often as he shall deem it expedient to do so, and shall do so not less than once every five years. A report thereof shall be filed in his office. The commissioner may waive such examination upon the filing with him of the report of such examination made by some other insurance department or proper supervising officer, within such five years. A report with regard to such examination shall be made in the manner required by the commissioner.

Sec. 5. Subject to the exemptions provided in Section 1 hereof, this

section shall be applicable to the kinds of business written by casualty, fidelity, surety and guaranty insurers.

(1) Making of rates. All rates shall be made in accordance with the following provisions:

(a) Due consideration shall be given to past and prospective loss experience within and outside of the state, to catastrophe hazards, if any, to a reasonable margin for profit and contingencies, to dividends, savings or unabsorbed premium deposits allowed or returned by insurers to their policyholders, members or subscribers, and to all other relevant factors within and outside the state;

(b) The systems of expense provisions included in the rates for use by any insurer or group of insurers may differ from those of other insurers or groups of insurers to reflect the requirements of the operating methods of any such insurer or group with respect to any kind of insurance, or with respect to any subdivision or combination thereof for which subdivision or combination the commissioner approves the application of separate expense provisions, but this subdivision shall not be construed to require uniformity among all insurers with respect to the application of other subdivisions of this section;

(c) Risks may be grouped by classifications for the establishment of rates and minimum premiums. Classification rates may be modified to produce rates for individual risks in accordance with rating plans which establish standards for measuring variations in hazards or expense provisions, or both;

(d) Rates shall be reasonable, adequate and not unfairly discriminatory.

(2) Deviations. Every member of or subscriber to a rating bureau shall adhere to the filings made on its behalf by such bureau except that any such insurer may make written application to the commissioner for approval on its behalf of a uniform percentage decrease or increase to be applied to the premiums produced by the rating system so filed for a kind of insurance, or for a subdivision or combination thereof for which subdivision or combination the commissioner has approved the application of separate expense provisions by such rating bureau. Such application shall specify the basis for the modification and a copy thereof shall also be sent simultaneously to such rating bureau. The commissioner shall set a time and place for a hearing at which the insurer and such rating bureau may be heard and shall give them not less than ten days' written notice thereof. The commissioner shall approve the modification for such insurer if he finds it to be justified. He shall not approve such modification if he finds that the resulting premiums would be inadequate, unreasonable or unfairly discriminatory.

Sec. 6. Subject to the exemptions provided in Section 1 hereof, this section shall be applicable to insurers writing fire insurance and other risks permitted to be written by such insurers.

(1) In approving or disapproving the filings of rating schedules and underwriting rules and regulations provided in Section 2 of this act, the commissioner shall consider the experience of the business during a period of not less than five years next preceding unless it can be demonstrated that a shorter period is adequate, past and prospective loss experience

within and outside the state, catastrophe hazards, if any, a reasonable margin for profit and contingencies, to dividends, savings or unabsorbed premium deposits allowed or returned by insurers to their policyholders, members or subscribers, dividends in the case of participating insurers, and all other relevant factors within and outside the state, so that rates may be reasonable, adequate, and not unfairly discriminatory.

(2) Every rating bureau engaged in making rates or estimates for rates shall, except as to motor vehicles, inspect every risk specifically rated by it upon schedule, which shall be filed as a permanent record in the office of such bureau. A copy of such survey shall be furnished to the owner or commissioner without cost, upon request, together with information of any reasonable improvement as will allow a reduction in rate.

Every rating bureau and every insurer making rates or estimates for motor vehicle rates in this state shall file as a permanent record in its office all schedules, rates, formulas, rules and regulations upon which the determination of such rates or estimates is based.

(3) No insurer or rating bureau shall fix or charge any rate which discriminates unfairly between risks of essentially the same hazard and having substantially the same degree of protection, provided, however, special schedules or methods and rules and regulations may be approved by the commissioner for use in the determination and promulgation of rates and forms for motor vehicle fleet insurance, and for insurance of special risks if insured in connection with an approved engineering or inspection service.

(4) Any deviation of any insurer from the schedule of rates established and maintained by it or by the bureau of which it is a member or subscriber shall be on a percentage basis and uniform in its application to all of the risks in the class for which the variation is made, and no such uniform deviation shall be made unless notice thereof shall be filed with the commissioner and the bureau of which the insurer is a member or subscriber, and the same approved by the commissioner. Any such deviation shall be in effect for at least one year, subject to the discretion of the commissioner.

(5) Every authorized insurer shall annually file with the commissioner, or with such other agency as the commissioner may approve, a statistical report showing a classification schedule of its premiums and losses on all kinds or types of insurance business to which such bureau's rates are applied and this act is applicable, and such other information as the commissioner may deem necessary for the administration of the provisions of this act. The commissioner from time to time may prescribe the form of such report including statistical data conforming to established classifications. Such statistical reports shall be consolidated in accordance with regulations prescribed by the commissioner.

Sec. 7. The commissioner shall have power upon written complaint, or on his own motion, to review any rate if at any time he finds that a filing theretofore approved no longer meets the requirements of this act. A review of such rate before the commissioner shall be had only after due notice and hearing. The commissioner shall thereafter issue an order reaffirming or withdrawing his approval of said rate, and said order shall specify the reasons therefor and shall be effective not

less than thirty days after its issuance. Copies of such order shall be sent to every insurer or rating bureau party to such hearing. The commissioner's findings or order shall in all cases be subject to summary court review as hereinafter provided.

Sec. 8. Any order or decision of the commissioner made pursuant to the provisions of this act shall be subject to review by the district court of Polk county, Iowa, upon appeal by any party in interest within thirty days after such order or decision. Such appeal shall be heard upon the record made before the commissioner and such further evidence as the parties thereto may offer. If the order of the commissioner results in a reduction in rates, such order shall be suspended during the pendency of the appeal, but in the final determination against any insurer any overcharges during the pendency of such proceeding shall be refunded to persons entitled thereto.

Sec. 9. Rebating or discrimination forbidden. No insurer, however constituted, doing the business of insurance, within the scope of this act, and no officer, agent, or employee thereof shall, as an inducement to securing such business, or after the obligation has been issued, whether with or without the knowledge of such insurer:

(1) Pay, allow, or give, or offer to pay, allow or give, directly or indirectly, any rebate, discount, or reduction of the premium paid or payable under the terms of the policy.

(2) Promise or give anything of substantial value, whether part of a compensation for securing said business or not, in addition to the terms, credits and allowances contained in the policy.

(3) Make contracts of sale or purchase, or in any other manner whatsoever, confer any special favor, benefit, valuable consideration, or inducement not given on all its policies of like class.

Nothing contained in this section shall be deemed to prohibit any insurer from equitably distributing to its policyholders dividends payable from surplus on earned premiums, nor to prohibit the return at any time during the term or at the termination of the contract of insurance, of dividends, savings or the unused or unabsorbed portion of premiums and premium deposits to policyholders of a mutual insurer, or to subscribers of a reciprocal insurer.

Sec. 10. The provisions of this act shall be in addition to any laws now in force relating to or regulating the business of insurance, but a compliance with this act shall not be deemed to be a violation of section nine thousand ten (9010), Code, 1939.

Sec. 11. Penalty—noncompliance by company. Any insurer found guilty of violating any of the provisions of this act shall be subject to a penalty of not less than one hundred dollars, nor more than one thousand dollars, to be sued for and recovered by the commissioner for the use of the state of Iowa, in any court of competent jurisdiction in any county in the state.

Sec. 12. Penalty—noncompliance by agent. Every agent, solicitor, or other representative of any such insurer, found guilty of this act, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than twenty dollars, nor more than two hundred dollars, and ordered committed to the county jail until such

fine and costs are paid; such commitment, however, not to exceed one day for each three and one-third dollars of the fine imposed; and the commissioner may thereupon suspend the license of such agent. It shall be unlawful for any insurer to pay, either directly or indirectly, the fine assessed against any of its agents, solicitors or other representatives, under this act.

Sec. 13. Should any section or provision of this act be decided by the courts as unconstitutional or invalid, the validity of the act as a whole or any part thereof other than the part decided to be unconstitutional shall not be affected.

Sec. 14. Enforcement by county attorney. It shall be the duty of the several county attorneys throughout the state to enforce the provisions of this act, and to prosecute those guilty of its violation.

Sec. 15. This act shall take effect on the 1st day of April, 1946.

COMMITTEE ON INSURANCE,

By E. K. BEKMAN, *Chairman*.

Amend Senate File 383 as follows:

1. Add at the end of line 4 of section 5 the following: “, and medical, surgical, and hospital treatment”.

2. Strike from section 9 all of lines 15 to 155, inclusive, and insert in lieu thereof the following:

- | | |
|--|--|
| “1. Lead poisoning. | 1. Any industrial process involving the use of lead or its preparations or compounds. |
| 2. Mercury poisoning. | 2. Any industrial process involving the use of mercury or its preparations or compounds. |
| 3. Poisoning by nitrous fumes or its sequelae. | 3. Any process or occupation in which nitrous fumes are evolved. |
| 4. Carbon monoxide poisoning. | 4. Any process or operation in which carbon monoxide is produced. |
| 5. Poisoning from methyl chloride, halogens, or other halogenated hydrocarbons. | 5. Any process or occupation involving the use of or direct contact with methyl chloride, halogens, or other halogenated hydrocarbons. |
| 6. Poisoning by benzol or by nitro and amido-derivatives of benzol (dinitrobenzol, aniline) and other aromatic hydrocarbons. | 6. Any industrial process involving the use of benzol or nitro or amido-derivative of benzol and other aromatic hydrocarbons or their preparations or compounds. |
| 7. Dermatitis. Infection or inflammation of the skin on contact surfaces due to oils, cutting compounds or lubricants, dust, liquids, fumes, gases, vapors and solids. | 7. Any industrial process involving the handling or use of oils, cutting compounds or lubricants, or involving contact with dust, liquids, fumes, gases or vapors, and solids. |
| 8. Brass or zinc poison- | 8. Any process involving the manufacture, |

- | | |
|---|---|
| <p>ing.</p> <p>9. Manganese dioxide poisoning.</p> <p>10. Tenosynovitis and prepatellar bursitis.</p> <p>11. Chrome ulceration of the skin or nasal passages.</p> <p>12. Cyanide poisoning.</p> <p>13. Brucellosis (undulant fever).</p> <p>14. Erysipeloid.</p> <p>15. Silicosis.</p> <p>16. Conjunctivitis.</p> | <p>founding or refining of brass or the melting or smelting of zinc.</p> <p>9. Any process involving the grinding or milling of manganese dioxide or the escape of manganese dioxide dust.</p> <p>10. Primary tenosynovitis characterized by a passive effusion or crepitus into the tendon sheath of the flexor or extensor muscles of the hand, due to frequently repetitive motions or vibrations, or prepatellar bursitis due to continued pressure.</p> <p>11. Any industrial process involving the use of or direct contact with chromic acid or bichromates of ammonium, potassium or sodium or their preparations.</p> <p>12. Any industrial process involving the use of or direct contact with cyanides.</p> <p>13. Handling of animals or carcasses of animals infected with brucellosis.</p> <p>14. Handling of animals or carcasses of animals infected with swine erysipelas.</p> <p>15. Any industrial process or occupation involving an exposure to or direct contact with silicon dioxide dust.</p> <p>16. Any industrial process or occupation involving an exposure to or direct contact with electro and oxy-acetylene welding or other radiant energy."</p> |
|---|---|

3. Strike the words "or silicatosiis" where they appear in each of the following lines:

- a. Line 8 of section 10.
- b. Line 9 of section 11.
- c. Line 10 of section 12.
- d. Line 25 of section 12.
- e. Line 28 of section 12.
- f. Line 32 of section 12.

Also strike the words "and silicatosiis" where they appear in each of the following lines:

- a. Line 2 of section 12.
- b. Line 8 of section 12.
- c. Line 23 of section 12.

Also insert a period (.) after the word "dust" in line 5 of section 12 and strike the remainder of subsection (a) of said section.

Also strike from line 14 of section 12 the words "or silicate dust".

4. Strike all of subsection (d) of section 12 and renumber the subsections of said section as 1 to 4, inclusive.

5. Strike the words "or asbestosis" where they appear in each of the following lines:

- a. Line 66 of section 12.

- b. Line 68 of section 12.
- c. Line 69 of section 12.
- d. Line 71 of section 12.
- e. Line 73 of section 12.
- f. Line 10 of section 20.

Also strike the words "and asbestosis" from line 65 of section 12.

6. Strike all of section 21 and insert in lieu thereof the following:

"Sec. 21 Controverted medical questions may be submitted. Controversial medical questions may be referred to the medical board for investigation and report. No award shall be made in any case referred until the medical board shall have duly investigated the case and made its report with respect to all medical questions at issue. The date of disablement, if in dispute, shall be deemed a medical question."

7. Insert in line 2 of section 22 after the word "it" the following: "by the commissioner".

Also insert in line 4 of said section after the word "employer" the following: "or insurance carrier".

8. Strike from line 1 of section 24 the following: "—Scope of Review".

Also strike all of line 2 and the word "which" from line 3 of said section and insert in lieu thereof the following: "1. The medical board shall file its report in triplicate with the commissioner who".

Also insert a period (.) after the word "questions" in line 6 of said section and strike the remainder of said line.

Also insert at the beginning of line 7 of said section the following::

"2. Any".

Also strike from said section all beginning with the words "of the physician" in line 23 to and including the words "fact or law" in line 29 and insert in lieu thereof the following: "other medical testimony on behalf of the claimant or employer".

9. Strike all of sections 25 and 26 and insert in lieu thereof the following:

"Sec. 26. Medical board. The medical board provided herein shall consist of the industrial hygiene physician of the state department of health and two physicians selected by the dean of medicine from the university college of medicine staff, who shall be qualified to diagnose and report on occupational diseases. Provided, however, that the industrial commissioner may in his discretion designate the industrial physician of the state department of health as a medical board of one member in which case he shall perform the same duties as are herein prescribed for the full board. The board shall have the use of all necessary laboratory and other facilities of the university hospital in performing its duties under this chapter, without charge therefor."

E. K. BEKMAN.

A. D. CLEM.

On motion of Senator Reilly, and in accordance with Senate Concurrent Resolution 9 duly adopted, the Senate adjourned until 10:00 a. m., Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 2, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend Charles L. Duxbury, pastor of the Congregational church, Belmond, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Barkley, from residents of Appanoose county, favoring local option.

By Senator Bekman, from residents of Wapello county, favoring local option.

By Senator Elthon, from residents of Mitchell county, favoring local option.

By Senator Findlay, from residents of Calhoun county, favoring local option.

By Senator Foster, from residents of Washington county, favoring local option.

By Senator Lucas, from residents of Story county, favoring local option.

By Senator Mowry, from residents of Jasper and Mahaska counties, favoring local option.

By Senator Ritchie, from residents of Cherokee county, favoring local option.

By Senator Shaw, from residents of Buena Vista county, favoring local option.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Vrba for the day on request of Senator Reilly; Senator Sharp for the day on request of Senator Shaw; Senator Jacobson for the day on request of Senator Dykhouse.

COMMITTEE APPOINTMENT

The President announced the appointment of the following Senators as members of the committee on retrenchment and reform: Long, Faul, Dykhous, Mercer and Reilly.

ADDITIONAL MEMBERS TO COMMITTEE ON MILITARY AND VETERANS AFFAIRS

The President announced the appointment of the following Senators to the committee on military and veterans affairs: Senators Hart and Watson.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the Speaker of the House has appointed as members of the conference committee on the part of the House on House File 122, a bill for an act relating to the minimum wages of teachers in public schools: Representatives Steinberg, Siefkas, Redman and Moore.

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

House File 127, a bill for an act creating permanent agricultural land credit fund in State Treasury.

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

House File 304, a bill for an act relating to police powers.

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

Senate File 35, a bill for an act relating to exemption from taxation of personal property of persons in armed forces.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 147, a bill for an act creating a department of public instruction and a board of public instruction.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 147

1. Amend Senate File 147 by striking the title and substituting in lieu thereof the following:

"An act to create a department of public instruction of the state of Iowa; to create a board of public instruction; provide for the election of a board of public instruction, and prescribe the powers and duties of said board; to provide for the approval of the board of the appointment of a deputy superintendent and such assistants and employees as the board

may deem necessary; to prescribe the duties of the superintendent of public instruction; to amend certain provisions of the Code, 1939, and repeal certain provisions of the Code, 1939, to effect the general purposes of this act."

2. Amend by striking section 1 and inserting in lieu thereof the following:

"There is hereby created the department of public instruction of the state of Iowa. It shall consist of a superintendent of public instruction, a deputy superintendent, a board of public instruction and such divisions, assistants and employees as shall be provided by law."

3. Amend by striking section 3 and inserting in lieu thereof the following:

"The state superintendent of public instruction together with the state board of public instruction shall have general supervision of the public school system of the state."

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

"The state board of public instruction, hereinafter called the "board", shall be composed of eight (8) elective members who are voting citizens of the state of Iowa and who hold no other elective or appointive state office except that of notary public, and who shall not be actively engaged in the teaching profession. A member of the board of public instruction shall be a citizen of and elected from each of the congressional districts of the state of Iowa as of 1945. Districts one (1) and eight (8) shall elect a member for one year each; districts two (2) and seven (7) shall elect a member for two years each; districts four (4) and six (6) shall elect a member for three years each, and districts three (3) and five (5) shall elect a member for four years each. Thereafter the terms of the members of said board to be elected from each congressional district shall be for four years.

District school convention of each political party shall be held not less than ten days nor more than forty days after the regular county convention.

Such district school convention shall convene at a time and at a place to be fixed by the congressional district committee which shall issue a call in the same manner as the call for the regular district convention.

Delegates to the district school convention shall be elected by a county convention at the same time and in the same manner as delegates to the regular district convention or state convention except that no such delegate shall be elected to any other convention. Each county shall be entitled to the same number of delegates to the district school convention as they are entitled to a regular district convention. The method of procedure, organization, and voting of delegates shall be the same as at the regular district convention.

The district school convention shall nominate one candidate for one member in the state board of public instruction, and such member of the state board of public instruction shall be elected at the general election in November in the same manner as congressmen from that respective district.

Candidates for the office named in this chapter may be nominated by petition as elsewhere provided by law, but no such person so nominated shall be permitted to use the name of any political party authorized under the law to nominate candidates for such office."

5. Amend by striking section 5 and substituting in lieu thereof the following:

"Vacancies in the state board of public instruction shall be filled for the unexpired portion of the term by appointment by the governor of the state of Iowa, from within said district, said appointment to be made within ninety days after such vacancy occurs."

6. Amend by inserting after the word "board" in line one (1), section six (6), the following: "except the state superintendent".

7. Amend by striking section 7 and inserting in lieu thereof the following:

"The board shall hold at least four regular meetings per year as shall be fixed by resolution of the board, the first of which shall be during January of each year. Special meetings of the board may be called by the chairman or by five members of the board. Notice of special meetings shall be given to each member of the board at least five (5) days before the time of said meeting. All meetings shall be held at the office of the department unless a different place within the state of Iowa is designated by the board or in the notice of the meeting."

8. Amend by adding the following new section immediately following section 7, and renumber subsequent sections accordingly:

"The state superintendent of public instruction shall be chairman of the state board of public instruction."

9. Amend by striking subparagraph one (1) of section 8, and substituting in lieu thereof the following:

"Each odd-numbered year at its first meeting elect, from its members, a vice-chairman who shall serve for two years and until his successor is elected and has qualified."

Further amend section 8 by striking all of subparagraph two (2) thereof and renumber subsequent subparagraphs of said section accordingly.

10. Amend by striking section 9 and substituting in lieu thereof the following:

"(1) The deputy superintendent shall be appointed by the superintendent of public instruction with the approval of the board of public instruction for the term of four (4) years and shall serve until his successor has been selected and has qualified.

(2) Vacancies in this office shall be filled by the superintendent and the board for the unexpired portion of the term in the same manner as regular appointments.

(3) The first term of the appointive officers provided for under this act shall begin on the second secular day of January, 1947."

11. Amend by striking section 10, and substituting in lieu thereof the following:

"The board shall fix the salary of the superintendent at not to exceed six thousand dollars (\$6000.00) per year and the salary of the deputy

superintendent at not to exceed four thousand dollars (\$4000.00) per year.

12. Amend by striking section 11, and substituting in lieu thereof the following:

"Before entering upon their duties each member of the state board of public instruction, the superintendent and his deputy shall each take the oath of office as prescribed in section 1054, Code, 1939.

13. Amend section 13, lines 1 and 2, by striking therefrom the following: ", under the general authority of the board,".

Further amend section 13 by striking all of subsection 1 and inserting in lieu thereof the following:

"1. Subject to the approval of the board, as its chairman and executive officer, organize the department of public instruction as created by this act, prescribe all necessary rules not in conflict with the provisions of law for the conduct of its affairs, appoint the staff and employ necessary clerical help, and define the duties of appointees and employees of the department;"

14. Amend section 30, line one (1), by striking after the word "Sections" the words and figures "five hundred fifteen (515),".

HOUSE MESSAGE CONSIDERED

House File 127, a bill for an act creating in the office of the treasurer of state a permanent fund to be known as the agricultural land credit fund, and making appropriation thereto, providing for the apportionment of said fund as a credit against the tax on agricultural lands in school districts in which the millage for the general school fund exceeds fifteen mills, and providing the procedure for effecting said credits.

Read first and second times and referred to sifting committee.

House File 304, a bill for an act to amend section one thousand two hundred twenty-five and nine hundredths (1225.09), Code, 1939, relating to police powers.

Read first and second times and referred to sifting committee.

THIRD READING OF BILLS

On motion of Senator Leo, House File 446, a bill for an act to legalize the action of the town council of the town of Atkins, Benton county, Iowa, in respect to expenditure of funds for the purchase and construction of a filter and addition to pumphouse connected with its waterworks system and warrants issued in payment thereof, 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, 38:

Barkley	Faul	Knudson	Reilly
Bekman	Findlay	Leo	Ritchie
Berg	Hart	Long	Rockhill
Byers	Harvey	Love	Schluter
Clem	Hawkins	Lucas	Shaw
Cromwell	Henningsen	Lynes	Sjulin
Dewel	Hill	Miller	Watson
Doud	Jones	Mowry	White
Dykhouse	Keir	Newsome	Zastrow
Elthon	Klein		

Nays, none.

Absent or not voting, 11:

Augustine	Hultman	Mercer	Vittetoe
Benson	Jacobson	Pine	Vrba
Foster	Martin	Sharp	

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, House File 161, a bill for an act to amend section three thousand six hundred eighty-four and three one hundredths (3684.03), Code, 1939, as amended by section two (2), chapter one hundred forty-three (143), Acts of the Forty-ninth General Assembly, relating to aid to the needy blind and the amount of assistance that may be paid, 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, 39:

Augustine	Faul	Knudson	Ritchie
Barkley	Findlay	Leo	Rockhill
Bekman	Hart	Long	Schluter
Berg	Harvey	Love	Shaw
Byers	Hawkins	Lucas	Sjulin
Clem	Henningsen	Lynes	Vittetoe
Cromwell	Hill	Miller	Watson
Dewel	Jones	Mowry	White
Dykhouse	Keir	Newsome	Zastrow
Elthon	Klein	Reilly	

Nays, none.

Absent or not voting, 10:

Benson	Hultman	Mercer	Sharp
Doud	Jacobson	Pine	Vrba
Foster	Martin		

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

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

On motion of Senator Berg, House File 250, a bill for an act to amend section three hundred eight and five tenths (308.5), Code, 1939, relating to compensation for use of a private automobile by state officers and employees, 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:

Barkley	Faul	Klein	Reilly
Bekman	Findlay	Knudson	Ritchie
Benson	Foster	Leo	Rockhill
Berg	Hart	Long	Schluter
Byers	Harvey	Love	Shaw
Clem	Hawkins	Lucas	Sjulin
Cromwell	Henningsen	Lynes	Vittetoe
Dewel	Hill	Miller	Watson
Doud	Jones	Mowry	White
Dykhouse	Keir	Newsome	Zastrow
Elthon			

Nays, none.

Absent or not voting, 8:

Augustine	Jacobson	Mercer	Sharp
Hultman	Martin	Pine	Vrba

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

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

BILLS WITHDRAWN FROM FURTHER CONSIDERATION

Senator Berg asked and received unanimous consent to withdraw from further consideration of the Senate, Senate File 214.

Senator Faul asked and received unanimous consent to withdraw from further consideration of the Senate, Senate File 208.

UNFINISHED BUSINESS

Senator Cromwell called up House Joint Resolution 8, a joint resolution to create a special committee to make a study of taxation in Iowa, embracing the entire structure of state and counties, cities and school districts of raising revenues, to make inquiries into the present system of assessment of real and personal property, to make a study of changes in the existing tax system which may be necessary or advisable, to equalize taxes, and study the loss of tax revenues and increased costs of state government by reason of federal action, for the purpose of making recommendations to the Governor and to the General Assembly of such revisions as may be necessary to meet postwar problems, arising in part from the war, prescribing the powers and authority of such committee and making an appropriation for its expenses, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shaw offered the following amendment and moved its adoption:

Amend House Joint Resolution 8 by adding a new section following section 4, as follows:

Sec. 5. In view of the recent decision of the Supreme Court of the United States, in which insurance was held to be a subject of interstate commerce, and in further view of the passing of Senate File 340 by the United States Congress providing that Congress shall not by its silence be construed to impose any barrier to the regulation of taxation of such business until January 1st, 1948, the said committee shall make a special study of the matter of taxation of insurance companies, both domestic and foreign, and formulate any necessary changes in the law, for the aid and guidance of the next general assembly.

2. Renumber remaining sections.

The amendment was adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend House Joint Resolution 8, section 8, by inserting after the period in line 5 the word "all".

Further amend said section by striking from lines 5 and 6 thereof the following words: "appointed by the Governor".

Further amend said section by striking from lines 9, 10 and 11 the following words: "legislative members shall receive their actual and necessary expenses when engaged in the work of the committee".

Senator Elthon asked and received unanimous consent that further action on House Joint Resolution 8 be deferred and that it retain its place on the calendar.

THIRD READING OF BILLS

On motion of Senator Hill, House File 444, a bill for an act to create a state war surplus commodities board, to define its powers and duties, and to make an appropriation of five hundred thousand dollars (\$500,000) as a revolving fund for the use of said board, 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	Elthon	Klein	Newsome
Barkley	Faul	Knudson	Reilly
Bekman	Findlay	Leo	Ritchie
Benson	Foster	Long	Rockhill
Berg	Hart	Love	Schluter
Byers	Harvey	Lucas	Shaw
Clem	Hawkins	Lynes	Sjulin
Cromwell	Henningsen	Martin	Vittetoe
Dewel	Hill	Mercer	Watson
Doud	Jones	Miller	White
Dykhouse	Keir	Mowry	

Nays, none.

Absent or not voting, 6:

Hultman	Pine	Vrba	Zastrow
Jacobson	Sharp		

The bill having received a constitutional and two-thirds 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 Long, House File 462, a bill for an act making an appropriation for the payment of the cost of legislative printing, 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, 44:

Augustine	Faul	Klein	Newsome
Barkley	Findlay	Knudson	Reilly
Bekman	Foster	Leo	Ritchie
Benson	Hart	Long	Rockhill
Berg	Harvey	Love	Schluter
Clem	Hawkins	Lucas	Shaw
Cromwell	Henningsen	Lynes	Sjulin
Dewel	Hill	Martin	Vittetoe
Doud	Hultman	Mercer	Watson
Dykhouse	Jones	Miller	White
Elthon	Keir	Mowry	Zastrow

Nays, none.

Absent or not voting, 5:

Byers	Pine	Sharp	Vrba
Jacobson			

The bill having received a constitutional and two-thirds 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 Long, Senate File 426, a bill for an act to repeal House File eighty-eight (88), Acts of the 51st General Assembly, and to amend chapter twenty-six (26), Acts of the 49th General Assembly, relating to expenses of the General Assembly and to make an appropriation therefor, 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, 41:

Augustine	Foster	Knudson	Newsome
Barkley	Hart	Leo	Reilly
Bekman	Harvey	Long	Rockhill
Benson	Hawkins	Love	Schluter
Berg	Henningsen	Lucas	Shaw
Clem	Hill	Lynes	Sjulin
Cromwell	Hultman	Martin	Vittetoe
Dewel	Jones	Mercer	Watson
Doud	Keir	Miller	White
Dykhouse	Klein	Mowry	Zastrow
Findlay			

Nays, none.

Absent or not voting, 8:

Byers
Elthon

Faul
Jacobson

Pine
Ritchie

Sharp
Vrba

The bill having received a constitutional and two-thirds 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 Long, Senate File 430, 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 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
Barkley
Bekman
Benson
Berg
Clem
Cromwell
Dewel
Doud
Dykhouse
Elthon

Faul
Findlay
Foster
Hart
Harvey
Hawkins
Henningsen
Hill
Hultman
Jones
Keir

Klein
Knudson
Leo
Long
Love
Lynes
Martin
Mercer
Miller
Mowry
Newsome

Reilly
Ritchie
Rockhill
Schluter
Shaw
Sjulin
Vittetoe
Watson
White
Zastrow

Nays, none.

Absent or not voting, 6:

Byers
Jacobson

Lucas
Pine

Sharp

Vrba

The bill having received a constitutional and two-thirds 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 Long, Senate File 431, a bill for an act to make appropriations to Woodrow H. Sherin, Des Moines, Iowa; Laurence K. Smith, Des Moines, Iowa; and K. Edward Johnson, Des Moines, Iowa, 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, 41:

Augustine	Faul	Keir	Reilly
Barkley	Findlay	Klein	Ritchie
Bekman	Foster	Long	Rockhill
Benson	Hart	Love	Schluter
Berg	Harvey	Lynes	Shaw
Clem	Hawkins	Martin	Sjulin
Cromwell	Henningsen	Mercer	Vittetoe
Dewel	Hill	Miller	Watson
Doud	Hultman	Mowry	White
Dykhouse	Jones	Newsome	Zastrqw
Elthon			

Nays, none.

Absent or not voting, 8:

Byers	Knudson	Lucas	Sharp
Jacobson	Leo	Pine	Vrba

The bill having received a constitutional and two-thirds 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 Long, Senate File 432, a bill for an act relating to the approval of compensation of employees of the state during the biennial fiscal period beginning July 1, 1945, and ending June 30, 1947, 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, 42:

Augustine	Faul	Klein	Newsome
Barkley	Findlay	Knudson	Reilly
Bekman	Foster	Leo	Ritchie
Benson	Hart	Long	Rockhill
Berg	Harvey	Love	Schluter
Clem	Hawkins	Lynes	Shaw
Cromwell	Henningsen	Martin	Vittetoe
Dewel	Hill	Mercer	Watson
Doud	Hultman	Miller	White
Dykhouse	Jones	Mowry	Zastrow
Elthon	Keir		

Nays, none.

Absent or not voting, 7:

Byers
Jacobson

Lucas
Pine

Sharp
Sjulin

Vrba

The bill having received a constitutional and two-thirds 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 Long, Senate File 433, 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 49th General Assembly, by creating therefrom a general contingent fund, and a contingent fund for the institutions under the board of control, and a fund for the social welfare commission for county administration, all for the ensuing biennium and providing for the administration of said funds, was taken up and considered.

Senator Long offered the following amendment and moved its adoption:

Amend the title to Senate File 433 by striking therefrom the words and figures "one hundred forty-two (142) Acts of the 49th," and inserting in lieu thereof, "Chapter forty-five (45) Acts of the 50th."

Further amend Senate File 433 by striking from lines 7 and 8 the words "Chapter 142 (Senate File 245) Acts of the 49th General Assembly," and inserting in lieu thereof the words, "Sections 1 and 3 of chapter 45 (Senate File 345) Acts of the 50th General Assembly."

Further amend Senate File 433 by striking all of section 4 and inserting in lieu thereof the following:

"Sec. 4. All of the balance remaining in said emergency relief fund created by sections 1 and 3 of chapter 45 Acts of the 50th General Assembly after the creation of the funds provided in sections 2 and 3 of this act are hereby transferred to the social welfare commission for county administration."

The amendment was adopted.

Senator Long offered the following amendment and moved its adoption:

Amend Senate File 433 by inserting in the blank in line 2 of section 5 the words, "Manchester Press," by inserting in the blank in line 3 of section 5 the word, "Manchester," by inserting in the blank in line 4 the

words, "Reinbeck Courier", and by inserting in the blank in line 5 of section 5 the word, "Reinbeck."

The amendment was 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, 44:

Augustine	Elthon	Keir	Newsome
Barkley	Faul	Klein	Reilly
Bekman	Findlay	Knudson	Ritchie
Benson	Foster	Leo	Rockhill
Berg	Hart	Long	Schluter
Byers	Harvey	Love	Shaw
Clem	Hawkins	Lynes	Sjulin
Cromwell	Henningsen	Martin	Vittetoe
Dewel	Hill	Mercer	Watson
Doud	Hultman	Miller	White
Dykhouse	Jones	Mowry	Zastrow

Nays, none.

Absent or not voting, 5:

Jacobson	Pine	Sharp	Vrba
Lucas			

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 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 Cromwell, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate resumed regular session, President Evans presiding.

PRESENTATION OF VISITORS

Senator Lynes asked and received unanimous consent to present to the Senate members of the junior and senior classes of the Plainfield high school, who were present in the balcony with their superintendent.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Senate File 39, a bill for an act relating to real estate brokers and the orderly marketing of real estate. A. C. GUSTAFSON, *Chief Clerk*.

HOUSE AMENDMENTS TO SENATE FILE 39

Amend section 7, subparagraph four (4), line 2, by inserting after the word "executor" the word "guardian,".

Amend section 8, line 6, by striking the word "immediately".

Amend section 10, line 2, by striking the comma (,) after the word "space" and inserting the following: "in the office of the secretary of state and with".

Amend section 11, line 1, by inserting after the word "director" the following: "at a salary not to exceed thirty-six hundred dollars (\$3600.00) per annum".

HOUSE AMENDMENTS CONSIDERED

Senator Keir called up Senate File 147, a bill for an act to create a department of public instruction of the state of Iowa; to create a board of public instruction, provide for the appointment of members thereof, and prescribe the powers and duties of said board; to provide for the election of a superintendent of public instruction and a deputy superintendent and such assistants and employees as may be necessary; to prescribe the duties of the superintendent of public instruction and the deputy superintendent; to amend certain provisions of the Code, 1939, and repeal certain provisions of the Code, 1939, to effect the general purposes of this act, amended by the House, and moved that the Senate refuse to concur in the House amendments to Senate File 147.

The motion prevailed and the Senate refused to concur in the House amendments.

Senator Dykhouse called up Senate File 39, a bill for an act to amend, revise, and codify chapter ninety-one and two tenths, Code, 1939, relating to the licensing and regulation of real estate brokers and salesmen and to matters properly pertaining to the orderly marketing of real estate, amended by the House, and moved that the Senate concur in the following House amendments:

Amend section 7, subparagraph 4, line 2, by inserting after the word "executor" the word "guardian,".

Amend section 8, line 6, by striking the word "immediately".

Amend section 10, line 2, by striking the comma (,) after the word "space" and inserting the following: "in the office of the secretary of state and with".

Amend section 11, line 1, by inserting after the word "director" the following: "at a salary not to exceed thirty-six hundred dollars (\$3600.00) per annum".

The motion prevailed and the Senate concurred in the House amendments.

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, 39:

Augustine	Elthon	Klein	Mowry
Barkley	Faul	Knudson	Newsome
Bekman	Findlay	Leo	Reilly
Benson	Hart	Long	Shaw
Berg	Harvey	Love	Sjulin
Byers	Henningsen	Lucas	Vittetoe
Clem	Hill	Lynes	Watson
Cromwell	Hultman	Martin	White
Dewel	Jones	Mercer	Zastrow
Dykhous	Keir	Miller	

Nays, 4:

Hawkins	Ritchie	Rockhill	Schluter
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Absent or not voting, 6:

Doud	Jacobson	Sharp	Vrba
Foster	Pine		

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.

UNFINISHED BUSINESS

Senator Cromwell called up for further consideration House Joint Resolution 8.

Senator Elthon asked and received unanimous consent to withdraw the amendment previously filed by him to House Joint Resolution 8.

Senator Elthon offered the following amendment and moved its adoption:

Amend House Joint Resolution 8, section 8, line 11, by inserting after the word "committee" where it first appears, the following: "and any additional amounts as may be allowed by the 52nd General Assembly."

The amendment was adopted.

Senator Cromwell 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	Elthon	Klein	Newsome
Barkley	Findlay	Knudson	Reilly
Bekman	Foster	Leo	Ritchie
Benson	Hart	Long	Rockhill
Berg	Harvey	Love	Schluter
Byers	Hawkins	Lucas	Shaw
Clem	Henningsen	Lynes	Sjulin
Cromwell	Hill	Martin	Vittetoe
Dewel	Hultman	Mercer	Watson
Doud	Jones	Miller	White
Dykhouse	Keir	Mowry	Zastrow

Nays, 1:

Faul

Absent or not voting, 4:

Jacobson	Pine	Sharp	Vrba
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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 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.

THIRD READING OF BILLS

On motion of Senator Hill, House File 295, a bill for an act to amend sections two thousand eight hundred ninety-four (2894), two thousand eight hundred ninety-seven (2897), two thousand eight hundred ninety-eight (2898), two thousand eight hundred ninety-nine (2899), two thousand nine hundred (2900), two thousand nine hundred two and one tenth (2902.1), two thousand nine hundred three (2903), two thousand nine hundred five (2905), two thousand nine hundred seven (2907), two thousand nine hundred nine (2909), and two thousand nine hundred ten (2910), Code, 1939, relating to management and state aid to county and district

fairs, and providing for division of funds between fairs held in same county, with report of committee recommending passage, 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, 44:

Augustine	Faul	Klein	Newsome
Bekman	Findlay	Knudson	Reilly
Benson	Foster	Leo	Ritchie
Berg	Hart	Long	Rockhill
Byers	Harvey	Love	Schluter
Clem	Hawkins	Lucas	Shaw
Cromwell	Henningsen	Lynes	Sjulin
Dewel	Hill	Martin	Vittetoe
Doud	Hultman	Mercer	Watson
Dykhouse	Jones	Miller	White
Elthon	Keir	Mowry	Zastrow

Nays, 1:

Barkley

Absent or not voting, 4:

Jacobson	Pine	Sharp	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 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 2, 248 and 396.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *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, 248 and 396.

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, 1945, sent to the Governor for his approval, Senate Files 2, 248 and 396.

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 bills:

Senate File 53, relating to mechanics' liens.

Senate File 54, relating to imposition of use tax.

Senate File 71, relating to discontinuance of municipal corporations.

Senate File 323, relating to costs of official publications.

Senate File 345, relating to group insurance.

Senate File 406, relating to county fairs.

REPORTS OF COMMITTEE

Senator Long submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 427, a bill for an act to make appropriations to N. L. Newton, Mary Jeanette Benfer, Sgt. Charles G. Cole, Tecla Hutton, and Wallace-Homestead Company, begs leave to report it has had the same under consideration and returns the bill without recommendation.

I. D. LONG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 428, 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 acts of commission or omission by the state highway commission on its employees, begs leave to report it has had the same under consideration and returns the bill without recommendation.

I. D. LONG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 435, a bill for an act to make appropriation to drain-

age ditch assessment No. 40, Cerro Gordo county, Mason City, Iowa, begs leave to report it has had the same under consideration and returns the bill without recommendation.

I. D. LONG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 436, a bill for an act to provide for the general welfare of public employees by establishing an old age and survivor insurance system, begs leave to report it has had the same under consideration and returns the bill without recommendation.

I. D. LONG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 125, a bill for an act to provide special education for handicapped children and providing special funds therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

I. D. LONG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 447, a bill for an act providing for capital improvements in institutions under board of control, 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 447 by adding thereto a new section as follows:

"Sec. 6. The board of control and the joint legislative committee on retrenchment and reform are hereby authorized to obtain Federal grants to the State to be used in connection with the funds above appropriated or diverted for such construction purpose."

I. D. LONG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 448, a bill for an act to appropriate and set aside from the income, corporation and sales tax special fund for certain capital improvements in institutions under the board of education including repairs etc., and providing for joint control of the expenditure of the funds by the State Board of Education and the joint legislative committee on retrenchment and reform of the State of Iowa, and providing for its investment by the State Treasurer and the method of expenditure, 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 448 by adding thereto a new section as follows:

"Sec. 6. The Board of Education and the joint legislative committee on retrenchment and reform are hereby authorized to obtain Federal grants to the State to be used in connection with the funds above appropriated or diverted for such construction purpose."

I. D. LONG, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 288 by adding following section 1 thereof the following:

"Sec. 2. Section nine thousand two hundred twenty-three (9223), Code, 1939, as amended by Chapter two hundred forty (240) of the Acts of the Fiftieth General Assembly, is amended by adding at the end of said section the following:

'Provided, however, that in all loans made by any bank or trust company under this section to be secured by said United States securities, the borrower shall make application therefor by written application and certification that said loan is not inconsistent with, or in violation of, any regulation of the United States Treasury Department or other governmental agencies issuing such securities, and further certify that said loan is not made for a speculative purchase of such Government securities. Said borrower shall also certify that he expects to be able to repay such loan from anticipated funds within six months from the time said loan is made, and shall further affirmatively show the source from which he expects to be able to repay said loan. Said written application and certification by the borrower shall remain with and be held by said bank for a period of two years time, and said application and certification shall be subject to the examination of any representative of the state banking department or any federal agency now or hereafter authorized to examine said bank. Provided, further, that in no event shall the limitations of Section nine thousand two hundred twenty-three (9223), Code, 1939, be waived with respect to such loans secured by such United States securities.'"

E. K. BEKMAN.

Amend Senate File 416 by striking section 6 and renumbering all succeeding sections.

R. B. HAWKINS.

Amend Senate File 388 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Any moneys hereafter becoming available or appropriated from the general fund of the state for school tax credit shall be apportioned and credited as hereinafter provided. All such moneys shall be held by the treasurer of state and shall be designated as the school tax credit fund.

Sec. 2. On or before November 1 of each year each county auditor shall certify to the treasurer of state the amount of revenue to be raised in all of the school districts in the county in the ensuing year from millage levies for the general school funds.

Sec. 3. The treasurer of state shall distribute on or before December 1 of each year the amount credited to each county on warrants drawn by the comptroller and payable to the county treasurers of the several counties. The amount credited to each county shall be that percentage of the said fund that the amount of revenue to be raised in such county in the ensuing year from millage levies for the general school fund bears to the total amount of revenue to be raised from the millage levies for the general school funds in the state.

Sec. 4. The amount distributed to each county shall be credited by the county treasurer to the general school funds in the proportion that the amount to be raised in each such district for the general school fund bears to the total amount to be raised in the county from such levies.

Sec. 5. The levy for the general school fund in each such district shall be reduced by the amount thus credited to the general school fund in such district.

Amend the title to Senate File 388 by striking everything after the word "Act" in line one (1) thereof, and by substituting in lieu thereof the following:

"to relieve the burden of taxation in school districts by providing state aid to reduce the school taxes for the general school fund."

LEO ELTHON.

Amend section 6, House File 118, by adding after the period (.) in line 4 a new sentence as follows:

The appropriation provided by this act may be expended in part for the direction and supervision provided by the act which shall include salaries and all necessary travelling expenses incurred by the director and his assistants in the performance of their official duties.

ROBERT KEIR.

Amend House File 118 as follows:

1. Strike section 7, section 8 and section 9 and insert in lieu thereof the following:

"The local school board shall provide transportation facilities for each pupil who is entitled to transportation under the provisions of this act, establish bus routes for such transportation within the district so as to provide for economical and efficient operation thereof without duplication of such facilities and with regard for the health and safety of the pupils transported, purchase or lease busses and other transportation facilities and maintain same, enter into contracts for such transportation, employ necessary drivers and employees, and perform such other duties relating to transportation as required by law.

The county board shall approve all transportation plans of local school boards of districts within the county school system and transportation arrangements between school districts from one district to another either within the county or between adjacent counties, and enforce all laws and rules and regulations consistent therewith relating to transportation.

The state department shall cooperate with the county boards and local school boards in carrying out the provisions of this act, hear and decide appeals with reference to transportation, aid in the enforcement of the provisions of this act and the motor vehicle laws relating to

transportation of school children and recommend uniform standards for the establishment of school bus routes, qualifications of drivers, standards for safeguarding the health and safety of pupils transported."

2. Further amend House File 118 by renumbering the remaining sections.

ALDEN L. DOUD.

Amend House File 193 by adding thereto the following:

"Sec. 2. That section one thousand four hundred twenty-one (1421), Code, 1939, as amended by chapter ninety-six (96), Laws of the Forty-ninth General Assembly, be amended by striking the period (.) at the end of subparagraph d of subsection three (3) and adding in lieu thereof the following: ', conservation officers and peace officers referred to in section one thousand four hundred twenty-two (1422), Code, 1939'."

GEORGE FAUL.

Amend House File 448 as follows:

1. Amend section 1 by inserting after line 18 the following:

"10. Psychopathic hospital\$1,500,000.00"

2. Further amend section 1 by striking the words and figures "five million eight hundred thousand dollars (\$5,800,000.00)" in lines 5 and 6 and substituting in lieu thereof the following: "seven million three hundred thousand dollars (\$7,300,000.00)".

3. Further amend section 1 by striking the figures "\$2,297,500" in line 8 and substituting in lieu thereof the following: "\$3,797,500."

COMMITTEE ON APPROPRIATIONS

I. D. LONG, *Chairman*.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 3, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend Father John Aldera, assistant pastor of St. Johns Catholic church, Des Moines, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Barkley, from residents of Appanoose county, favoring local option.

By Senator Benson, from residents of Sac county, favoring local option.

By Senator Doud, from residents of Van Buren county, favoring local option.

By Senator Dewel, from residents of Emmet county, favoring proposed occupational disease legislation; also, from residents of Palo Alto county, favoring local option.

By Senator Faul, from residents of Polk county, favoring local option.

By Senator Hart, from residents of Webster county, favoring proposed occupational disease legislation; also, from residents of Appanoose, Cass, Des Moines, Fayette, Hamilton, Hardin, Jefferson, Jones, Lee, Linn, Louisa, Lucas, Marion, Mitchell, Monroe, Plymouth, Polk, Poweshiek, Ringgold, Taylor and Wright counties, favoring local option.

By Senator Hill, from residents of Hardin county, favoring local option.

By Senator Keir, from residents of Clay county, favoring local option.

By Senator Long, from residents of Delaware county, favoring local option.

By Senator Lucas, from residents of Boone county, favoring local option.

By Senator Mowry, from residents of Jasper county, favoring local option; also, from members of Local 1116, United Electrical, Radio and Machine Workers of America, favoring proposed unemployment compensation legislation.

By Senator Shaw, from residents of Pocahontas county, favoring local option.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Vrba for the day on request of Senator Reilly; Senator Jacobson for the day on request of Senator Dykhouse.

INTRODUCTION OF BILLS

Senate File 438, by committee on appropriations, a bill for an act to appropriate from the general fund of the state of Iowa for repairs to the state capitol building and grounds.

Read first and second times and referred to sifting committee.

Senator Clem called up the following concurrent resolution:

SENATE CONCURRENT RESOLUTION 17

Be It Resolved by the Senate, the House Concurring:

Whereas, The congress of the United States has enacted legislation providing for additional flood control and also for a further development of navigation on the Missouri river, and

Whereas, Plans are being made for an even greater development of the Missouri river including a great development of irrigation, and

Whereas, Said improvements should be made at the earliest possible time in view of the destruction of life and property and the loss to industry, agriculture and commerce caused by recent floods and the continuous waste of valuable water resources within this basin, and

Whereas, Improvements of the type contemplated have been carried on in the past by the Corps of Engineers, United States Army, and the Bureau of Reclamation, Department of Interior, and

Whereas, The said government agencies have had charge of such developments for many years and have planned and are prepared to execute the said works of improvement with no delay at the conclusion of the war, and

Whereas, It has been suggested that in order to further the progress of this development, a Missouri Valley Authority should be formed with broad powers similar to the Tennessee Valley Authority.

Now, Therefore, Be It Resolved by the General Assembly of the State of Iowa:

1. That we endorse the aforementioned improvement program and recommend and urge upon the congress of the United States of America that the co-ordinated plan for the control and use of the waters of the Missouri River Basin, as now authorized by law, be given immediate adequate appropriation so that the plan can be executed as expeditiously as is consistent with the public economy.

2. That we commend the corps of engineers and the bureau of reclamation for their action in effecting co-ordination of their activities within the Missouri River Basin.

3. That we oppose Senate Bill 555, introduced on February 15, 1945, and is now in the Committee on Commerce, because such bill would,

(a) Create a federal corporation clothed with the power of government, fortified by law with a functional flexibility of a private corporation and freed of all the legal restraints which experience has demonstrated are necessary and desirable.

(b) Place the states within the Missouri Valley Basin, subservient to a super-state controlled by three men, so far as the control and development of the water resources of the Missouri Valley Basin are concerned.

(c) Stifle industrial growth, individual enterprise and agricultural development inasmuch as the proposed federal corporation would be in control of a basic economic resource.

(d) Establish a precedent for the establishment of a similar Authority in the Mississippi Valley Basin, which would be detrimental to the best interests of the State of Iowa and the nation at large.

4. That a copy of this resolution, suitably engrossed, be transmitted by the Chief Clerk of the House of Representatives and the Secretary of the Senate to the Vice President of the United States, to the Speaker of the House of Representatives of the United States, to each member from Iowa in the Senate of the United States and in the House of Representatives of the United States, and to the Legislature of each state bordering or through which the Missouri river flows.

Senator Augustine moved that action on Senate Concurrent Resolution 17 be deferred for further study.

The motion was lost.

On motion of Senator Clem 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 concurred in Senate amendments to and passed House Joint Resolution 8, creating a Special Committee to make a study of taxation in Iowa.

Also: That the House has amended and failed to pass, the following bill in which the concurrence of the House was asked:

Senate File 247, a bill for an act relating to property held in trust by fiduciaries.

Also: That the House insists upon its amendments to Senate File 147, a bill for an act to create a department of public instruction, and requests a conference committee, and the Speaker has appointed as members of such committee on the part of the House, Representatives Schwengel, Fimmen, Strawman and Lane. A. C. GUSTAFSON, *Chief Clerk*.

HOUSE AMENDMENTS TO SENATE FILE 247

Amend Senate File 247, section 1, line 9, by striking the word "with" and inserting in lieu thereof the following: "upon application to and first obtaining" and further amend said section in line 10 thereof by inserting in front of the comma following the word "thereof" the following: "in each instance".

Further amend Senate File 247 by adding thereto a new subsection as follows:

"(h) No order shall be made and entered by the court permitting fiduciaries to invest funds in obligations of individuals, firms, or partnerships without security of at least twice the value of the amount proposed to be invested, said securities to be approved by the court, except as otherwise provided in subsection 5 as amended by Chapter 307 of the Acts of the 49th General Assembly. Provided further, that investments in unsecured notes, debentures or other obligations of corporations, firms or stock companies shall be subject to the same restrictions and requirements as are provided in this act as to stocks and bonds of corporations."

HOUSE MESSAGE CONSIDERED

CONFERENCE COMMITTEE APPOINTED

The President appointed Senators Keir, Lynes, Bekman and Ritchie on the part of the Senate on Senate File 147.

Senator Elthon asked unanimous consent that Senate File 298 be placed on the calendar.

Senator Elthon moved that further action on the request that Senate File 298 be placed on the calendar, be deferred until 10:30 a. m., Wednesday, April 4th, which motion prevailed.

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

AFTERNOON SESSION

The Senate resumed regular session, President Evans presiding.

SENATE MEMORIAL RESOLUTIONS

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

Be It Resolved by the Senate: That a committee be appointed by the President of the Senate to prepare a memorial resolution commemorating the services of Byron W. Newberry, a former member of the Senate.

The motion prevailed and the resolution was adopted.

The President appointed as such committee: Senators Sharp, Jacobson, Reilly, Long and Vrba.

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

Be It Resolved by the Senate: That a committee be appointed by the President of the Senate to prepare a memorial resolution commemorating the services of Chester W. Whitmore, a former member of the Senate.

The motion prevailed and the resolution was adopted.

The President appointed as such committee: Senators Bekman, Doud, Barkley, Vitteloe and Klein.

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

Be It Resolved by the Senate: That a committee be appointed by the President of the Senate to prepare a memorial resolution commemorating the services of John H. Jackson, a former member of the Senate.

The motion prevailed and the resolution was adopted.

The President appointed as such committee: Senators Clem, Dykhouse, Ritchie, Harvey and Keir.

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

Be It Resolved by the Senate: That a committee be appointed by the President of the Senate to prepare a memorial resolution commemorating the services of H. A. Darting, a former member of the Senate.

The motion prevailed and the resolution was adopted.

The President appointed as such committee: Senators Hultman, Sjulín, Watson, White and Love.

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

Be It Resolved by the Senate: That a committee be appointed by the President of the Senate to prepare a memorial resolution commemorating the services of John T. Clarkson, a former member of the Senate.

The motion prevailed and the resolution was adopted.

The President appointed as such committee: Senators Klein, Barkley, Newsome, Augustine and Vittetoe.

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

Be It Resolved by the Senate: That a committee be appointed by the President of the Senate to prepare a memorial resolution commemorating the services of Olaf M. Oleson, a former member of the Senate.

The motion prevailed and the resolution was adopted.

The President appointed as such committee: Senators Findlay, Hill, Lucas, Benson and Shaw.

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

Be It Resolved by the Senate: That a committee be appointed by the President of the Senate to prepare a memorial resolution commemorating the services of Frederick O. Ellison, a former member of the Senate.

The motion prevailed and the resolution was adopted.

The President appointed as such committee: Senators Schluter, Martin, Henningsen, Byers and Mercer.

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

Be It Resolved by the Senate: That a committee be appointed by the President of the Senate to prepare a memorial resolution commemorating the services of Warren A. Caldwell, a former member of the Senate.

The motion prevailed and the resolution was adopted.

The President appointed as such committee: Senators Augustine, Vittetoe, Klein, Bekman and Mowry.

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

Whereas, The Honorable Joseph R. Frailey, of Lee county, who was a member of this body during the Thirty-sixth, Thirty-seventh, Thirty-eighth, Thirty-ninth, Forty-second, Forty-third, Forty-fourth and Forty-fifth regular sessions and the Forty-second and Forty-fifth Extraordinary sessions of the General Assembly, died at his home in Fort Madison on October 5, 1944, therefore

Be It Resolved by the Senate of the Fifty-first General Assembly: That a committee 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 Hart, Doud, Cromwell, Foster and Barkley.

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

Whereas, The Honorable Frank Pelzer, who was a member of this body, representing the eighteenth senatorial district, composed of Cass and Shelby counties, in the Forty-seventh, Forty-eighth, Forty-ninth, Fiftieth, and Fiftieth Extra General Assemblies, died at his home in Marne, Monday, August 28, 1944,

Be It Resolved by the Senate: That a committee be appointed to draft suitable resolutions commemorating his life, character, and service to the state.

The motion prevailed and the resolution was adopted:

The President appointed as such committee: Senators White, Watson, Miller, Benson and Hultman.

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

Whereas, The Honorable Charles Edward Malone, who was a member of this body representing the eighteenth senatorial district composed of Cass and Shelby counties in the Forty-sixth General Assembly, died March 22, 1945; therefore,

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

The motion prevailed and the resolution was adopted.

The President appointed as such committee: Senators White, Love, Benson, Clem and Miller.

EXECUTIVE SESSION

On motion of Senator Benson the Senate resolved itself into Executive session.

The Senate arose from executive session and resumed regular session.

THIRD READING OF BILLS

On motion of Senator Dykhous, House File 458, a bill for an act to amend section one hundred forty-one (141) of chapter eleven (11), Code, 1939, relating to the withdrawal by the treas-

urer of state of funds belonging to the state in any county treasury, 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, 37:

Augustine	Dykhous	Knudson	Reilly
Barkley	Elthon	Leo	Ritchie
Bekman	Findlay	Long	Rockhill
Benson	Foster	Love	Schluter
Berg	Hart	Lucas	Sharp
Byers	Hawkins	Martin	Shaw
Clem	Henningsen	Mercer	Vittetoe
Cromwell	Hill	Miller	White
Dewel	Jones	Newsome	Zastrow
Doud			

Nays, none.

Absent or not voting, 12:

Faul	Jacobson	Lynes	Sjulin
Harvey	Keir	Mowry	Vrba
Hultman	Klein	Pine	Watson

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.

On motion of Senator Leo, House File 268, a bill for an act to amend chapter one hundred thirty (130), section 10, Acts of the Forty-ninth General Assembly, relating to the fee for testing seed samples, 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, 44:

Augustine	Elthon	Knudson	Reilly
Barkley	Faul	Leo	Ritchie
Bekman	Findlay	Long	Rockhill
Benson	Foster	Love	Schluter
Berg	Hart	Lucas	Sharp
Byers	Hawkins	Lynes	Shaw
Clem	Henningsen	Martin	Sjulin
Cromwell	Hill	Mercer	Vittetoe
Dewel	Jones	Miller	Watson
Doud	Keir	Mowry	White
Dykhous	Klein	Newsome	Zastrow

Nays, none.

Absent or not voting, 5:

Harvey	Jacobson	Pine	Vrba
Hultman			

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 Henningsen, Senate File 335, a bill for an act authorizing the state highway commission to accept as a gift any bridge and approaches thereto, over the Missouri river or over the Mississippi river, on the boundary of the state of Iowa, which bridge constitutes a connecting link or part thereof between the primary roads of this state and similar roads of an adjoining state, to receive and accept conveyance of title of such bridge and approaches, and to thereafter operate and maintain such bridge and approaches, free of tolls, as a part of the primary road system, and to relieve any bridge so accepted by the commission from the payment of state and local taxes, 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, 40:

Augustine	Findlay	Leo	Reilly
Barkley	Foster	Long	Rockhill
Bekman	Hart	Love	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Lynes	Shaw
Clem	Hill	Martin	Sjulin
Cromwell	Jones	Mercer	Vittetoe
Dewel	Keir	Miller	Watson
Doud	Klein	Mowry	White
Dykhouse	Knudson	Newsome	Zastrow

Nays, none.

Absent or not voting, 9:

Benson	Faul	Hultman	Pine
Elthon	Harvey	Jacobson	Ritchie
			Vrba

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 Faul, Senate File 409, a bill for an act to repeal section three thousand five hundred sixty-two and one tenth (3562.1), Code, 1939, and to enact a substitute therefor, relating to commitment of incompetent veterans to Veterans Administration or other agency of the United States government, 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, 42:

Augustine	Faul	Knudson	Ritchie
Barkley	Findlay	Leo	Rockhill
Bekman	Foster	Long	Schluter
Benson	Hart	Love	Sharp
Berg	Hawkins	Lucas	Shaw
Byers	Henningsen	Martin	Sjulin
Clem	Hill	Mercer	Vittetoe
Cromwell	Hultman	Müller	Watson
Dewel	Jones	Mowry	White
Doud	Keir	Newsome	Zastrow
Dykhouse	Klein		

Nays, none.

Absent or not voting, 7:

Elthon	Jacobson	Pine	Vrba
Harvey	Lynes	Reilly	

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 Hart, Senate File 424, a bill for an act to legalize and validate the proceedings authorizing and providing for the acquisition, ownership and operation by the city of Keokuk, Iowa, of the existing toll bridge extending across the Mississippi River from said city, and for the issuance, sale and delivery by said city of bridge revenue bonds in connection therewith, and the provisions made for the payment of said bonds and declaring said proceedings and the bonds issued pursuant thereto legally sufficient and enforceable, was taken up and considered.

Senator Hart asked and received unanimous consent that further action on Senate File 424 be deferred and that it retain its place on the calendar.

On motion of Senator Sharp, House File 220, a bill for an act to amend section one thousand five hundred fifty-one and twenty-five hundredths (1551.25), as amended, subsection G, paragraph seven (7), (1551.25-G-7), Code, 1939, to provide unemployment compensation for maritime workers, was taken up and considered.

Senator Sharp moved that the bill be read a third 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	Knudson	Ritchie
Barkley	Findlay	Leo	Rockhill
Bekman	Foster	Long	Schluter
Benson	Hart	Love	Sharp
Berg	Hawkins	Lynes	Shaw
Byers	Henningsen	Martin	Sjulin
Clem	Hill	Mercer	Vittetoe
Cromwell	Hultman	Miller	Watson
Dewel	Jones	Mowry	White
Doud	Keir	Newsome	Zastrow
Dykhouse	Klein	Reilly	

Nays, none.

Absent or not voting, 6:

Faul	Jacobson	Pine	Vrba
Harvey	Lucas		

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

Senator Sharp moved that the 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 report that it has examined and finds correctly enrolled Senate Files 35, 52 and 397, and House Files 54, 178, 183, 279, 280, 358, 365, 366, 393, 452, 459, and House Joint Resolution 4.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *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 35, 52 and 397, and House Files 54, 178, 183, 279, 280, 358, 365, 366, 393, 452, 459, and House Joint Resolution 4.

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 3rd day of April, 1945, sent to the Governor for his approval, Senate Files 35, 52 and 397. ROBERT C. REILLY, *Chairman*.

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 2nd he had approved the following bill:

Senate File 248, relating to rate of interest on past due contribution.

Also, that on April 3rd he had approved the following bill:

Senate File 396, relating to agricultural lime.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

House File 379

House File 198

Senate File 121

House Joint Resolution 7

Senate File 394

Senate File 419

Senate File 437

Senate File 254

Senate File 382

House File 50

House File 200

House File 420

STANLEY L. HART, *Chairman*.

AMENDMENTS FILED

Amend Senate File 421, section 1, by striking from line 6 the following "organized industrial," and by striking from line 8 of section 1 "industrial,".

Further amend the title by striking from line 4 "industrial,".

E. K. BEKMAN.

Amend Senate File 427 by striking section 4 and renumbering the following sections.

IRVING D. LONG.

DE VERE WATSON.

Amend the title to House File 125 by striking from line 2 thereof, "state administrative authority," and substitute in lieu thereof the following: "division of special education within the state department of public instruction,".

Further amend House File 125 by adding after the comma in line 7 of subsection 1 of section 2 the word "or".

Further amend subsection 1 of section 2 by striking the word "such" from line 7.

Further amend House File 125 by striking the letter "a" being the last letter in line 1 of section 9 and substituting in lieu thereof "an approved".

Further amend House File 125 by striking the last letter "a" in line 2 of section 10 and substituting in lieu thereof "an approved".

G. R. HILL.

Amend House File 125 by inserting after the figures, "\$30,000.00", in line 3 of section 11 the following: "for each year of the biennium beginning July 1, 1945, and ending June 30, 1947."

Further amend House File 125 by inserting after the word, "used" in line 5 of section 11 the following: "for the expenses and maintenance of the division of special education and".

IRVING D. LONG.

Amend House File 447 by adding the following:

Section —. No portion of the amount of \$2,412,000.00 contemplated in this act for the expansion of the housing for patients in the four mental hospitals shall be made available until a report of the study group hereinafter provided for shall have made its report, except as hereinafter provided.

(a) There is hereby created a study group of five members, two members of which shall be appointed by the Speaker of the House from the membership of the House of the 51st General Assembly, two members shall be appointed by the President of the Senate from the membership of the Senate of the 51st General Assembly. The fifth member shall be appointed by the Governor, and he shall receive per diem compensation of \$10.00 per day and actual expenses. The four Legislative members shall receive their actual and necessary expenses when engaged in the work of the Committee and such additional sums as may be allowed by the 52nd General Assembly.

(b) Such group shall make a complete survey and study of the methods and processes of commitment to any mental hospital; of the methods of caring for such patients; of the procedure for their more prompt return to their normal activities; to investigate the facilities available or which can be made available in the County Homes of the State in order to provide for the accommodation of a larger number of patients therein under improved conditions; the processes and practices obtaining in private and County Nursing homes; to investigate the feasibility of providing greater facilities for psychopathic treatment

at the State Psychopathic Hospital at Iowa City or elsewhere, and determine whether a psychopathic examination and observation before commitment may not be feasible and advisable; to study the feasibility of an exchange basis whereby doctors and nurses on the medical staffs of the mental hospitals may be assigned to the psychopathic hospital at Iowa City for short courses of internships and for arrangements whereby students who major in psychiatry at the State University may be assigned for internship at the mental hospital and for providing living quarters and maintenance of such interns at the mental hospitals; to study the question of the expansion of the housing facilities at the mental institutions and how the cost of such expansion and operation may be minimized.

(c) If it develops that materials for construction as in this act provided are available by January 1, 1946, the Legislative Interim Committee is authorized, after conferring with such study group herein created, to release for use by the board of control, such portion of this fund as it deems necessary.

(d) The study group shall commence its work as soon as practicable after appointment and shall make a written report of its findings and recommendations to the Governor not later than March 1, 1946, a copy of which report shall be mailed promptly to each member of the 51st General Assembly.

(e) The State Executive Council shall provide such quarters, if any, as are needed and such clerical assistance as may be necessary, and the Attorney General shall provide such legal assistance as the study group may require.

(f) The study group is hereby authorized to request and procure from the board of control or any other department or subdivision of the state such information, cooperation, aid and assistance as it deems necessary to enable it to do the things necessary to be done to fully discharge its duties.

(g) The study group shall meet in a joint session to be called by the President of the Senate in the early days of the 52nd General Assembly for the purpose of providing the members of that Assembly with facts concerning its findings, or make explanation of matters contained or referred to in its report.

(h) There is hereby appropriated from the General Fund of the State the amount of ten thousand dollars (\$10,000.00) or so much thereof as may be needed, to pay all expenses of carrying out its duties as herein provided; such funds to be paid out on requisitions of the chairman of such study group.

H. M. KNUDSON.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 4, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend S. V. Williams, pastor of the Elwood Methodist church, Elwood, Iowa.

PRESENTATION OF BIBLE

At the conclusion of his prayer, Reverend Mr. Williams, in memory of his close friend, the late Senator B. C. Whitehill, presented the Senate with a Bible.

President Evans accepted the gift in behalf of the Senate.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Klein, from residents of Marion county, favoring local option.

By Senator Lynes, from residents of Butler county, favoring local option.

By Senator Mercer, from residents of Johnson county, favoring local option.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Jones for the day on request of Senator Martin.

EXECUTIVE SESSION

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

The Senate arose from executive session and resumed regular session.

INTRODUCTION OF BILLS

Senate File 439, by committee on judiciary 1, a bill for an act to amend section four hundred eighty-nine (489), Code, 1939, relat-

ing to memorial halls and monuments for soldiers, sailors and marines by raising the allowable levy from two to five mills.

Read first and second times and referred to sifting committee.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File 153, a bill for an act relating to hotels, restaurants and food establishments.

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

Senate File 309, a bill for an act relating to workmen's compensation for minors.

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 relating to renewal of licenses of cosmetology schools.

A. C. GUSTAFSON, *Chief Clerk.*

Senator Barkley asked and received unanimous consent that consideration of House File 63 be made a special order of business immediately following the action on Senate File 298.

The time having arrived for further consideration of the request of Senator Elthon on April 3, that Senate File 298 be placed on the calendar, Senator Elthon again asked unanimous consent that Senate File 298 be placed on the calendar.

Objection was raised.

Senator Elthon raised the point of order that in accordance with the action taken by the Senate on February 23, pertaining to all bills on the calendar and in committees being referred to the sifting committee, was incomplete and that Senate File 298 was not officially in the sifting committee.

Senator Elthon moved that Senate File 298 be placed on the calendar.

Senator White moved the previous question on the motion, which motion prevailed.

Roll call was demanded.

On the point of order raised by Senator Elthon, the Chair

ruled the point not well taken and that the Journal record referred to was complete and correct.

On the question "Shall the motion be adopted?" the vote was:

Ayes, 22:

Augustine	Foster	Mowry	Shaw
Barkley	Harvey	Newsome	Sjulin
Benson	Hawkins	Ritchie	Vittetoe
Clem	Klein	Rockhill	White
Elthon	Love	Schluter	Zastrow
Findlay	Miller		

Nays, 25:

Bekman	Faul	Keir	Martin
Berg	Hart	Knudson	Mercer
Byers	Henningsen	Leo	Reilly
Cromwell	Hill	Long	Sharp
Dewel	Hultman	Lucas	Vrba
Doud	Jacobson	Lynes	Watson
Dykhouse			

Absent or not voting, 2:

Jones	Pine
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The motion having failed to receive 33 votes was lost.

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

AFTERNOON SESSION

The Senate reconvened, President Evans presiding.

The time having arrived for the special order of business on House File 63, Senator Barkley asked and received unanimous consent to withdraw his request that House File 63 be 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 senate concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 17, relating to the improvement program in the Missouri river basin.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 25, a bill for an act providing a pension and annuity retirement system for employees of a municipally owned waterworks or other municipally owned public utility.

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

House Concurrent Resolution 20, providing for Chief Clerk of the House and Secretary of Senate to perform post-session work.

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

House Concurrent Resolution 21, providing that Speaker of the House and President of the Senate be presented with chairs occupied by them during the session.

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

House Concurrent Resolution 22, relating to the issuance of a special stamp and the coinage of a special coin commemorating Iowa's Centennial.

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

Senate File 141, a bill for an act providing for free recording of certain documents issued to members of armed forces.

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

Senate File 220, a bill for an act relating to contributions for unemployment compensation on payrolls.

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

Senate File 310, a bill for an act relating to penalty for wilful failure to file reports in workmen's compensation matters.

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

Senate File 426, a bill for an act relating to expenses of General Assembly and making appropriation therefor.

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

Senate File 430, a bill for an act making appropriations for improvements, repairs, and supplies 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 431, a bill for an act making appropriations for payment of claims of state employees inducted into the U. S. Army.

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

Senate File 432, a bill for an act relating to approval of compensation of state employees.

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

Senate File 433, a bill for an act providing for disposition of balance in the Iowa emergency relief fund.

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

House File 336, a bill for an act relating to leasing of school property in certain cities.

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

House File 426, a bill for an act relating to examination expense as applied to moneys and credits under taxation.

A. C. GUSTAFSON, *Chief Clerk*.

HOUSE AMENDMENTS TO SENATE FILE 25

Amend Senate File 25 as follows:

1. Strike from line 6 of section 1 the words "special charter cities,".
2. Add the following as new sections to the bill:

Sec. 5. Public utility as that term is used in this act shall be limited to any waterworks, gas or electric light plants managed, operated and owned by a municipality.

Sec. 6. The provisions of this act are made applicable to special charter cities.

3. Amend section three, lines 4 and 6, by changing the word "shall" to "may".

HOUSE CONCURRENT RESOLUTION 20

Be It Resolved by the House, the Senate Concurring: That the Chief Clerk of the House and the Secretary of the Senate be required to remain at the capitol and perform their respective duties for so long a time as may be necessary following the final adjournment of the Fifty-first General Assembly and that they be authorized to select such of their respective assistants as may be necessary for such time as may be required for the purpose of correcting and certifying the records of the session and otherwise closing up the business of their respective offices and also for the packing of supplies of members for shipment to their homes.

The Chief Clerk of the House and the Secretary of the Senate are hereby authorized to correct the Journal of the House and Senate respectively for the last day of the session.

Each of said officers and employees shall receive the same compensation per day for such extra service performed as they now receive, to be paid by the comptroller of state upon certification by the Speaker and Chief Clerk of the House and the President and Secretary of the Senate.

HOUSE CONCURRENT RESOLUTION 21

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.

HOUSE CONCURRENT RESOLUTION 22

Whereas, On December 28, 1946, the State of Iowa will have completed its first century of statehood, and the year 1946 will be celebrated in Iowa as the state's Centennial year, and

Whereas, There is general desire on the part of the people of the state that the Centennial year of Iowa shall be made the occasion for renewed interest in and acceleration of the study of the entire history of Iowa, by appropriate ceremonies in the schools, the churches, and all civic societies, in every city and town of the state, to the end that Iowa people shall have finer appreciation of their own state and the achievements of her people; now, therefore,

Be It Resolved by the House, the Senate Concurring: That the Fifty-first General Assembly hereby indorses and approves the movement made by Hon. Karl LeCompte, and other members of the Iowa delegation in Congress, to secure the publication by the postal department of a special stamp commemorative of the event, serving to remind all the people of the fact that Iowa was the first free state of the Louisiana purchase, and of its growth and greatness; and the similar effort to secure the coinage of a special commemorative coin of special Iowa significance, and we hereby add our indorsement to the effort to make not only Iowa but all the world more history-conscious as a background for the higher patriotism affecting all things American.

HOUSE MESSAGES CONSIDERED

House File 465, a bill for an act to amend section two thousand five hundred eighty-five and eighteen hundredths ((2585.18), Code, 1939, relating to the renewal of licenses of cosmetology schools and providing for due notice and hearing in such cases.

Read first and second times and referred to the sifting committee.

House File 336, a bill for an act relating to the leasing of school property in cities having a population of six thousand or more.

Read first and second times and referred to the sifting committee.

House File 426, a bill for an act to amend section six thousand nine hundred ninety-five (6995), Code, 1939, relating to examination expense as applied to moneys and credits under taxation.

Read first and second times and referred to the sifting committee.

REPORT OF CONFERENCE COMMITTEE ON SENATE FILE 405

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 405, beg leave to report that we have had the same under consideration and desire to report as follows:

1. That section thirteen (13) read as follows:

"Section 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, 1945, and ending June 30, 1947, the sum of two hundred ninety thousand dollars (\$290,000.00) 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 maintenance of state parks, purchase of land and general improvements and lake and stream improvements and for the construction of improvements of roads and highways in said parks.....\$290,000.00

Grand total of all appropriations for all purposes for each year of the biennium for the conservation commission.....\$290,000.00

2. That section twenty-eight (28) read as follows:

"Section 28. 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, 1945, and ending June 30, 1947, 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 the insurance commissioner\$ 46,500.00

3. That section thirty-seven (37) read as follows:

"Sec. 37. For salary of reporter of supreme court and code editor four thousand dollars (\$4,000.00), and two hundred and fifty dollars (\$250.00) each year of the biennium for additional work pertaining to the issuing of Code of 1945, 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.....\$ 4,250.00

For salaries, support, maintenance and miscellaneous purposes 11,793.60

Grand total of all appropriations for all purposes for each year of the biennium for the department of reporter of supreme court and code editor\$ 16,043.60

4. Amend section 29, lines four (4) and five (5), by striking therefrom the words and figures, "seventy-six thousand seven hundred seventy dollars (\$76,770.00)" and inserting in lieu thereof the words and figures "seventy-five thousand seven hundred seventy dollars (\$75,770.00)".

Further amend said section, line twenty-three (23), by striking therefrom the figures "42,925.00" and inserting in lieu thereof the figures "\$41,925.00".

Further amend said section, line twenty-six (26), by striking the figures "76,770.00" and inserting in lieu thereof the figures "75,770.00".

Amend section 36, lines four (4) and five (5), by striking therefrom the words and figures "one million one hundred thirteen thousand two hundred thirty-seven dollars (\$1,113,237.00)" and inserting in lieu thereof the words and figures "one million one hundred two thousand nine hundred eighty-seven dollars (\$1,102,987.00)".

Further amend said section by striking the following figures appearing at the end thereof "1,113,237.00" and inserting in lieu thereof the figures "\$1,102,987.00".

H. W. WALTER.

J. F. MILLER.

X. T. PRENTIS.

ARCH W. MCFARLANE.

On the part of the House.

Respectfully submitted,

A. J. SHAW.

FRED CROMWELL.

H. M. KNUDSON.

DUANE E. DEWEL.

On the part of the Senate.

THIRD READING OF BILLS

On motion of Senator Long, House File 448, a bill for an act to appropriate and set aside from the income, corporation and sales tax special fund for certain capital improvements in institutions under the state board of education, including construction of new buildings, repairs, improvements, replacements or alteration, and providing for joint control of the expenditure of the funds by the state board of education and the joint legislative committee on retrenchment and reform of the state of Iowa, and providing for its investment by the state treasurer and the method of expenditure, 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 House File 448 by adding thereto a new section as follows:

"Sec. 6. The Board of Education and the joint legislative committee on retrenchment and reform are hereby authorized to obtain Federal grants to the State to be used in connection with the funds above appropriated or diverted for such construction purpose."

Amend House File 448 as follows:

1. Amend section 1 by inserting after line 18 the following:

"10. Psychopathic hospital\$1,500,000.00"

2. Further amend section 1 by striking the words and figures "five million eight hundred thousand dollars (\$5,800,000.00)" in lines 5 and 6 and substituting in lieu thereof the following: "seven million three hundred thousand dollars (\$7,300,000.00)".

3. Further amend section 1 by striking the figures "\$2,297,500" in line 8 and substituting in lieu thereof the following: "\$3,797,500."

The amendments were 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, 44:

Augustine	Findlay	Leo	Ritchie
Barkley	Hart	Long	Rockhill
Bekman	Harvey	Love	Schluter
Benson	Hawkins	Lucas	Sharp
Berg	Henningsen	Lynes	Shaw
Byers	Hill	Martin	Sjulin
Cromwell	Hultman	Mercer	Vittetoe
Dewel	Jacobson	Miller	Vrba
Dykhouse	Keir	Mowry	Watson
Elthon	Klein	Newsome	White
Faul	Knudson	Reilly	Zastrow

Nays, none.

Absent or not voting, 5:

Clem	Foster	Jones	Pine
Doud			

The bill having received a constitutional and two-thirds 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.

HOUSE AMENDMENTS CONSIDERED

Senator Berg called up Senate File 25, a bill for an act to provide for a pension and annuity retirement system for employees of municipally owned waterworks in any city having a population of five thousand or more, and to authorize city council or board of waterworks trustees, whichever is authorized to manage and operate such waterworks, to formulate and establish such plan and adopt appropriate rules and regulations therefor, amended by the House, and moved that the Senate concur in the following House amendments:

Amend Senate File 25 as follows:

1. Strike from line 6 of section 1 the words "special charter cities,".
2. Add the following as new sections to the bill:

Sec. 5. Public utility as that term is used in this act shall be limited to any waterworks, gas or electric light plants managed, operated and owned by a municipality.

Sec. 6. The provisions of this act are made applicable to special charter cities.

3. Amend section 3, lines 4 and 6, by changing the word "shall" to "may".

The motion prevailed and the Senate concurred in the House amendments.

Senator Faul asked and received unanimous consent to correct the title by striking all after the word "waterworks" in line 2 and inserting in lieu thereof the following: "and public utilities in any city including special charter cities having a population of five thousand or more, and to authorize the city council or board of waterworks trustees, whichever is authorized to manage and operate such waterworks or public utilities and to formulate and establish such plan and adopt appropriate rules and regulations therefor."

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

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

Ayes, 44:

Augustine	Findlay	Leo	Ritchie
Barkley	Hart	Long	Rockhill
Bekman	Harvey	Love	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Lynes	Shaw
Cleni	Hill	Martin	Sjulin
Cromwell	Hultman	Mercer	Vittetoe
Dewel	Jacobson	Miller	Vrba
Dykhouse	Keir	Mowry	Watson
Elthon	Klein	Newsome	White
Faul	Knudson	Reilly	Zastrow

Nays, none.

Absent or not voting, 5:

Benson	Foster	Jones	Pine
Doud			

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.

CONFERENCE REPORT ADOPTED

Senator Long called up the conference committee report on Senate File 405, a bill for an act to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1945, and ending June 30, 1947, funds for various departments and various divisions thereof, of the state of Iowa, for purposes provided by law.

Senator Shaw moved the adoption of the report, which motion prevailed, and the report was 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, 44:

Augustine	Elthon	Klein	Reilly
Barkley	Findlay	Knudson	Ritchie
Bekman	Foster	Leo	Rockhill
Benson	Hart	Long	Schluter
Berg	Harvey	Lucas	Sharp
Byers	Hawkins	Lynes	Shaw
Clem	Henningsen	Martin	Sjulin
Cromwell	Hill	Mercer	Vittetoe
Dewel	Hultman	Miller	Vrba
Doud	Jacobson	Mowry	Watson
Dykhouse	Keir	Newsome	White

Nays, none.

Absent or not voting, 5:

Faul	Love	Pine	Zastrow
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 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.

THIRD READING OF BILLS

On motion of Senator Long, House File 447, a bill for an act to appropriate and set aside from the income, corporation and sales tax special fund for certain capital improvements in institutions under the board of control, including construction of new buildings, repairs, improvements, replacements or alterations, and providing for joint control of the expenditure of the funds by the state board of control and the joint legislative committee on retrenchment and reform of the state of Iowa, and providing

for its investment by the state treasurer and the method of expenditure, 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 447 by adding thereto a new section as follows:

"Sec. 6. The board of control and the joint legislative committee on retrenchment and reform are hereby authorized to obtain Federal grants to the State to be used in connection with the funds above appropriated or diverted for such construction purpose."

The amendment was adopted.

Senator Knudson offered the following amendment and moved its adoption:

Amend House File 447 by adding the following:

Sec. 6. No portion of the amount of \$2,412,000.00 contemplated in this act for the expansion of the housing for patients in the four mental hospitals shall be made available until a report of the study group hereinafter provided for shall have made its report, except as hereinafter provided.

(a) There is hereby created a study group of five members, two members of which shall be appointed by the Speaker of the House from the membership of the House of the 51st General Assembly, two members shall be appointed by the President of the Senate from the membership of the Senate of the 51st General Assembly. The fifth member shall be appointed by the Governor, and he shall receive per diem compensation of \$10.00 per day and actual expenses. The four Legislative members shall receive their actual and necessary expenses when engaged in the work of the Committee and such additional sums as may be allowed by the 52nd General Assembly.

(b) Such group shall make a complete survey and study of the methods and processes of commitment to any mental hospital; of the methods of caring for such patients; of the procedure for their more prompt return to their normal activities; to investigate the facilities available or which can be made available in the County Homes of the State in order to provide for the accommodation of a larger number of patients therein under improved conditions; the processes and practices obtaining in private and County Nursing homes; to investigate the feasibility of providing greater facilities for psychopathic treatment at the State Psychopathic Hospital at Iowa City or elsewhere, and determine whether a psychopathic examination and observation before commitment may not be feasible and advisable; to study the feasibility of an exchange basis whereby doctors and nurses on the medical staffs of the mental hospitals may be assigned to the psychopathic hospital at Iowa City for short courses of internships and for arrangements whereby students who major in psychiatry at the State University may be assigned for internship at the mental hospital and for providing living quarters and maintenance of such interns at the mental hospitals; to

study the question of the expansion of the housing facilities at the mental institutions and how the cost of such expansion and operation may be minimized.

(c) If it develops that materials for construction as in this act provided are available by January 1, 1946, the Legislative Interim Committee is authorized, after conferring with such study group herein created, to release for use by the board of control, such portion of this fund as it deems necessary.

(d) The study group shall commence its work as soon as practicable after appointment and shall make a written report of its findings and recommendations to the Governor not later than March 1, 1946, a copy of which report shall be mailed promptly to each member of the 51st General Assembly.

(e) The State Executive Council shall provide such quarters, if any, as are needed and such clerical assistance as may be necessary, and the Attorney General shall provide such legal assistance as the study group may require.

(f) The study group is hereby authorized to request and procure from the board of control or any other department or subdivision of the state such information, cooperation, aid and assistance as it deems necessary to enable it to do the things necessary to be done to fully discharge its duties.

(g) The study group shall meet in a joint session to be called by the President of the Senate in the early days of the 52nd General Assembly for the purpose of providing the members of that Assembly with facts concerning its findings, or make explanation of matters contained or referred to in its report.

(h) There is hereby appropriated from the General Fund of the State the amount of ten thousand dollars (\$10,000.00) or so much thereof as may be needed, to pay all expenses of carrying out its duties as herein provided; such funds to be paid out on requisitions of the chairman of such study group.

Senator Knudson offered the following amendment to the amendment and moved its adoption:

Amend the Knudson amendment to House File 447 by adding in subsection (a) following the word "appointed by the Governor", the following:

"from persons recommended by the Board of Control".

The amendment to the amendment was adopted.

Senator Mercer offered the following amendment to the amendment and moved its adoption:

Amend line 3 of subsection (d) by striking the word "March" and inserting in lieu thereof the word "January".

The amendment to the amendment was adopted.

Senator Long offered the following amendment to the amendment and moved its adoption:

Amend line 2 of subsection (c) by striking the word "by" and inserting in lieu thereof the word "after".

The amendment to the amendment was adopted.

The amendment as amended was 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, 45:

Augustine	Faul	Knudson	Reilly
Barkley	Findlay	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Benson	Harvey	Love	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Lynes	Shaw
Clem	Hill	Martin	Sjulin
Cromwell	Hultman	Mercer	Vrba
Dewel	Jacobson	Miller	Watson
Doud	Keir	Mowry	White
Dykhouse	Klein	Newsome	Zastrow
Elthon			

Nays, none.

Absent or not voting, 4:

Foster	Jones	Pine	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.

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 Keir, House File 118, a bill for an act to provide for reimbursement by the state of Iowa to school districts of pupil transportation costs, providing the manner of computing the amount of reimbursement and making an appropriation for said reimbursement, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Long offered the following amendment by the committee on appropriations and moved its adoption:

Amend House File 118 by striking from section 16, line 4, thereof the words and figures "two million dollars (\$2,000,000.00)" and inserting in lieu thereof the words and figures "one million five hundred thousand dollars (\$1,500,000.00)".

Further amend House File 118 by striking from lines 11 and 12 of section 16 the words and figures "two million dollars (\$2,000,000.00)" and inserting in lieu thereof the words and figures "one million five hundred thousand dollars (\$1,500,000.00)".

Senator Faul moved that the Senate adjourn until 10:00 a. m., Thursday, which motion was lost.

Senator Augustine moved the previous question on the amendment, which motion prevailed.

The amendment was lost.

Senator Keir offered the following amendment and moved its adoption:

Amend House File 118, as passed by the House, by striking from section 6, line 1, the word "board" and inserting in lieu thereof the word "department."

The amendment was adopted.

Senator Doud offered the following amendment and moved its adoption:

Amend House File 118 as follows:

1. Strike section 7, section 8 and section 9 and insert in lieu thereof the following:

"The local school board shall provide transportation facilities for each pupil who is entitled to transportation under the provisions of this act, establish bus routes for such transportation within the district so as to provide for economical and efficient operation thereof without duplication of such facilities and with regard for the health and safety of the pupils transported, purchase or lease busses and other transportation facilities and maintain same, enter into contracts for such transportation, employ necessary drivers and employees, and perform such other duties relating to transportation as required by law.

The county board shall approve all transportation plans of local school boards of districts within the county school system and transportation arrangements between school districts from one district to another either within the county or between adjacent counties, and enforce all laws and rules and regulations consistent therewith relating to transportation.

The state department shall cooperate with the county boards and local school boards in carrying out the provisions of this act, hear and decide appeals with reference to transportation, aid in the enforcement of the provisions of this act and the motor vehicle laws relating to transportation of school children and recommend uniform standards for the establishment of school bus routes, qualifications of drivers, standards for safeguarding the health and safety of pupils transported."

2. Further amend House File 118 by renumbering the remaining sections.

Senator Doud asked and received unanimous consent to correct the amendment by changing the sections referred to to sections 8, 9 and 10.

The amendment was adopted.

Senator Keir offered the following amendment and moved its adoption:

Amend section 6, House File 118, by adding after the period (.) in line 4 a new sentence as follows:

The appropriation provided by this act may be expended in part for the direction and supervision provided by the act which shall include salaries and all necessary travelling expenses incurred by the director and his assistants in the performance of their official duties.

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.

The Chair announced that Senator Jones had left a written request to be recorded as voting "aye" on House File 118.

The request was granted.

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

Ayes, 46:

Augustine	Findlay	Knudson	Ritchie
Barkley	Foster	Leo	Rockhill
Bekman	Hart	Long	Schluter
Benson	Harvey	Love	Sharp
Berg	Hawkins	Lucas	Shaw
Byers	Henningsen	Lynes	Sjulin
Clem	Hill	Martin	Vittetoe
Cromwell	Hultman	Mercer	Vrba
Dewel	Jacobson	Miller	Watson
Doud	Jones	Mowry	White
Elthon	Keir	Newsome	Zastrow
Faul	Klein		

Nays, none.

Absent or not voting, 3:

Dykhous	Pine	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 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 Hill asked and received unanimous consent to present to the Senate the members of the senior class of the Blairsburg consolidated high school who were present in the balcony with their superintendent, G. B. Moser, and Mayor McComb.

Senator Benson asked and received unanimous consent to change his seat No. 8 to seat No. 39, formerly occupied by Senator Klein.

Senator Watson asked and received unanimous consent to be excused from the Senate April 5 to represent the state at a meeting to be held in Omaha pertaining to flood control.

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 39, 153 and 309, and House Files 161, 220, 250, 268, 295, 444, 446, 458, 462 and House Joint Resolution 8.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *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 39, 153 and 309, and House Files 161, 220, 250, 268, 295, 444, 446, 458, 462 and House Joint Resolution 8.

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 4th day of April, 1945, sent to the governor for his approval Senate Files 39, 153 and 309.

ROBERT C. REILLY, *Chairman.*

Passed on file.

AMENDMENTS FILED

Amend House File 50 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section six thousand nine hundred forty-six (6946), Code, 1939, as amended by chapter two hundred forty-one (241), Acts of the Forty-ninth (49th) General Assembly, is amended by striking all of subsection three (3), four (4), and five (5) and the amendment of chapter two hundred forty-one (241), Acts of the Forty-ninth (49th) General Assembly, and inserting in lieu thereof the following:

"3. The property, not to exceed one thousand (\$1,000) dollars in taxable value of any honorably discharged soldier, sailor, marine or nurse of the first World War.

"4. The property, not to exceed five hundred (\$500) dollars in taxable value of any honorably discharged soldier, sailor, marine or nurse of the second World War, Army of Occupation in Germany November 12, 1918 to July 11, 1923, American Expeditionary Forces in Siberia November 12, 1918 to April 30, 1920, Second Nicaraguan Campaign with the Navy or Marines in Nicaragua or on combatant ships 1926-1933, Second Haitian Suppressions of Insurrections 1919-1920, Navy and Marine Operations in China 1937-1939 and Yangtze Service with Navy and Marines in Shanghai or in Yangtze Valley 1926-1927 and 1930-1932.

"In case any person in the foregoing classifications does not claim any such exemption from taxation, it shall be allowed in the name of such person to the same extent on the property of any one of the following persons in the order named:

"1. The wife, or widow remaining unmarried, of any such soldier, sailor, marine or nurse, where they are living together or were living together at the time of the death of such person.

"2. The widowed mother, remaining unmarried, of any such soldier, sailor, marine or nurse, whether living or deceased, where such widowed mother is, or was at the time of death of the soldier, sailor, marine or nurse, dependent on such person for support.

"3. The minor child, or children owning property as tenants in common, of any such deceased soldier, sailor, marine or nurse.

"No more than one tax exemption shall be allowed under this section in the name of any honorably discharged soldier, sailor, marine or nurse."

Sec. 2. The state tax commission shall reimburse the several counties of the state for any loss of revenue occasioned by the granting of tax exemptions to soldiers, sailors, marines or nurses, or their dependents, under the provisions of sections six thousand nine hundred forty-six (6946) of the Code as amended.

Sec. 3. The auditors of the several counties shall before October first (1st) of each year, certify to the state tax commission the aggregate amount in dollars of revenue that the several taxing districts in the county would lose by reason of granting of such exemptions and the state tax commission shall, after ascertaining the correctness of said claim, remit the same to the various county treasurers. The funds received by each county treasurer shall be apportioned by him to the several taxing districts as provided by law, in the same manner as though the tax had been paid by the owners of the various properties upon which the exemption had been allowed.

Sec. 4. The reimbursement provided for in sections two (2) and three (3) of this act shall be paid by warrants drawn by the state comptroller

upon certification of the state tax commission, from any excess in the homestead credit fund after all homestead credits have been allowed as provided by law.

Sec. 5. In the event that said excess in the homestead credit fund is insufficient to pay the claims of the several counties in full then the amount of each such claim shall be reduced by the state tax commission in the ratio that the total funds available bears to the total amount of such claims and in that event the several county treasurers shall distribute the funds received to the various taxing districts in the same manner.

Sec. 6. In any county in which is located a special charter city, which levies and collects its own taxes separately from the county, the auditor of such city shall certify to the county auditor the amount in dollars of revenue which the city would lose as a result of exemptions to soldiers, sailors, marines and nurses and the county auditor shall include said amount in his county estimate. Upon receipt of reimbursement funds from the state tax commission the county auditor shall turn over to the city treasurer the proportionate share for such city for allocation to the several taxing districts of said city."

Further amend House File 50 by striking from the title all after the word "amend" in line 1 and by substituting in lieu thereof the following: "section six thousand nine hundred forty-six (6946), Code, 1939, relating to tax exemption to soldiers, sailors, marines and nurses, and to provide for reimbursement to the counties for loss of revenues occasioned by such exemptions."

A. J. SHAW.
GEORGE FAUL.
J. P. BERG.

Amend Senate File 18 as follows:

Amend Senate File 18 by striking all of lines 11, 12, 13, 14, 15 and the words "be terminated" in line 16 and by inserting in lieu thereof the following: "aggregate computed as follows: To every honorably discharged male soldier, sailor or a marine or female members of the Nurse's Corps of the Army, Navy or Marine Corps of the Military Forces of the United States a sum computed by multiplying the numbers of days in service overseas by four added to the number of days in service in the Continental United States multiplied by three, divide the total by three hundred sixty-five and multiply the figure obtained by sixty-two and one half dollars, and to the other female members of the Military Forces of the United States that are honorably discharged and engaged in World War II to be computed as follows: the days in service overseas multiplied by three plus the days in service in the Continental United States multiplied by two and the sum to be divided by three hundred sixty-five and this figure to be multiplied by sixty-two and one half dollars.

Further amend Senate File 18 by striking from line nineteen (19) of section 3 the following: "the loss of a hand or foot or an eye" and by inserting in lieu thereof "the loss of one hand, or one foot, or one eye, or one lung, or one kidney, or complete loss of hearing, or heart ailment noted on discharge papers, or mental incompetency that is service connected".

RALPH E. BENSON.

Amend Senate File 436, section 20, line 65, by inserting the word "or" immediately after the semicolon following the word "death."

G. R. HILL.

Amend Senate File 436 by striking the word "three" in line 9 of section 8 and substitute in lieu thereof the word "two".

Further amend Senate File 436 by striking the words and figures from line 18 in section 20 "forty-five dollars (\$45.00)" and substitute in lieu thereof the words and figures, "fifty dollars (\$50.00)".

Further amend Senate File 436 by striking from line 20 of section 20 the words and figures "forty-five dollars (\$45.00)" and substitute in lieu thereof the words and figures, "fifty dollars (\$50.00)". G. R. HILL.

Amend Senate File 439 by striking from line four the word "five" and inserting in lieu thereof the word "three".

RICHARD V. LEO.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 5, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend Stanley H. Schlick, pastor of the First Presbyterian church, Tipton, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Augustine, from residents of Mahaska county, favoring local option.

By Senator Benson, from residents of Carroll county, favoring local option.

By Senator Berg, from members of the Eugene Clark Post of the Veterans of Foreign Wars, of Black Hawk county, favoring proposed veteran legislation.

By Senator Byers, from residents of Ringgold county, favoring local option.

By Senator Cromwell, from residents of Des Moines county, favoring local option; also, from members of Veterans of Foreign Wars of Des Moines county, favoring proposed veteran's legislation.

By Senator Elthon, from residents of Worth county, favoring local option.

By Senator Hart, from residents of Adams, Audubon, Dickinson, Grundy, Henry, Jefferson, Louisa, Marshall, Mills, Ringgold, Scott, Story, Taylor, Webster and Woodbury counties, favoring local option.

By Senator Hill, from residents of Hardin county, favoring local option.

By Senator Jacobson, from residents of Fayette county, favoring local option.

By Senator Klein, from residents of Marion county, favoring local option.

By Senator Shaw, from residents of Pocahontas county, favoring local option.

By Senator Vrba, from residents of Winneshiek county, favoring local option.

INTRODUCTION OF BILLS

Senate Joint Resolution 10, by committee on public lands and buildings, a resolution providing for the exercise and acceptance of the option to purchase for a Governor's Home from J. H. Cownie by the state of Iowa certain described real estate and personal property situated in Des Moines, Polk county, Iowa, and for the appropriation of an amount of money sufficient to pay for said property, and an additional appropriation for the purpose of furnishing of the large home thereon and the maintenance of said property.

Read first and second times and referred to sifting committee.

Senate File 440, by committee on agriculture, a bill for an act to amend Senate File three hundred ninety-six (396), Acts of the 51st General Assembly, relating to agricultural lime.

Read first and second times and referred to sifting committee.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted a conference committee report on and passed House File 122, a bill for an act relating to the minimum wages of teachers in the public schools.

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

House Concurrent Resolution 23, providing for the payment of miscellaneous expenses of the Fifty-first General Assembly.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 129, a bill for an act relating to requirements for fish and game licenses.

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

Senate File 311, a bill for an act relating to filing memorandum of agreement for payment of weekly compensation in workmen's compensation matters.

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

Senate File 413, a bill for an act making appropriations for claims against state highway commission.

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

Senate File 414, a bill for an act making appropriations for payment of funeral expenses of deceased Old Age Assistance recipients.

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

House File 469, a bill for an act creating an Iowa Department of Veterans' Affairs.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 23

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, Acts of the Forty-ninth General Assembly:

HOUSE EXPENSE

American Institute of Business (monthly typewriter rental)	\$70.00
Iowa Paper Box Company (mailing tubes)	2.45
Carpenter Paper Company (wrapping paper)	4.39
Bond Clothes (page jackets)	12.95
Younkers (2 pictures)	42.25
Storey-Kenworthy (supplies)57
Koch Brothers (supplies)	53.15
A. C. Gustafson (mimeographing)	30.00
Frank Bryant (street car pass for postoffice mail carrier, 14 weeks at \$1.25)	17.50
A. C. Gustafson (typewriter rental)	10.00
Mrs. M. L. Campbell (picture frame)	17.50
A. C. Gustafson (postage and miscellaneous expense)	48.62

SENATE EXPENSE

Des Moines Rubber Stamp Works (supplies)	5.65
American Institute of Business (rental on typewriters)	70.00
Koch Brothers (supplies)	40.89
Car Dispatcher (cars used for Senator Kirketeg funeral)	35.11
Iowa Paper Box Company (supplies)	1.80
W. J. Scarborough (postage and miscellaneous expense)	18.61

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.

HOUSE AMENDMENTS TO SENATE FILE 129

Amend Senate File 129 by adding new sections as follows:

"Sec. 2. Section one thousand seven hundred ninety-four and forty-four thousandths (1794.044), Code, 1939, is amended by striking the word 'young' from each of lines five (5) and seven (7).

Sec. 3. Section one thousand seven hundred ninety-four and forty thousandths (1794.040), Code, 1939, is amended by adding thereto the following after the word 'fishing':

', except that the commission may, after investigation to determine their suitability as to size, depth, living conditions for fish, and management, provide a breeding stock of fish for privately owned farm ponds on request of the owner'."

Amend the title by striking all after the figures "(1794.098)" and inserting in lieu thereof the following:

", section one thousand seven hundred ninety-four and forty-four thousandths (1794.044), and section one thousand seven hundred ninety-four and forty thousandths (1794.040), Code, 1939, relating to fish and game."

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE 122

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned members of the conference committee appointed to consider the difference between the House and Senate on House File 122, relating to the minimum wages of teachers in the public schools, beg leave to report that we have had the same under consideration and we make the following recommendation:

That House File 122 be amended by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section four thousand three hundred forty-one (4341), Code, 1939, as amended by chapter one hundred sixty-five (165), Acts of the Forty-ninth General Assembly, is amended by striking all of said section and by inserting in lieu thereof the following:

"1. Any teacher holding a valid certificate shall be paid a minimum wage of not less than seventy (\$70) dollars per month.

2. A teacher holding a limited elementary certificate who has completed at least fifteen (15) semester hours of standard college work shall be paid a minimum wage of not less than seventy-five (\$75) dollars per month.

3. A teacher holding a limited elementary certificate who has completed at least thirty (30) semester hours of standard college work shall be paid a minimum wage of not less than eighty (\$80) dollars per month.

4. A teacher holding a limited elementary certificate who has completed at least forty-five (45) semester hours of standard college work shall be paid a minimum wage of not less than eighty-five (\$85) dollars per month.

5. A teacher holding a limited elementary certificate who has completed sixty (60) or more semester hours of standard college work or who holds a certificate requiring sixty (60) hours or more of standard college work shall be paid a minimum wage of not less than ninety (\$90) dollars per month."

Provided, that nothing herein shall be construed as limiting the right of a school board to make a contract for a higher wage than herein specified as a minimum.

ALBERT STEINBERG.

H. A. MOORE.

HENRY SIEFKAS.

A. G. REDMAN.

On the part of the House.

Respectfully submitted,

ALDEN L. DOUD.

ROBERT KEIR.

JOHN BERG.

ROSS R. MOWRY.

On the part of the Senate.

HOUSE MESSAGE CONSIDERED

House File 469, a bill for an act creating an Iowa department of veterans' affairs to assist all members of the armed forces, veterans, their dependents and beneficiaries; prescribing the powers and duties thereof and making an appropriation therefor; authorizing the establishment of information and service centers for service men and women and veterans in counties, cities and towns, including special charter cities; providing for payment of expenses therefor; repealing that part of section four hundred sixty-seven and forty-four hundredths (467.44), Code, 1939, relating to the permanent registry of veterans' graves and repealing chapter thirty-two and two tenths (32.2), Code, 1939.

Read first and second times and referred to sifting committee.

PROOF OF PUBLICATION

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

Senate File 434, a proposed bill making permanent a transfer of funds of Crawford county, Iowa, made by authority of the state comptroller.

W. J. SCARBOROUGH, *Secretary.*

The following communication was received:

Bedford, Iowa

April 3, 1945.

LIEUTENANT GOVERNOR KENNETH A. EVANS

Senate Chamber

Des Moines, Iowa

My dear Mr. Evans and members of the Senate:

Would you kindly convey to the members of the Senate my deep appreciation for the beautiful flowers, resolution and many acts of kindness shown my family and me at the time of the death of my beloved

husband? These expressions of sympathy will always be held in grateful remembrance.

Very sincerely,

Mrs. O. J. Kirketeg.

Senator Elthon asked and received unanimous consent that the communication from Mrs. Kirketeg be printed in the Senate Journal.

CONFERENCE REPORT ADOPTED

Senator Doud called up the conference committee report on House File 122, a bill for an act to amend section four thousand three hundred forty-one (4341), Code, 1939, as amended by chapter one hundred sixty-five (165), Acts of the Forty-ninth General Assembly, relating to the minimum wages of teachers in the public schools, and moved its adoption.

The motion prevailed and the report was adopted.

Senator Doud moved that the bill be read a third 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	Klein	Ritchie
Barkley	Foster	Knudson	Rockhill
Bekman	Hart	Leo	Schluter
Benson	Harvey	Love	Sharp
Berg	Hawkins	Lynes	Shaw
Byers	Henningsen	Martin	Sjulin
Clem	Hill	Mercer	Vittetoe
Cromwell	Hultman	Miller	Vrba
Dewel	Jacobson	Mowry	White
Doud	Jones	Newsome	Zastrow
Dykhouse	Keir	Reilly	

Nays, none.

Absent or not voting, 6:

Elthon	Long	Pine	Watson
Faul	Lucas		

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

Senator Doud moved that the 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 Shaw called up Senate File 129, a bill for an act to amend section one thousand seven hundred ninety-four and ninety-eight thousandths (1794.098), Code, 1939, relating to requirements for fish and game licenses, amended by the House, and moved that the Senate concur in the following House amendments:

Amend Senate File 129 by adding new sections as follows:

"Sec. 2. Section one thousand seven hundred ninety-four and forty-four thousandths (1794.044), Code, 1939, is amended by striking the word 'young' from each of lines 5 and 7.

Sec. 3. Section one thousand seven hundred ninety-four and forty thousandths (1794.040), Code, 1939, is amended by adding thereto the following after the word 'fishing':

' , except that the commission may, after investigation to determine their suitability, as to size, depth, living condition for fish, and management, provide a breeding stock of fish for privately owned farm ponds on request of the owner'."

Amend the title by striking all after the figures "(1794.098)" and inserting in lieu thereof the following:

" , section one thousand seven hundred ninety-four and forty-four thousandths (1794.044), and section one thousand seven hundred ninety-four and forty thousandths (1794.040), Code, 1939, relating to fish and game."

The Senate concurred in the House amendments.

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, 43:

Augustine	Findlay	Klein	Reilly
Bekman	Foster	Knudson	Rockhill
Benson	Hart	Leo	Schluter
Berg	Harvey	Long	Sharp
Byers	Hawkins	Love	Shaw
Clem	Henningsen	Lynes	Sjulin
Cromwell	Hill	Martin	Vittetoe
Dewel	Hultman	Mercer	Vrba
Doud	Jacobson	Miller	White
Dykhouse	Jones	Mowry	Zastrow
Elthon	Keir	Newsome	

Nays, none.

Absent or not voting, 6:

Barkley	Lucas	Ritchie	Watson
Faul	Pine		

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

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

Senator Keir asked and received unanimous consent that House File 127 be substituted for Senate File 332.

THIRD READING OF BILLS

On motion of Senator Sharp, House File 127, a bill for an act creating in the office of the treasurer of state a permanent fund to be known as the agricultural land credit fund, and making appropriation thereto, providing for the apportionment of said fund as a credit against the tax on agricultural lands in school districts in which the millage for the general school fund exceeds fifteen mills, and providing the procedure for effecting said credits, was taken up and considered.

President pro tempore Hart took the chair at 10:40 a. m.

Senator Sharp asked and received unanimous consent that further action on House File 127 be deferred and that it retain its place on the calendar.

On motion of Senator Jacobson, Senate File 428, a bill for an act to make appropriations to certain named persons in settlement of damages sustained by them on account of accidents on primary roads, or on account of collisions with state highway equipment, or on account of acts of commission or omission by the state highway commission or its employees, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Henningsen offered the following amendment and moved its adoption:

Amend Senate File 428 by striking from section 1, lines 14 and 15.

The amendment was adopted.

Senator Jacobson moved that the bill be read a third 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
Dewel
Doud

Dykhouse
Elthon
Faul

Findlay	Jones	Martin	Schluter
Foster	Keir	Mercer	Sharp
Hart	Klein	Miller	Shaw
Harvey	Knudson	Mowry	Sjulin
Hawkins	Leo	Newsome	Vittetoe
Henningsen	Long	Reilly	Vrba
Hill	Love	Ritchie	White
Hultman	Lynes	Rockhill	Zastrow
Jacobson			

Nays, 1:

Barkley

Absent or not voting, 3:

Lucas	Pine	Watson
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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.

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

On motion of Senator Jacobson, Senate File 435, a bill for an act to make appropriation to Drainage District Assessment No. 40, Cerro Cordo county, Mason City, Iowa, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Jacobson moved that the bill be read a third 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	Knudson	Reilly
Barkley	Findlay	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Berg	Hawkins	Love	Schluter
Byers	Henningsen	Lucas	Sharp
Clem	Hill	Lynes	Shaw
Cromwell	Hultman	Martin	Sjulin
Dewel	Jacobson	Mercer	Vittetoe
Doud	Jones	Miller	Vrba
Dykhous	Keir	Mowry	White
Elthon	Klein	Newsome	Zastrow

Nays, none.

Absent or not voting, 5:

Benson	Harvey	Pine	Watson
Foster			

The bill having received a constitutional and two-thirds ma-

majority was declared to have passed the Senate and the title was agreed to.

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

On motion of Senator Sharp, the Senate resumed consideration of House File 127.

Senator Sharp offered the following amendment and moved its adoption:

Amend House File 127, as amended by the House, by striking section 4 and substituting in lieu thereof the following:

"Sec. 4. Commencing with the year 1946 and each year thereafter any owner of a tract or tracts of agricultural lands who desires to obtain for said lands the credit against the tax on said lands as provided for in this act, shall deliver to the assessor, on blanks furnished by the county auditor, a verified statement and designation of such agricultural lands, and the assessor shall return said statement and designation containing an endorsement of his recommendation for allowance or disallowance to the county auditor along with the assessment roll; if the said statement and designation is not delivered to the assessor, the owner may on or before June 1 of that year file with the county auditor such statement and designation together with the supporting affidavits of at least two disinterested freeholders of the taxing district in which the agricultural lands are located. The failure to file a statement and designation on or before June 1 shall preclude the allowance of any credit against the tax on said lands for that year.

Sec. 5. The board of supervisors in each county shall forthwith examine all such statements and designations and shall not later than July 1 either allow or disallow same. In the event of disallowance the county auditor shall immediately mail to the owner at the address shown on the statement and designation, notice of such disallowance, in which case the owner may within twenty (20) days from the date of making such notice appeal the disallowance by the board of supervisors to the district court of that county by serving written notice of appeal on the county auditor. The appeal shall be tried de novo and may be heard in term time or vacation and trial thereof shall take precedence over all other business of the court. The decision of the district court thereon shall be final."

Further amend House File 127 by renumbering the remaining sections.

The amendment was adopted.

Senator Sharp moved that the bill be read a third 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	Klein	Newsome
Barkley	Foster	Knudson	Reilly
Bekman	Hart	Leo	Ritchie
Benson	Harvey	Long	Rockhill
Berg	Hawkins	Love	Schluter
Clem	Henningsen	Lucas	Sharp
Cromwell	Hill	Lynes	Shaw
Dewel	Hultman	Martin	Sjulin
Doud	Jacobson	Mercer	Vrba
Dykhouse	Jones	Miller	White
Elthon	Keir	Mowry	Zastrow

Nays, 1:

Faul

Absent or not voting, 4:

Byers	Pine	Vittetoe	Watson
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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.

Senator Sharp moved that the 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 WITHDRAWN FROM FURTHER CONSIDERATION

Senator Keir asked and received unanimous consent to withdraw from further consideration of the Senate, Senate File 332.

PRESENTATION OF VISITORS

Senator Reilly asked and received unanimous consent to present to the Senate, a former page, Pvt. Robert Brauer, who was present in the Senate chamber.

Senator Newsome asked and received unanimous consent to change his seat No. 10 to seat No. 8, formerly occupied by Senator Benson.

THIRD READING OF BILLS

On motion of Senator Keir, Senate File 388, a bill for an act to provide for the use of state funds to supplement funds of school districts in support of education; and to repeal section three thousand nine hundred two (3902), Code, 1939, relating to state aid to schools, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Long asked and received unanimous consent to withdraw the committee amendment to Senate File 388 filed by him on March 13 and found on page 630 of the Senate Journal.

Senator Barkley asked and received unanimous consent to withdraw the amendment to Senate File 388 filed by him on March 12 and found on pages 612 of the Senate Journal.

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

AFTERNOON SESSION

The Senate reconvened, President Evans presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the report of the conference committee and amendments therein and passed Senate File 405, a bill for an act making appropriations for various state departments.

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 compensation of business managers of institutions operating under board of control.

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

House File 73, a bill for an act providing allowance to institutions for care of neglected, dependent and delinquent children.

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 registration of vital statistics pertaining to adoptions.

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

House File 435, a bill for an act relating to secondary roads.

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

House File 442, a bill for an act providing for purchase of equipment, supplies and property from Government of the United States.

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

House File 455, a bill for an act relating to issuance of special permits for movement of oversize vehicles on highways.

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

House File 464, a bill for an act prohibiting use of misleading names or designations of places of business.

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

House File 471, a bill for an act relating to salaries of superintendents of institutions and state schools under board of control.

Also: That the House has concurred in Senate amendment adding section 6 to House File 447, and has refused to concur in Senate amendment adding section 7 to House File 447, a bill for an act appropriating money for certain improvements in institutions under the board of control.

Also: That the House has refused to concur in senate amendment to section 1 of House File 448, and has concurred in Senate amendment adding section 6 to House File 448, a bill for an act making appropriations for certain improvements in institutions under the board of education.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 73, a bill for an act to amend section three thousand six hundred seventy-six (3676), Code, 1939, as amended by chapter one hundred forty (140), Acts of the Forty-ninth (49th) General Assembly, relating to the allowance to institutions for receiving and caring for neglected, dependent and delinquent children.

Read first and second times and referred to sifting committee.

House File 218, a bill for an act to amend chapter one hundred fourteen (114), Code, 1939, relating to registration of vital statistics as pertaining to adoptions or annulment of adoption and substitution of new birth certificates.

Read first and second times and referred to sifting committee.

House File 435, a bill for an act to amend section four thousand six hundred fifty-nine (4659), Code, 1939, relating to secondary roads, to permit sale of gravel to private parties to improve a lane, driveway, or road, and to provide method of payment therefor.

Read first and second times and referred to sifting committee.

House File 442, a bill for an act to amend chapter twenty-three (23), Code, 1939, providing for the purchase of equipment, sup-

plies, material and other property from the Government of the United States.

Read first and second times and referred to sifting committee.

House File 455, a bill for an act to amend section five thousand thirty-five and sixteen hundredths (5035.16), Code, 1939, relating to the issuance of special permits for the movement of oversize or overweight vehicles on the highways.

Read first and second times and referred to sifting committee.

House File 464, a bill for an act to prohibit the use of misleading names or designations of places of business and misleading trade practices and to provide penalties for violations.

Read first and second times and referred to sifting committee.

House File 471, a bill for an act to amend sections three thousand three hundred eighty-four and nine hundredths (3384.09), three thousand seven hundred seven (3707), three thousand six hundred eighty-seven (3687) and three thousand seven hundred twenty-four (3724), Code, 1939, relating to salaries of superintendents of institutions and state schools under the board of control.

Read first and second times and referred to the sifting committee.

THIRD READING OF BILLS

On motion of Senator Harvey, Senate File 434, a bill for an act to make permanent a certain temporary transfer of funds of Crawford county, Iowa, made by authority of the state comptroller, was taken up and considered.

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

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

Ayes, 38:

Augustine	Faul	Leo	Ritchie
Barkley	Findlay	Long	Rockhill
Bekman	Foster	Love	Schluter
Benson	Hart	Lucas	Sharp
Berg	Harvey	Martin	Shaw
Clem	Hawkins	Mercer	Vittetoe
Cromwell	Henningsen	Miller	Vrba
Doud	Jacobson	Newsome	White
Dykhouse	Jones	Reilly	Zastrow
Elthon	Knudson		

Nays, none.

Absent or not voting, 11:

Byers	Hultman	Lynes	Sjulin
Dewel	Keir	Mowry	Watson
Hill	Klein	Pine	

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

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

On motion of Senator Reilly, Senate File 121, a bill for an act to amend chapter three hundred twenty-eight (328), Code, 1939, to permit cities over twenty-five thousand population operating under the manager plan to increase the levy for park purposes, with report of committee recommending amendment and passage, was taken up, considered and the report of the committee adopted.

The following committee amendment was considered:

Amend section 1 of Senate File 121 by striking from lines 2 and 3 the words and figures as follows: "Six thousand six hundred eighty-two (6682)" and by inserting in lieu thereof the words and figures as follows: "six thousand six hundred eighty-three (6683)".

The amendment was adopted.

Senator Reilly asked and received unanimous consent to withdraw the amendment to Senate File 121, filed by him on February 1 and found on page 233 of the Senate Journal.

Senator Reilly moved that the bill be read a third 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	Ritchie
Barkley	Foster	Long	Rockhill
Bekman	Harvey	Love	Schluter
Berg	Hawkins	Martin	Shaw
Clem	Henningsen	Mercer	Vittetoe
Cromwell	Jacobson	Miller	Vrba
Doud	Jones	Newsome	White
Dykhous	Knudson	Reilly	Zastrow

Nays, none.

Absent or not voting, 17:

Benson	Hart	Klein	Pine
Byers	Hill	Lucas	Sharp
Dewel	Hultman	Lynes	Sjulin
Elthon	Keir	Mowry	Watson
Faul			

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

Senator Reilly moved that the 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

Senator Long called up for consideration House File 447, a bill for an act to appropriate and set aside from the income, corporation and sales tax special fund for certain capital improvements in institutions under the board of control, including construction of new buildings, repairs, improvements, replacements or alterations, and providing for joint control of the expenditure of the funds by the state board of control and the joint legislative committee on retrenchment and reform of the state of Iowa, and providing for its investment by the state treasurer and the method of expenditure, and moved that the Senate insist upon its amendments to House File 447.

The motion prevailed and the Senate insisted upon its amendments to House File 447.

CONFERENCE COMMITTEE APPOINTED

The President appointed Senators Knudson, Lucas, Bekman and Elthon on the part of the Senate on House File 447.

Senator Long called up for consideration House File 448, a bill for an act to appropriate and set aside from the income, corporation and sales tax special fund for certain capital improvements in institutions under the state board of education, including construction of new buildings, repairs, improvements, replacements or alteration, and providing for joint control of the expenditure of the funds by the state board of education and the joint legislative committee on retrenchment and reform of the state of Iowa, and providing for its investment by the state treasurer and the method of expenditure, and moved that the Senate insist upon its amendments to House File 448.

The motion prevailed and the Senate insisted upon its amendments to House File 448.

CONFERENCE COMMITTEE APPOINTED

The President appointed Senators Berg, Mercer, Knudson and Long on the part of the Senate on House File 448.

The Senate resumed consideration of Senate File 388.

Senator Faul asked and received unanimous consent to withdraw the amendment to Senate File 388, filed by Senators Faul, Long, Berg and Dykhouse, filed on March 19 and found on pages 699 and 700 of the Senate Journal.

Senator Elthon offered the following amendment and moved its adoption:

Amend Senate File 388 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Any moneys hereafter becoming available or appropriated from the general fund of the state for school tax credit shall be apportioned and credited as hereinafter provided. All such moneys shall be held by the treasurer of state and shall be designated as the school tax credit fund.

Sec. 2. On or before November 1 of each year each county auditor shall certify to the treasurer of state the amount of revenue to be raised in all of the school districts in the county in the ensuing year from millage levies for the general school funds.

Sec. 3. The treasurer of state shall distribute on or before December 1 of each year the amount credited to each county on warrants drawn by the comptroller and payable to the county treasurers of the several counties. The amount credited to each county shall be that percentage of the said fund that the amount of revenue to be raised in such county in the ensuing year from millage levies for the general school fund bears to the total amount of revenue to be raised from the millage levies for the general school funds in the state.

Sec. 4. The amount distributed to each county shall be credited by the county treasurer to the general school funds in the proportion that the amount to be raised in each such district for the general school fund bears to the total amount to be raised in the county from such levies.

Sec. 5. The levy for the general school fund in each such district shall be reduced by the amount thus credited to the general school fund in such district.

Amend the title to Senate File 388 by striking everything after the word "Act" in line one (1) thereof, and by substituting in lieu thereof the following:

"to relieve the burden of taxation in school districts by providing state aid to reduce the school taxes for the general school fund."

Senator Dewel 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, 19:

Berg	Faul	Lucas	Ritchie
Byers	Foster	Martin	Shaw
Dewel	Hart	Miller	White
Dykhousc	Long	Mowry	Zastrow
Elthon	Love	Reilly	

Nays, 26:

Augustine	Findlay	Keir	Newsome
Barkley	Harvey	Klein	Rockhill
Bekman	Henningsen	Knudson	Schluter
Benson	Hill	Leo	Sharp
Clem	Hultman	Lynes	Vittetoe
Cromwell	Jacobson	Mercer	Vrba
Doud	Jones		

Absent or not voting, 4:

Hawkins	Pine	Sjulin	Watson
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The amendment was lost.

Senator Long asked and received unanimous consent that further action on Senate File 388 be deferred and that it retain its place on the calendar.

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 25, 141, 220, 310, 430, 433, 431, 432 and 426.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *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 25, 141, 220, 310, 430, 433, 431, 432 and 426.

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, 1945, sent to the Governor for his approval, Senate Files 25, 141, 220, 310, 430, 433, 431, 432 and 426.

ROBERT C. REILLY, *Chairman*.

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 4th he had approved the following bills:

Senate File 2, relating to veterans relief.

Senate File 35, relating to personal property tax exemption for veterans.

Senate File 39, relating to marketing of real estate.

Senate File 153, relating to food establishments.

Senate File 309, relating to workmen's compensation.

Senate File 397, relating to board of educational examiners.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

House File 304.

Senate File 266.

Senate File 439.

STANLEY L. HART, *Chairman*.

AMENDMENTS FILED

Amend Senate Joint Resolution 10 by inserting in line 3 of section 3 following the word "the" the following: "Clinton Herald"; also by inserting before the comma where it first appears in line 4 of section 3 the word "Clinton".

Further amend by inserting after the word "the" in line 4 of section 3 the words "Ames Daily Tribune"; also further amend section 3 line 5 by inserting after the word "at" the following: "Ames".

O. H. HENNINGSEN.

Amend Senate File 181 by striking from line 4 of section 1 the word "ten" and inserting in lieu thereof the word "nine".

FRED CROMWELL.

Amend Senate File 225, section 2, lines 7 and 8, by striking the words "school fund" and inserting in lieu thereof the words "Homestead and Service Men's Rehabilitation tax credit fund."

RALPH E. BENSON.

Amend Senate File 226, section 2, line 8, by striking the words school fund and inserting in lieu thereof the words "Homestead and Service Men's Rehabilitation tax credit fund."

RALPH E. BENSON.

Amend Senate File 266 by striking from line 4 the words "all counties" and inserting in lieu thereof "any county".

Further amend by striking the word "the" in line 9 where it first appears and inserting in lieu thereof the article "a".

Further amend by striking from line 10 the word "primary" and inserting in lieu thereof the word "special".

R. A. ROCKHILL.

Amend Senate File 388 by striking sections 1 to 7, both inclusive, and by substituting in lieu thereof the following:

Section 1. Any moneys hereafter becoming available or appropriated from the general fund of the state for school tax credit shall be apportioned and credited as hereinafter provided. All such moneys shall be held by the treasurer of state and shall be designated as the school tax credit fund.

Sec. 2. On or before November 1 of each year each county auditor shall certify to the treasurer of state the amount of revenue to be raised in all of the school districts in the county in the ensuing year from millage levies for the general school funds in excess of fifteen (15) mills.

Sec. 3. The treasurer of state shall distribute on or before December 1 of each year the amount credited to each county on warrants drawn by the comptroller and payable to the county treasurers of the several counties. The amount credited to each county shall be that percentage of the said fund that the amount of revenue to be raised in such county in the ensuing year from millage levies for the general school funds in excess of fifteen (15) mills bears to the total amount of revenue to be raised from the millage levies for the general funds in excess of fifteen (15) mills in the state.

Sec. 4. The amount distributed to each county shall be credited by the county treasurer to the general school funds of those school districts in the county having a levy for the general school fund in excess of fifteen (15) mills in the proportion that the amount to be raised in each such district from a levy in excess of fifteen (15) mills for the general school fund bears to the total amount to be raised in the county from such excess levies; provided that the amount credited to the general school fund in any such district shall not exceed fifty (50) per cent of the amount to be raised for said funds from the levy in excess of fifteen (15) mills.

Sec. 5. The levy for the general school fund in each such district shall be reduced by the amount thus credited to the general school fund in such district.

Amend the title to Senate File 388 by striking everything after the word "Act" in line one (1) thereof, and by substituting in lieu thereof the following:

"to relieve the burden of taxation in certain school districts by providing state aid to reduce the school taxes in districts wherein it is

necessary to levy taxes in excess of fifteen (15) mills for the general school fund."

GEORGE FAUL.
IRVING D. LONG.
JOHN BERG.
J. T. DYKHOUSE.

Amend Senate File 388 by striking all of paragraph 3, section 4.

Further amend Senate File 388 by striking from lines 5 and 6 of paragraph 1, section 5, the words, "in which the high school grades meet the attendance requirements of paragraph 3 of section 4."

Further amend Senate File 388 by striking all of paragraph 2 of section 5.

Further amend Senate File 388 by striking from lines 49 and 50 of paragraph 3 of section 5 the words, "in which all schools meet the attendance requirements of paragraph 3 of section 4."

Further amend by striking all of paragraph 4 of section 5.

A. L. DOUD and IRVING D. LONG.

Amend House File 125, section 4, line 3, by striking the word "or" after the word "transportation" and inserting in lieu thereof the word "and".

Further amend section 4, line 4, of House File 125 by striking the word "or" after the word "classes" and substituting in lieu thereof the words "and may".

ROBERT KEIR.

Amend House File 193 by adding thereto the following section:

"Sec. 2. Section 2 of chapter ninety-six (96) of the Acts of the 49th General Assembly is hereby repealed."

FRANK C. BYERS.

Amend House File 198 by striking the period at the end of section 2 and inserting in lieu thereof the following: " , without expense to the state of Iowa."

O. H. HENNINGSSEN.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 6, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend C. H. Boos, pastor of the Methodist church, Emerson, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Barkley, from residents of Appanoose county, favoring proposed legislation for teachers benefit.

By Senator Foster, from residents of Henry county, favoring local option.

By Senator Hawkins, from residents of Ringgold county, favoring local option.

By Senator Hart, from residents of Black Hawk, Boone, Butler, Dallas, Davis, Henry, Jasper, Lee, Linn, Pocahontas, Polk, Wapello, Poweshiek and Warren counties, favoring local option.

By Senator Lucas, from residents of Story county, favoring local option.

By Senator Newsome, from residents of Lucas county, favoring local option.

By Senator Reilly, from the teachers of Dubuque, favoring proposed legislation for teachers benefit.

Senator Lucas called up the following concurrent resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION 22

Whereas, On December 28, 1946, the State of Iowa will have completed its first century of statehood, and the year 1946 will be celebrated in Iowa as the state's Centennial year, and

Whereas, There is general desire on the part of the people of the state that the Centennial year of Iowa shall be made the occasion for renewed interest in and acceleration of the study of the entire history of Iowa, by appropriate ceremonies in the schools, the churches, and all civic societies, in every city and town of the state, to the end that Iowa people shall have finer appreciation of their own state and the achievements of her people; now, therefore,

Be It Resolved by the House, the Senate Concurring: That the Fifty-first General Assembly hereby indorses and approves the movement made by Hon. Karl LeCompte, and other members of the Iowa delegation in Congress, to secure the publication by the postal department of a special stamp commemorative of the event, serving to remind all the people of the fact that Iowa was the first free state of the Louisiana purchase, and of its growth and greatness; and the similar effort to secure the coinage of a special commemorative coin of special Iowa significance, and we hereby add our indorsement to the effort to make not only Iowa but all the world more history-conscious as a background for the higher patriotism affecting all things American.

The motion prevailed and the resolution was adopted.

Senator Long called up the following concurrent resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION 23

Bt 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, Acts of the Forty-ninth General Assembly:

HOUSE EXPENSE

American Institute of Business (monthly typewriter rental).....	\$70.00
Iowa Paper Box Company (mailing tubes).....	2.45
Carpenter Paper Company (wrapping paper).....	4.39
Bond Clothes (page jackets).....	12.95
Younkers (2 pictures).....	42.25
Storey-Kenworthy (supplies).....	.57
Koch Brothers (supplies).....	53.15
A. C. Gustafson (mimeogranning).....	30.00
Frank Bryant (street car pass for postoffice mail carrier, 14 weeks at \$1.25).....	17.50
A. C. Gustafson (typewriter rental).....	10.00
Mrs. M. L. Campbell (picture frame).....	17.50
A. C. Gustafson (postage and miscellaneous expense).....	48.62

SENATE EXPENSE

Des Moines Rubber Stamp Works (supplies).....	5.65
American Institute of Business (rental on typewriters).....	70.00
Koch Brothers (supplies).....	40.89
Car Dispatcher (cars used for Senator Kirketeg funeral).....	35.11
Iowa Paper Box Company (supplies).....	1.80
W. J. Scarborough (postage and miscellaneous expense).....	18.61

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.

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 113, a bill for an act relating to old-age assistance.

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

Senate File 192, a bill for an act relating to distribution of proceeds of motor vehicles fuel license fees and penalties.

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 keeping a suspended tax list and entries made therein.

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

House File 316, a bill for an act relating to local budget law.

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

House File 416, a bill for an act authorizing purchase of and payment for certain real estate in Wayne county, Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

UNFINISHED BUSINESS

Senator Keir called up for further consideration Senate File 388, a bill for an act to provide for the use of state funds to supplement funds of school districts in support of education; and to repeal section three thousand nine hundred two (3902), Code, 1939, relating to state aid to schools.

Senator Faul offered the following amendment by Senators Faul, Long, Berg and Dykhous and moved its adoption:

Amend Senate File 388 by striking sections 1 to 7, both inclusive, and by substituting in lieu thereof the following:

Section 1. Any moneys hereafter becoming available or appropriated from the general fund of the state for school tax credit shall be apportioned and credited as hereinafter provided. All such moneys shall be held by the treasurer of state and shall be designated as the school tax credit fund.

Sec. 2. On or before November 1 of each year each county auditor shall certify to the treasurer of state the amount of revenue to be raised in all of the school districts in the county in the ensuing year from millage levies for the general school funds in excess of fifteen (15) mills.

Sec. 3. The treasurer of state shall distribute on or before December 1 of each year the amount credited to each county on warrants drawn

by the comptroller and payable to the county treasurers of the several counties. The amount credited to each county shall be that percentage of the said fund that the amount of revenue to be raised in such county in the ensuing year from millage levies for the general school funds in excess of fifteen (15) mills bears to the total amount of revenue to be raised from the millage levies for the general funds in excess of fifteen (15) mills in the state.

Sec. 4. The amount distributed to each county shall be credited by the county treasurer to the general school funds of those school districts in the county having a levy for the general school fund in excess of fifteen (15) mills in the proportion that the amount to be raised in each such district from a levy in excess of fifteen (15) mills for the general school fund bears to the total amount to be raised in the county from such excess levies; provided that the amount credited to the general school fund in any such district shall not exceed fifty (50) per cent of the amount to be raised for said funds from the levy in excess of fifteen (15) mills.

Sec. 5. The levy for the general school fund in each such district shall be reduced by the amount thus credited to the general school fund in such district.

Amend the title to Senate File 388 by striking everything after the word "Act" in line one (1) thereof, and by substituting in lieu thereof the following:

"to relieve the burden of taxation in certain school districts by providing state aid to reduce the school taxes in districts wherein it is necessary to levy taxes in excess of fifteen (15) mills for the general school fund."

President pro tempore Hart took the chair at 10:50 a. m.

Senator Findlay 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, 15:

Barkley	Dykhouse	Klein	Reilly
Berg	Faul	Long	Ritchie
Byers	Foster	Martin	Sharp
Dewel	Hart	Mowry	

Nays, 31:

Augustine	Hawkins	Leo	Schluter
Bekman	Henningsen	Love	Shaw
Benson	Hill	Lucas	Sjulin
Clem	Hultman	Lynes	Vittetoe
Doud	Jacobson	Mercer	Vrba
Elthon	Jones	Miller	Watson
Findlay	Keir	Newsome	White
Harvey	Knudson	Rockhill	

Absent or not voting, 3:

Cromwell	Pine	Zastrow
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The amendment was lost.

Senator Long offered the following committee amendment and moved its adoption:

Amend Senate File 388 by adding thereto a new section as follows:

"Sec. 8. There is hereby appropriated from the general fund of the state of Iowa for each year of the biennium beginning July 1, 1945, and ending June 30, 1947, for the purposes set forth in this act, the sum of one million five hundred thousand dollars (\$1,500,000.00) or so much thereof as may be necessary.

Senator Long offered the following amendment to the amendment and moved its adoption:

Amend the committee amendment by striking therefrom the words and figures, "one million five hundred thousand dollars (\$1,500,000.00)" and inserting in lieu thereof the words and figures, "one million dollars (\$1,000,000.00)".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Doud offered the following amendment by Senators Doud and Long and moved its adoption:

Amend Senate File 388 by striking all of paragraph 3, section 4.

Further amend Senate File 388 by striking from lines 5 and 6 of paragraph 1, section 5, the words, "in which the high school grades meet the attendance requirements of paragraph 3 of section 4."

Further amend Senate File 388 by striking all of paragraph 2 of section 5.

Further amend Senate File 388 by striking from lines 49 and 50 of paragraph 3 of section 5 the words, "in which all schools meet the attendance requirements of paragraph 3 of section 4."

Further amend by striking all of paragraph 4 of section 5.

The amendment was adopted.

Senators Keir offered the following amendment and moved its adoption:

Amend Senate File 388 by adding the following:

"There is hereby transferred to the general fund of the State of Iowa, for each year of the biennium beginning July 1, 1945 and ending June 30, 1947, the sum of one million dollars (\$1,000,000.00) from the income, corporation and sales tax fund collected under the provisions of chapter three hundred twenty-nine and three tenths (329.3), Code, 1939."

The amendment was adopted.

Senator Keir offered the following amendment to the title and moved its adoption:

Strike all after the ":" in line 2 following the word "education" and insert in lieu thereof the following:

"relating to state aid to schools; and providing for an appropriation for such aid and the expenses of administering same."

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, 44:

Augustine	Elthon	Jones	Miller
Barkley	Faul	Keir	Mowry
Bekman	Findlay	Klein	Newsome
Benson	Foster	Knudson	Reilly
Berg	Hart	Leo	Rockhill
Byers	Harvey	Long	Schluter
Clem	Hawkins	Love	Vittetoe
Cromwell	Henningsen	Lucas	Vrba
Dewel	Hill	Lynes	Watson
Doud	Hultman	Martin	White
Dykhouse	Jacobson	Mercer	Zastrow

Nays, none.

Absent or not voting, 5:

Pine	Sharp	Shaw	Sjulin
Ritchie			

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.

President Evans took the chair at 11:45 a. m.

HOUSE MESSAGES CONSIDERED

House File 316, a bill for an act relating to the local budget law, in regard to the certifying and levying of taxes.

Read first and second times and referred to sifting committee.

House File 416, a bill for an act to authorize the purchase of and payment for certain real estate in Wayne county, Iowa, and to provide for the supervision thereof.

Read first and second times and referred to sifting committee.

PRESENTATION OF VISITORS

Senator Sharp asked and received unanimous consent to present to the Senate his daughter, Ensign Laura Mae Sharp of the

United States Navy Department, Washington, D. C., who was present in the Senate chamber.

Senator Findlay asked and received unanimous consent to present to the Senate his son, Dr. J. F. Findlay, President of Drury College, Springfield, Missouri, who was present in the Senate chamber.

PROOF OF PUBLICATION

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

Senate File 424, a proposed bill authorizing the city of Keokuk to purchase and operate the existing toll bridge extending across the Mississippi river from said city.

W. J. SCARBOROUGH.

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

AFTERNOON SESSION

The Senate reconvened, President Evans presiding.

LEAVE OF ABSENCE

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Concurrent Resolution 24, providing that a representative of the Military Forces of World War II serve on the commission at the forthcoming peace conference in San Francisco.

Also: That the Speaker has appointed as members of the conference committee on the part of the House on House File 447, a bill for an act appropriating funds for capital improvements in institutions under the board of control: Representatives Hall, Colburn, McFarlane and Gardner of Linn.

Also: That the Speaker has appointed as members of the conference committee on the part of the House on House File 448, a bill for an act appropriating funds for capital improvements in institutions under the board of education: Representatives Prentiss, Huston, Bryson and Swaner.

Also: That the House has refused to concur in Senate amendments to House File 118, a bill for an act providing for reimbursement by the state to school districts of pupil transportation costs.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 33, a bill for an act relating to limitations for foreclosure of ancient mortgages.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 126, a bill for an act relating to powers and expenditures of board of supervisors on property.

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

Senate File 146, a bill for an act relating to manner of construction of electric transmission lines.

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

Senate File 205, a bill for an act relating to stoppage of payments on unredeemed state warrants.

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

Senate File 224, a bill for an act relating to Iowa Commission for the Blind.

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 legalizing the proceedings authorizing the issuance and delivery of hospital bonds by city of Waukon.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 402, a bill for an act relating to salary of supervisor of building and loan associations.

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

Senate File 428, a bill for an act making appropriations in settlement of claims against the state highway commission.

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

Senate File 435, a bill for an act making appropriation to Drainage Ditch Assessment No. 40.

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

House File 162, a bill for an act relating to suspended county real estate taxes paid from old age assistance fund.

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

House File 272, a bill for an act relating to drainage districts in two or more counties.

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 publication of notices of appointment on letters testamentary.

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

House File 419, a bill for an act relating to adoptions.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 33

Amend Senate File 33, section one (1), line four (4), by striking the word "This" and inserting in lieu thereof the following: "From and after July 4, 1946, this".

Further amend said section, line eight (8) by inserting after the words "ten years from the" the word "due".

HOUSE AMENDMENT TO SENATE FILE 126

Amend Senate File 126, section two (2), by adding at the end of said section the following: "Further amend said section, paragraph thirteen (13), by inserting after the word 'sell' in line four (4) the words 'or lease'."

HOUSE AMENDMENTS TO SENATE FILE 402

Amend Senate File 402, section one (1), lines nine (9) and ten (10), by striking therefrom the words and figures "thirty-five hundred (\$3,500.00)" and inserting in lieu thereof the following: "thirty-one hundred fifty dollars (\$3,150)".

HOUSE MESSAGES CONSIDERED

House File 162, 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 chapters one hundred forty-five (145), one hundred forty-six (146), and one hundred forty-seven (147), Acts of the Forty-ninth General Assembly, relating to suspended county real estate taxes paid from the old age assistance fund.

Read first and second times and referred to sifting committee.

House File 272, a bill for an act to amend section seven thousand five hundred seventy-two (7572), Code, 1939, relating to drainage districts in two or more counties and specifying duties of boards of supervisors of counties in said districts.

Read first and second times and referred to sifting committee.

House File 386, a bill for an act to amend chapter four hundred sixty-four (464), Code, 1939, by adding thereto a section relating to the endorsement on letters testamentary or of administration, of the direction of the court or clerk to the executor or administrator as to the publication of notice of ap-

pointment; and legalizing all notices of appointment of executors or administrators prior to July 4, 1943, where no direction of the court or clerk was endorsed on the letters testamentary or of administration.

Read first and second times and referred to sifting committee.

House File 419, a bill for an act to amend chapter four hundred seventy-three (473), Code, 1939, relating to adoptions and fixing penalties for violation of the law relating to adoptions.

Read first and second times and referred to sifting committee.

BILL REFERRED TO SIFTING COMMITTEE

Senator Elthon asked and received unanimous consent that House File 460 be referred to the sifting committee for further study.

THIRD READING OF BILLS

On motion of Senator Jacobson, Senate File 416, a bill for an act to make appropriations to John Deere Tractor Company, Waterloo, Iowa; Helen Schilling, Des Moines, Iowa; Margaret Ruvane Johnson, administratrix of estate of John J. Ruvane, deceased, Des Moines; Elizabeth Lawless, Madrid, Iowa; Ray's Body & Paint Shop, Ames, Iowa; Anna M. Mickelwait, Glenwood, Iowa; Cramblit & Poling, Ottumwa, Iowa; Winnebago County Drainage District No. 2 and Worth County Drainage District No. 3; Ventura Consolidated Drainage District and Hancock Drainage District No. 52; Percy Edwin McLuen, Stuart, Iowa; New Albin Consolidated School District, New Albin, Iowa, and Iowa Employment Security Commission, Des Moines, Iowa, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Hawkins asked and received unanimous consent to withdraw the amendment to Senate File 416 filed by him on April 2 and found on page 870 of the Senate Journal.

Senator Jacobson moved that the bill be read a third 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
Barkley
Bekman

Benson
Berg
Byers

Clem
Dewel
Doud

Dykhouse
Elthon
Faul

Findlay	Jones	Martin	Rockhill
Hart	Keir	Mercer	Schluter
Harvey	Klein	Miller	Sharp
Henningsen	Knudson	Mowry	Shaw
Hill	Leo	Newsome	Vittetoe
Hultman	Long	Reilly	White
Jacobson	Lynes	Ritchie	

Nays, none.

Absent or not voting, 10:

Cromwell	Love	Sjulin	Watson
Foster	Lucas	Vrba	Zastrow
Hawkins	Pine		

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

Senator Jacobson moved that the vote by which the 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 198, a bill for an act legalizing an emergency fund levy for the city of Clinton in Clinton county, Iowa, was taken up and considered.

Senator Henningsen asked and received unanimous consent to withdraw the amendment to House File 198 filed by him on March 22 and found on page 752 of the Senate Journal.

Senator Henningsen offered the following amendment and moved its adoption:

Amend House File 198 by striking the period at the end of section 2 and inserting in lieu thereof the following: " , without expense to the state of Iowa."

The amendment was adopted.

Senator Henningsen offered the following amendment and moved its adoption:

Amend House File 198 by striking from lines 1 and 2 of section 1 the words "That the city of Clinton in Clinton County, Iowa," and inserting in lieu thereof the following: "Any city having a population of not less than 26,000 nor more than 27,000, as shown by the last census,".

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	Faul	Knudson	Reilly
Barkley	Findlay	Leo	Ritchie
Bekman	Harvey	Long	Rockhill
Benson	Hawkins	Love	Schluter
Berg	Henningsen	Lucas	Sharp
Rvers	Hill	Lynes	Shaw
Clem	Hultman	Martin	Vittetoe
Dewel	Jacobson	Mercer	Watson
Doud	Jones	Miller	White
Dykhouse	Keir	Mowry	Zastrow
Elthon	Klein	Newsome	

Nays, none.

Absent or not voting, 6:

Cromwell	Hart	Sjulin	Vrba
Foster	Pine		

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

Senator Henningsen asked and received unanimous consent to amend the title to conform to the bill as follows:

Amend the title of House File 198 by striking therefrom the words "the city of Clinton in Clinton County, Iowa" and inserting in lieu thereof the following: "cities having a population of not less than twenty-six thousand or more than twenty-seven thousand as shown by the last census".

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 House File 198 be immediately messaged to the House, which request was complied with.

On motion of Senator Jacobson, Senate File 427, a bill for an act to make appropriations to N. L. Newton, Anamosa, Iowa; Mary Jeanette Benfer, Des Moines, Iowa; Sgt. Charles G. Cole, Ottumwa, Iowa; Tecla Hutton, Madrid, Iowa, and Wallace-Homestead Company, Des Moines, Iowa, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Jacobson offered the following amendment and moved its adoption:

Amend Senate File 427 by striking from line 3 of the title the word "Madrid," and inserting in lieu thereof the word "Ames."

Further amend Senate File 427 by striking from line 2 of section 4 the word "Madrid," and inserting in lieu thereof the word "Ames."

The amendment was adopted.

Senator Watson offered the following amendment by Senators Long and Watson and moved its adoption:

Amend Senate File 427 by striking section 4 and renumbering the following sections.

The amendment was lost.

Senator Jacobson moved that the bill be read a third 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	Reilly
Bekman	Hart	Love	Ritchie
Benson	Harvey	Lucas	Rockhill
Byers	Henningsen	Lynes	Schluter
Clem	Hill	Martin	Sharp
Dewel	Hultman	Mercer	Shaw
Dykhouse	Jacobson	Miller	Vittetoe
Elthon	Jones	Mowry	Vrba
Faul	Keir	Newsome	White
Findlay	Klein		

Nays, none.

Absent or not voting, 11:

Barkley	Doud	Long	Watson
Berg	Hawkins	Pine	Zastrow
Cromwell	Knudson	Sjulin	

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 Jacobson moved that the 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 Sharp called up Senate File 126, a bill for an act to amend section five thousand two hundred sixty-one (5261), Code, 1939, relating to expenditures by board of supervisors on property, amended by the House, and moved that the Senate concur in the following House amendment:

Amend Senate File 126, section two (2), by adding at the end of said section the following: "Further amend said section, paragraph thirteen (13), by inserting after the word 'sell' in line four (4) the words 'or lease'."

The motion prevailed and the Senate concurred in the House amendment.

Senator Sharp moved that the bill be read a third 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	Knudson	Reilly
Barkley	Hart	Leo	Ritchie
Bekman	Harvey	Long	Rockhill
Benson	Hawkins	Love	Schluter
Byers	Henningsen	Lucas	Sharp
Clem	Hill	Lynes	Shaw
Dewel	Hultman	Martin	Vittetoe
Dykhouse	Jacobson	Miller	Vrba
Elthon	Jones	Mowry	Watson
Faul	Keir	Newsome	White
Findlay	Klein		

Nays, none.

Absent or not voting, 7:

Berg	Doud	Pine	Zastrow
Cromwell	Mercer	Sjulin	

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

Senator Sharp asked and received unanimous consent to correct the title to conform to the bill.

Senator Sharp moved that the 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 Hultman called up Senate File 402, a bill for an act to amend section nine thousand three hundred fifty-four and one tenth (§354.1), Code, 1939, relating to salary of supervisor of building and loan associations, amended by the House, and moved that the Senate concur in the following House amendment:

Amend Senate File 402, section one (1), lines nine (9) and ten (10), by striking therefrom the words and figures "thirty-five hundred (\$3,500.00)" and inserting in lieu thereof the following: "thirty-one hundred fifty dollars (\$3,150)".

The motion prevailed and the Senate concurred in the House amendment.

Senator Hultman moved that the bill be read a third 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	Newsome
Barkley	Findlay	Klein	Reilly
Bekman	Foster	Knudson	Ritchie
Benson	Hart	Leo	Rockhill
Berg	Harvey	Long	Schluter
Byers	Hawkins	Love	Sharp
Clem	Henningsen	Lynes	Shaw
Dewel	Hill	Martin	Vittetoe
Doud	Hultman	Mercer	Vrba
Dykhouse	Jacobson	Miller	Watson
Elthon	Jones	Mowry	White

Nays, none.

Absent or not voting, 5:

Cromwell	Pine	Sjulin	Zastrow
Lucas			

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

Senator Hultman moved that the 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 Byers, House File 193, a bill for an act to amend section one thousand four hundred twenty-two (1422), Code, 1939, relating to compensation to be paid peace officers disabled or killed while performing official duties, was taken up and considered.

Senator Faul offered the following amendment and moved its adoption:

Amend House File 193 by adding thereto the following:

"Sec. 2. That section one thousand four hundred twenty-one (1421), Code, 1939, as amended by chapter ninety-six (96), Laws of the Forty-ninth General Assembly, be amended by striking the period (.) at the end of subparagraph d of subsection three (3) and adding in lieu thereof the following: ', conservation officers and peace officers referred to in section one thousand four hundred twenty-two (1422), Code, 1939'."

The amendment was adopted.

Senator Byers offered the following amendment and moved its adoption:

Amend House File 193 by adding thereto the following section:

"Sec. 2. Section 2 of chapter ninety-six (96) of the Acts of the 49th General Assembly is hereby repealed."

Senator Byers asked and received unanimous consent to amend

the amendment by striking "Sec. 2" and inserting in lieu thereof "Sec. 3".

The amendment was adopted.

Senator Byers offered the following amendment to the title and moved its adoption:

Amend the title to House File 193 by striking all after the word "amend" in line one and by substituting the following: "section one thousand four hundred twenty-one (1421) and one thousand four hundred twenty-two (1422), Code, 1939, relating to compensation to be paid conservation officers and peace officers disabled or killed while performing official duties, and repealing section two (2) of chapter ninety-six (96) of the Acts of the Forty-ninth General Assembly of Iowa."

The amendment was adopted.

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

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

Ayes, 41:

Augustine	Findlay	Keir	Reilly
Barkley	Foster	Klein	Ritchie
Bekman	Hart	Long	Rockhill
Benson	Harvey	Love	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Martin	Shaw
Clem	Hill	Mercer	Vittetoe
Dewel	Hultman	Miller	Vrba
Dykhouse	Jacobson	Mowry	Watson
Elthon	Jones	Newsome	White
Faul			

Nays, none.

Absent or not voting, 8:

Cromwell	Knudson	Lynes	Sjulin
Doud	Leo	Pine	Zastrow

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

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

HOUSE AMENDMENTS CONSIDERED

Senator Schluter called up Senate File 33, a bill for an act to amend section eleven thousand twenty-eight (11028), Code, 1939, relating to the limitations for foreclosure of ancient mortgages

and other written instruments, amended by the House, and moved that the Senate concur in the following House amendments:

Amend Senate File 33, section one (1), line four (4), by striking the word "This" and inserting in lieu thereof the following: "From and after July 4, 1946, this".

Further amend said section, line eight (8) by inserting after the words "ten years from the" the word "due".

The motion prevailed and the Senate concurred in the House amendment:

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, 36:

Augustine	Hart	Klein	Ritchie
Barkley	Harvey	Long	Rockhill
Bekman	Hawkins	Love	Schluter
Benson	Henningsen	Martin	Sharp
Byers	Hill	Mercer	Shaw
Clem	Hultman	Miller	Vittetoe
Dykhouse	Jacobson	Mowry	Vrba
Elthon	Jones	Newsome	Watson
Findlay	Keir	Reilly	White

Nays, none.

Absent or not voting, 13:

Berg	Faul	Leo	Pine
Cromwell	Foster	Lucas	Sjulin
Dewel	Knudson	Lynes	Zastrow
Doud			

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.

UNFINISHED BUSINESS

Senator Hart called up Senate File 424, a bill for an act to legalize and validate the proceedings authorizing and providing for the acquisition, ownership and operation by the city of Keokuk, Iowa, of the existing toll bridge extending across the Mississippi River from said city, and for the issuance, sale and delivery by said city of bridge revenue bonds in connection therewith, and the provisions made for the payment of said bonds and

declaring said proceedings and the bonds issued pursuant thereto legally sufficient and enforceable.

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, 38:

Augustine	Findlay	Keir	Ritchie
Barkley	Foster	Klein	Rockhill
Bekman	Hart	Long	Schlüter
Benson	Harvey	Love	Sharp
Berg	Hawkins	Martin	Shaw
Byers	Henningsen	Miller	Vittetoe
Clem	Hill	Mowry	Vrba
Dykhouse	Hultman	Newsome	Watson
Elthon	Jacobson	Reilly	White
Faul	Jones		

Nays, none.

Absent or not voting, 11:

Cromwell	Knudson	Lynes	Sjulin
Dewel	Leo	Mercer	Zastrow
Doud	Lucas	Pine	

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 Hill, Senate File 436, a bill for an act to provide for the general welfare of public employees by establishing an old age and survivor insurance system; to provide for the administration of such system; to provide for deductions from pay of public employees and contributions from the state, political subdivisions and other instrumentalities of the state and all political subdivisions thereof including public school districts to raise funds for such retirement system; to repeal conflicting laws and to declare an emergency, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Hill moved that the Senate resolve itself into a committee of the whole for further explanation of Senate File 436, which motion prevailed.

The committee of the whole arose, and the Senate resumed regular session.

Senator Berg asked and received unanimous consent that further action on Senate File 436 be deferred and that it retain its place on the calendar.

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 74, 113, 129, 192, 311, 385, 413 and 414.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed, in the presence of the Senate, Senate Files 74, 113, 129, 192, 311, 385, 413 and 414.

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 6th day of April, 1945, sent to the governor for his approval, Senate Files 74, 113, 129, 192, 311, 385, 413 and 414.

ROBERT C. REILLY, *Chairman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 6th he had approved the following bills:

Senate File 25, relating to waterworks trustees.

Senate File 74, relating to compensation of business managers under the board of control.

Senate File 129, relating to fish and game licenses.

Senate File 141, relating to free recording of certain documents issued to members of the armed forces.

Senate File 310, relating to workmen's compensation reports.

Senate File 311, relating to agreements for the payments of workmen's compensation.

Senate File 413, relating to claims against the state highway commission.

Senate File 414, relating to appropriations to pay claims of various individuals.

Senate File 426, relating to expenses of the General Assembly.

Senate File 430, relating to repairs to the capitol buildings and grounds.

Senate File 431, relating to appropriations to certain individuals.

Senate File 432, relating to approval of compensation to state employees.

Senate File 433, relating to the Iowa emergency relief fund.

SPECIAL ORDER OF BUSINESS

Senator Paul asked and received unanimous consent that Senate File 425 be made a special order of business for Monday, April 9, at 10:15 a. m.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it had the following bills under consideration and recommends that they be placed on the calendar:

House File 326.

Senate File 103.

House File 327.

Senate File 383.

Senate File 326.

House File 464.

House File 445.

STANLEY L. HART, *Chairman*.

AMENDMENTS FILED

Amend Senate File 382, section 2, line 8, by striking the word "five" and substituting therefor the word "twenty-five". ED S. WHITE.

Amend Senate File 439 by striking from line 4 the word "five" and inserting in lieu thereof the word "four". RICHARD V. LEO.

Amend House File 326 by striking from line 6 of section 1 the word, "each", and inserting in lieu thereof the word, "this". IRVING D. LONG.

Amend House File 327 by striking from line 7, section 1, the word, "each", and inserting in lieu thereof the word, "this". IRVING D. LONG.

Senator Miller moved that the Senate adjourn until 10:00 a. m. Saturday.

Senator Hill moved as a substitute that the Senate adjourn until 9:00 a. m. Saturday.

The motion prevailed and the substitution was made, and the Senate adjourned until 9:00 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 7, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend E. A. Elliott, pastor of United Brethren church at Granger, Des Moines, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Dewel, from residents of Emmet county, favoring local option.

By Senator Klein, from residents of Marion county, favoring local option.

By Senator Knudson, from residents of Cerro Gordo county, favoring local option.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Bekman for the day on request of Senator Elthon; Senator Zastrow for the day on request of Senator Ritchie; Senator Cromwell for the day on request of Senator Harvey.

INTRODUCTION OF BILL

Senate File 441, by committee on claims, a bill for an act to make appropriations to J. T. Dykhouse, Rock Rapids, Iowa; O. H. Henningsen, Clinton, Iowa; R. V. Leo, Dysart, Iowa; G. T. Kuester, Griswold, Iowa; John S. Heffner, Webster City, Iowa, and Melvin Wilson, Lake City, Iowa.

Read first and second times and referred to sifting committee.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File 154, a bill for an act relating to extension of time for levying tax for park improvement purposes.

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

Senate File 155, a bill for an act relating to extension of time for levying a park tax for improvement of lakes.

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

Senate File 156, a bill for an act relating to the levy of a tax for park purposes.

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

Senate File 295, a bill for an act relating to apportionment of revenue derived from tax on moneys and credits.

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

Senate File 412, a bill for an act legalizing an election held in city of Sibley, Iowa.

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

Senate File 434, a bill for an act making permanent a temporary transfer of funds of Crawford county, Iowa.

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 publication of budgets in rural independent school districts.

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

House File 439, a bill for an act relating to liability for damage to highways and highway structures.

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

House File 456, a bill for an act relating to use of counties' allotment of motor vehicle fuel license fees.

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

House File 475, a bill for an act relating to police radio broadcasting system and installation thereof in department of public safety.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 318, a bill for an act to amend section three hundred seventy-five (375), Code, 1939, relating to the publication of bud-

gets in rural independent school districts, school townships and municipalities of less than four hundred population.

Read first and second times and referred to sifting committee.

House File 439, a bill for an act to amend section five thousand thirty-five and twenty-four hundredths (5035.24), Code, 1939, relating to liability for damage to highways and highway structures.

Read first and second times and referred to sifting committee.

House File 456, a bill for an act to amend section four thousand six hundred eighty-six and twenty hundredths (4686.20), Code, 1939, relating to use of counties' allotment of motor vehicle fuel license fees on farm-to-market projects.

Read first and second times and referred to sifting committee.

House File 475, a bill for an act to repeal section thirteen thousand four hundred seventeen and four tenths (13417.4), Code, 1939, relating to police radio broadcasting system and the installation of same in the department of public safety.

Read first and second times and referred to sifting committee.

THIRD READING OF BILLS

On motion of Senator Martin, House File 379, a bill for an act to amend sections six thousand seven hundred four (6704) and six thousand seven hundred five (6705), Code, 1939, relating to compensation of aldermen and mayor of cities under special charter, was taken up and considered.

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, 31:

Augustine	Harvey	Leo	Ritchie
Berg	Henningsen	Long	Rockhill
Clem	Hill	Love	Schluter
Dewel	Hultman	Lucas	Shaw
Dykhouse	Jacobson	Martin	Vittetoe
Elthon	Keir	Miller	Vrba
Findlay	Klein	Mowry	White
Hart	Knudson	Reilly	

Nays, none.

Absent or not voting, 18:

Barkley	Doud	Lynes	Sharp
Bekman	Faul	Mercer	Sjulin
Benson	Foster	Newsome	Watson
Byers	Hawkins	Pine	Zastrow
Cromwell	Jones		

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 Dykhousé, House Joint Resolution 7, a resolution extending the time for celebrating the Iowa Centennial and making an appropriation therefor, was taken up and considered.

Senator Henningsen took the chair at 9:20 a. m.

Senator Dykhousé 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, 33:

Augustine	Harvey	Leo	Reilly
Berg	Henningsen	Long	Ritchie
Clem	Hill	Love	Rockhill
Dewel	Hultman	Lucas	Schluter
Dykhousé	Jacobson	Martin	Shaw
Elthon	Keir	Mercer	Vittetoe
Faul	Klein	Miller	Vrba
Findlay	Knudson	Mowry	White
Hart			

Nays, none.

Absent or not voting, 16:

Barkley	Cromwell	Jones	Sharp
Bekman	Doud	Lynes	Sjulin
Benson	Foster	Newsome	Watson
Byers	Hawkins	Pine	Zastrow

The resolution 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 resolution passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Rockhill, Senate File 419, a bill for an act

to repeal chapter one hundred thirty-seven (137) of the Laws of the Forty-ninth (49th) General Assembly, and to repeal section thirty-five hundred twenty-seven (3527), Code, 1939, and to enact a substitute therefor to provide for the transfer of insane from a state hospital, was taken up and considered.

Senator Rockhill moved that the bill be read a third 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:

Benson	Foster	Leo	Reilly
Berg	Hart	Long	Ritchie
Byers	Harvey	Love	Rockhill
Clem	Henningsen	Lucas	Schluter
Dewel	Hill	Martin	Shaw
Dykhouse	Jacobson	Mercer	Vittetoe
Elthon	Keir	Miller	Vrba
Faul	Knudson	Mowry	White
Findlay			

Nays, none.

Absent or not voting, 16:

Augustine	Doud	Klein	Sharp
Barkley	Hawkins	Lynes	Sjulin
Bekman	Hultman	Newsome	Watson
Cromwell	Jones	Pine	Zastrow

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

Senator Rockhill moved that the vote by which the 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 394, a bill for an act to amend section five thousand thirty-two and five hundredths (5032.05), Code, 1939, by striking part of section as pertaining to chauffeurs over the age of sixteen (16) years and under the age of eighteen (18) years, 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, 33:

Augustine	Clem	Findlay	Hill
Benson	Dewel	Hart	Hultman
Berg	Dykhouse	Harvey	Jacobson
Byers	Faul	Henningsen	Keir

Klein	Martin	Reilly	Shaw
Knudson	Mercer	Ritchie	Vittetoe
Leo	Miller	Rockhill	Vrba
Long	Mowry	Schluter	White
Love			

Nays, none.

Absent or not voting, 16:

Barkley	Elthon	Lucas	Sharp
Bekman	Foster	Lynes	Sjulin
Cromwell	Hawkins	Newsome	Watson
Doud	Jones	Pine	Zastrow

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 Schluter, Senate File 437, a bill for an act to amend section four thousand three hundred forty-five (4345), Code, 1939, relating to pension systems for teachers in certain cities, was taken up and considered.

Senator Berg offered the following amendment by Senators Berg and Keir and moved its adoption:

Amend Senate File 437 as follows:

1. Amend section 1 by striking from line 4 the word "fifteen" and inserting in lieu thereof the word "five"; and by adding to said section the following: "Said section is further amended by inserting after the word "teachers" in line 6 thereof, the words "and other employees".

2. Amend by adding the following section:

Sec. 2. Section four thousand three hundred forty-six (4346), Code, 1939, is amended by inserting after the word "teachers" in line 2 and line 6 of subsection 1 and in line 3 of subsection 2 thereof the words "and other employees".

3. Amend the title by changing the word "section" to "sections" in line 1 and by inserting in line 2 after the figures "(4345)," the following: "and four thousand three hundred forty-six (4346)"; and inserting after the word "teachers" in line 3 the words "and other employees".

President Evans took the chair at 10:05 a. m.

Senator Berg asked and received unanimous consent that further action on Senate File 437 be deferred and that it be placed on the calendar under unfinished business for consideration immediately following action on Senate File 436.

On motion of Senator Martin, Senate File 254, a bill for an act to amend sections six thousand two hundred seventy (6270),

six thousand two hundred seventy-two (6272), six thousand two hundred seventy-eight and one tenth (6278.1), six thousand two hundred eighty (6280), six thousand two hundred eighty-nine (6289), and six thousand two hundred ninety-three (6293), Code, 1939, relating to plats, and to provide for closer supervision of the platting of additions in cities and towns including cities acting under special charter and to require approval of auditor's plats in cities, cities acting under special charter, and towns having over twenty-five thousand population, with report of committee recommending passage, was taken up and considered and the report of the committee adopted.

Senator Reilly offered the following amendment and moved its adoption:

Amend Senate File 254, section 7, by adding after the words "special charter" in line 2 the following: "and cities under the city manager form of government".

Further amend Senate File 254 by adding after the words "special charter" in line 11 of the title the following: "cities under the city manager form of government".

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, 34:

Augustine	Findlay	Klein	Reilly
Barkley	Foster	Leo	Ritchie
Benson	Hart	Long	Rockhill
Berg	Harvey	Love	Schluter
Byers	Henningsen	Martin	Shaw
Clem	Hill	Mercer	Vittetoe
Dewel	Hultman	Miller	Vrba
Dykhouse	Jacobson	Mowry	White
Faul	Keir		

Nays, none.

Absent or not voting, 15:

Bekman	Hawkins	Lynes	Sjulin
Cromwell	Jones	Newsome	Watson
Doud	Knudson	Pine	Zastrow
Elthon	Lucas	Sharp	

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 White, Senate File 382, a bill for an act to provide for the establishment and maintenance of free public libraries in counties for the use of those persons living in the area of the counties outside of cities and towns which maintain free public libraries, was taken up and considered.

Senator White offered the following amendment and moved its adoption:

Amend Senate File 382, section 2, line 8, by striking the word "five" and substituting therefor the word "twenty-five".

The amendment was adopted.

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

The Chair announced that Senator Newsome had left a written request to be recorded as voting "aye" on Senate File 382.

The request was granted.

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

Ayes, 34:

Barkley	Foster	Knudson	Mowry
Benson	Hart	Leo	Newsome
Berg	Harvey	Long	Reilly
Clem	Henningsen	Love	Rockhill
Dewel	Hill	Lucas	Schluter
Dykhouse	Hultman	Martin	Shaw
Elthon	Jacobson	Mercer	Vrba
Faul	Keir	Miller	White
Findlay	Klein		

Nays, none.

Absent or not voting, 15:

Augustine	Doud	Pine	Vittetoe
Bekman	Hawkins	Ritchie	Watson
Byers	Jones	Sharp	Zastrow
Cromwell	Lynes	Sjulin	

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

Senator White moved that the vote by which the 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 420, a bill for an act to

amend section five thousand thirty-two and two hundredths (5032.02), Code, 1939, relating to school busses, 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, 36:

Augustine	Findlay	Klein	Mowry
Barkley	Foster	Knudson	Reilly
Benson	Hart	Leo	Ritchie
Berg	Harvey	Long	Rockhill
Clem	Henningsen	Love	Schluter
Dewel	Hill	Lucas	Shaw
Dykhous	Hultman	Martin	Vittetoe
Elthon	Jacobson	Mercer	Vrba
Faul	Keir	Miller	White

Nays, none.

Absent or not voting, 13:

Bekman	Hawkins	Newsome	Sjulin
Byers	Jones	Pine	Watson
Cromwell	Lynes	Sharp	Zastrow
Doud			

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 Martin, House File 304, a bill for an act to amend section one thousand two hundred twenty-five and nine hundredths (1225.09), Code, 1939, relating to police powers, was taken up and considered.

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, 34:

Augustine	Faul	Keir	Reilly
Barkley	Findlay	Klein	Ritchie
Benson	Foster	Knudson	Rockhill
Berg	Hart	Leo	Schluter
Byers	Harvey	Long	Shaw
Clem	Henningsen	Martin	Vittetoe
Dewel	Hill	Miller	Vrba
Dykhous	Hultman	Mowry	White
Elthon	Jacobson		

Nays, none.

Absent or not voting, 15:

Bekman	Jones	Mercer	Sjulin
Cromwell	Love	Newsome	Watson
Doud	Lucas	Pine	Zastrow
Hawkins	Lynes	Sharp	

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 Leo, Senate File 439, a bill for an act to amend section four hundred eighty-nine (489), Code, 1939, relating to memorial halls and monuments for soldiers, sailors and marines by raising the allowable levy from two to five mills, was taken up and considered.

Senator Leo asked and received unanimous consent to withdraw the amendment to Senate File 439 filed by him on April 4 and found on page 906 of the Senate Journal.

Senator Leo offered the following amendment and moved its adoption:

Amend Senate File 439 by striking from line 4 the word "five" and inserting in lieu thereof the word "four".

The amendment was adopted.

Senator Leo offered the following amendment and moved its adoption:

Amend the title to Senate File 439 by striking the words "five mills" at the end of the title and inserting in lieu thereof "four mills".

The amendment was adopted.

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

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

Ayes, 33:

Augustine	Dewel	Hart	Keir
Barkley	Dykhouse	Harvey	Knudson
Benson	Elthon	Henningsen	Leo
Berg	Faul	Hill	Long
Byers	Findlay	Hultman	Martin
Clem	Foster	Jacobson	Mercer

Miller
Mowry
Reilly

Ritchie
Rockhill

Schluter
Shaw

Vittetoe
White

Nays, 1:

Klein

Absent or not voting, 15:

Bekman
Cromwell
Doud
Hawkins

Jones
Love
Lucas
Lynes

Newsome
Pine
Sharp
Sjulin

Vrba
Watson
Zastrow

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended 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 Long, House File 326, a bill for an act to amend section three thousand six hundred eighty-four and twenty-one hundredths (3684.21), Code, 1939, and to provide what shall be done at the end of each biennium with the unexpended funds remaining from any appropriations or allocation made by the state to the fund for aid to the blind, was taken up and considered.

Senator Long offered the following amendment and moved its adoption:

Amend House File 326 by striking from line 6 of section 1 the word, "each", and inserting in lieu thereof the word, "this".

The amendment was 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, 35:

Augustine
Barkley
Benson
Berg
Byers
Clem
Dewel
Dykhouse
Elthon

Faul
Findlay
Foster
Hart
Harvey
Henningsen
Hill
Hultman
Jacobson

Keir
Klein
Knudson
Leo
Long
Martin
Mercer
Miller
Mowry

Reilly
Ritchie
Rockhill
Schluter
Shaw
Vittetoe
Vrba
White

Nays, none.

Absent or not voting, 14:

Bekman	Jones	Newsome	Sjulin
Cromwell	Love	Pine	Watson
Doud	Lucas	Sharp	Zastrow
Hawkins	Lynes		

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 Long, House File 327, a bill for an act to amend chapter one hundred thirty (130), Acts of the Fiftieth General Assembly, and to provide what shall be done at the end of each biennium with the unexpended funds remaining from any appropriation or allocation made by the state to the fund for aid to dependent children, was taken up and considered.

Senator Long offered the following amendment and moved its adoption:

Amend House File 327 by striking from line 7, section 1, the word, "each", and inserting in lieu thereof the word, "this".

The amendment was 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, 35:

Augustine	Faul	Klein	Reilly
Barkley	Findlay	Knudson	Ritchie
Benson	Hart	Leo	Rockhill
Berg	Harvey	Long	Schluter
Byers	Henningsen	Lucas	Shaw
Clem	Hill	Martin	Vittetoe
Dewel	Hultman	Mercer	Vrba
Dykhouse	Jacobson	Miller	White
Elthon	Keir	Mowry	

Nays, none.

Absent or not voting, 14:

Bekman	Hawkins	Newsome	Sjulin
Cromwell	Jones	Pine	Watson
Doud	Love	Sharp	Zastrow
Foster	Lynes		

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 Hill, House File 445, a bill for an act to amend section one thousand three hundred sixty-one (1361), Code, 1939, section one thousand three hundred ninety-seven (1397), Code, 1939, and section one thousand four hundred twenty-one (1421), Code, 1939, relating to workmen's compensation for volunteer firemen, defining volunteer firemen and providing the rate of compensation under the Iowa workmen's compensation law, 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, 36:

Augustine	Faul	Keir	Mowry
Barkley	Findlay	Klein	Reilly
Benson	Foster	Knudson	Ritchie
Berg	Hart	Leo	Rockhill
Byers	Harvey	Long	Schluter
Clem	Henningesen	Lucas	Shaw
Dewel	Hill	Martin	Vittetoe
Dykhouse	Hultman	Mercer	Urba
Elthon	Jacobson	Miller	White

Nays, none.

Absent or not voting, 13:

Bekman	Jones	Newsome	Sjulin
Cromwell	Love	Pine	Watson
Doud	Lynes	Sharp	Zastrow
Hawkins			

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 Rockhill, Senate File 326, a bill for an act to amend section one thousand five hundred thirty-six (1536), Code, 1939, relating to the employment of persons under sixteen (16) years of age, was taken up and considered.

AMENDMENTS FILED

Amend the amendment to Senate File 266 filed February 14 by strik-

ing the word "of" in line 2 and inserting in lieu thereof the words "valued at".

R. A. ROCKHILL.

Amend Senate File 436 as follows:

1. Amend section 20, line 14, by striking the words "of the effective date of this Act" and substituting in lieu thereof the following: "or may hereafter have".

2. Further amend section 20, line 23, by inserting after the word "now" the following: "or may become".

3. Further amend section 20, line 124, by inserting after the word "now" the following: "or may become".

JOHN P. BERG.

Amend Senate File 18 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Chapter three hundred twenty-nine and six-tenths (329.6), Code, 1939, is amended by adding to the title after the word "Homestead" the words "Service People's Rehabilitation".

Sec. 2. Section six thousand nine hundred forty-three and one hundred forty-two thousandths (6943.142), six thousand nine hundred forty-three and one hundred forty-three thousandths (6943.143), six thousand nine hundred forty-three and one hundred forty-four thousandths (6943.144), six thousand nine hundred forty-three and one hundred forty-five thousandths (6943.145), six thousand nine hundred forty-three and one hundred forty-six thousandths (6943.146), six thousand nine hundred forty-three and one hundred forty-seven thousandths (6943.147), six thousand nine hundred forty-three and one hundred forty-eight thousandths (6943.148), six thousand nine hundred forty-three and one hundred forty-nine thousandths (6943.149), six thousand nine hundred forty-three and one hundred fifty thousandths (6943.150), six thousand nine hundred forty-three and one hundred fifty-one thousandths (6943.151), six thousand nine hundred forty-three and one hundred fifty-four thousandths (6943.154), and six thousand nine hundred forty-three and one hundred fifty-five thousandths (6943.155), Code, 1939, are amended by adding after the word "homestead", wherever it appears, the words "and/or service people's property".

Sec. 3. Section six thousand nine hundred forty-three and one hundred fifty-two thousandths (6943.152), Code, 1939, is amended by adding after subsection three (3) an additional subsection as follows: "The words 'service people's property' shall mean any property which is owned and used for business and occupational purposes by service people who are honorably discharged from the United States military forces, engaged in World War II. The service people's property tax credit, as provided in this chapter, shall be allowed continuously, from year to year, to such service people who have suffered, while in the service, the loss of a hand, foot, eye, lung, kidney, complete loss of hearing, or paralysis, heart ailments and mental incompetency which ever is noted on the discharge papers. To all other service people the property tax credits of this chapter shall be allowed from year to year until they have received, in the aggregate a total tax credit computed as follows: To every honorably discharged soldier, sailor, marine or nurse who has served all their time within the continental United States,

or who has served less than three months outside of the continental United States, a total of five hundred dollars (\$500) or ten years tax credits, whichever limit is first acquired.

To every honorably discharged soldier, sailor, marine or nurse who has served more than three months and less than two years outside the continental United States, a total of six hundred and twenty-five dollars (\$625) or 12 years tax credits, whichever limit is first acquired.

To every honorably discharged soldier, sailor, or marine or nurse who has served more than two full years, outside the continental United States, a total of seven hundred and fifty dollars (\$750) or 15 years whichever limit is first acquired.

Whenever the rehabilitation tax credit limits have been acquired, or whenever such service people fail to qualify for rehabilitation tax credits, or whenever the service people are those honorably discharged from the women's military service corps such as WACS, WAVES and MARINES, they shall be entitled, from year to year, by the provisions of this act, a full tax credit on five hundred dollars (\$500) personal property valuation.

Sec. 4. "In case any person in the foregoing classification does not acquire all credits due them, it shall be allowed in the name of such person to the same extent on the property of any one of the following persons in the order named:

"1. The wife, or widow remaining unmarried, of any such soldier, sailor, marine where they are living together or were living together at the time of the death of such person.

"2. The widowed mother, remaining unmarried, of any such soldier, sailor, marine or nurse, whether living or deceased, where such widowed mother is, or was at the time of death of the soldier, sailor, marine or nurse, dependent on such person for support.

"3. The minor child, or children owning property as tenants in common, of any such deceased soldier, sailor, marine.

"No more than one tax exemption shall be allowed under this section in the name of any honorably discharged person of World War II service."

Sec. 5. Section six thousand nine hundred forty-three and one hundred forty-three thousandths (6943.143) is amended by adding the following paragraph: "Any service people who apply for tax credit under the service people's property tax credit provisions of this chapter must be honorably discharged from the military services and domiciled in the state of Iowa at the time they entered service and remain domiciled in the state of Iowa and a resident of the state for at least nine months out of each year in which they qualify for the service people's property tax credit."

RALPH E. BENSON.

Amend Senate File 436 by adding the following sections:

"Sec. 27. The following described persons shall be entitled to disability benefits, beginning on the dates, and continuing for the periods, herein-after specified which amounts shall be the same as if the employee was receiving retirement benefits.

(1) Any participating employee who is less than age sixty-five (65) and who during the period for such employee is receiving earnings for

services for a participating governmental agency thereof becomes unable to perform the duties of any assigned position for any period exceeding sixty (60) days, because of mental or physical disability.

(2) Such benefits shall begin to accrue on the sixty-first day following the date upon which such disability was incurred, unless:

(a) Written application for such benefits is not received by the commission within sixty (60) days of such accrual date, in which case, benefits shall begin to accrue on the day sixty (60) days prior to the receipt of such application, or

(b) All earnings have not ceased to be payable to such employee on such accrual date, in which case, benefits shall begin to accrue on the day following the day for which the last payment of earnings is made by any employing governmental agency.

(3) Such benefits shall continue during the period of disability until the beginning of the day upon which the first of the following occurs:

(a) Disability ceases in accordance with the certification of a physician approved or appointed by the commission.

(b) Disability ceases in accordance with the certification of the governing body of any governmental agency.

(c) Earnings again become payable.

(d) Refusal to submit to a reasonable physical examination by any physician approved and appointed by the commission.

(e) Attainment of age sixty-five (65).

(f) The amount of retirement annuity, to which such employee would immediately be entitled.

Sec. 28. The following described persons shall be entitled to separation benefits, at the times hereinafter specified:

(1) Any participating employee who is separated from the service of all participating governmental agency thereof and who, on the date of application for such benefit, is not eligible to a retirement annuity.

(2) Such separation benefits shall be paid in the form of a single cash sum as soon as practicable after receipt by the commission of:

(a) A written application by the employee for such benefits.

(b) Written notice from the last employing governmental agency certifying that such employee has been separated from the service.

The amount of any separation benefits shall be the sum of the accumulated credits of the employee as of the date of separation from service.

Sec. 29. The state of Iowa, and the political subdivisions and instrumentalities thereof shall, upon application to the commission, supplement the Primary Insurance Benefit, provided for in this law, at the rate of one dollar (\$1.00) per month for each year of current and prior service, however, not to exceed twenty (20) years of such service. Employment of six (6) months or more in any calendar year shall be credited as one year of service; employment of less than six (6) months in any calendar year shall be credited as one-half year of service."

GEORGE FAUL.

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

Senator Mowry moved as a substitute that the Senate adjourn until 10:00 a. m., Monday.

The motion prevailed and the substitution was made and the Senate adjourned until 10:00 a. m., Monday, April 9, 1945.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 9, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend R. J. Rutt, pastor of the Presbyterian church, Sanburn, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Cromwell, from Edmund Pusch, O. S. B., Pastor of St. John's Parish, Burlington, Des Moines county, Iowa, in opposition to the Wormley amendment to proposed school transportation legislation.

By Senator Doud, from residents of Van Buren county, favoring local option.

By Senator Hart, from residents of Lee county, favoring proposed occupational diseases legislation; also, from residents of Boone, Buena Vista, Cerro Gordo, Dallas, Keokuk, Muscatine, Sac, Union, Wapello and Winnebago counties, favoring local option.

By Senator Hill, from residents of Wright county, favoring local option.

By Senator Lucas, from residents of Story county, in opposition to proposed pension legislation.

By Senator Mowry, from a resident of Scott county, favoring local option.

By Senator Pine, from residents of Louisa and Muscatine counties, favoring local option.

By Senator Vittetoe, from residents of Poweshiek county, favoring local option.

PRESENTATION OF VISITORS

Senator Miller asked and received unanimous consent to present to the Senate the members of the class in American Government

of the Dallas Center high school who were present in the balcony with their teacher.

Senator Knudson asked and received unanimous consent to present to the Senate, a former member of the Senate from the 43rd Senatorial District, Oscar E. Johnson of Kanawha, who was present in the Senate chamber.

EXECUTIVE SESSION

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

The Senate, in executive session, confirmed the following appointments:

George E. Gill, of Osceola county, as a member of the state tax commission.

Henry C. Shull, of Woodbury county, as a member of the board of education.

Mrs. Dorothy Houghton, of Montgomery county, as a member of the board of education.

Roy Loudon, of Jefferson county, as a member of the board of education.

C. Fred Porter, of Polk county, as state comptroller.

The Senate, in executive session, refused to confirm the following appointments:

Cole Van Gordon, of Palo Alto county, as a member of the board of social welfare.

Charles F. Triplett, of Polk county, as a member of the board of control.

The Senate arose from executive session and resumed regular session.

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

HOUSE CONCURRENT RESOLUTION 20

Be It Resolved by the House, the Senate Concurring: That the Chief Clerk of the House and the Secretary of the Senate be required to remain at the capitol and perform their respective duties for so long a time as

may be necessary following the final adjournment of the Fifty-first General Assembly and that they be authorized to select such of their respective assistants as may be necessary for such time as may be required for the purpose of correcting and certifying the records of the session and otherwise closing up the business of their respective offices and also for the packing of supplies of members for shipment to their homes.

The Chief Clerk of the House and the Secretary of the Senate are hereby authorized to correct the Journal of the House and Senate respectively for the last day of the session.

Each of said officers and employees shall receive the same compensation per day for such extra service performed as they now receive, to be paid by the comptroller of state upon certification by the Speaker and Chief Clerk of the House and the President and Secretary of the Senate.

The motion prevailed and the resolution was adopted.

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

HOUSE CONCURRENT RESOLUTION 21

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.

President pro tempore Hart took the chair at 11:15 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 concurred in Senate amendments to and passed House File 127, a bill for an act creating a permanent agricultural land credit fund in the state treasury.

Also: That the House has concurred in Senate amendments to and passed House File 193, a bill for an act relating to compensation to be paid peace officials disabled or killed in line of duty.

Also: That the House has concurred in Senate amendments to and passed House File 198, a bill for an act legalizing an emergency fund levy for city of Clinton.

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

Senate File 23, a bill for an act relating to warning by authorities preventing persons from acquiring a settlement.

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

Senate File 139, a bill for an act relating to lease or sale of real estate owned by a county.

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

Senate File 218, a bill for an act relating to embezzlement and penalty therefor.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 274, a bill for an act relating to inheritance tax and avoidance of administration.

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

Senate File 400, a bill for an act relating to bonds of state officers.

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 providing an additional levy for completion of county fairground buildings.

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

House File 440, a bill for an act relating to employment of prisoners at state institutions under board of control.

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

House File 453, a bill for an act relating to paroling epileptic patients from hospital for epileptics.

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

House File 454, a bill for an act relating to medical and surgical treatment of minors and incompetent persons.

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

House File 461, a bill for an act providing for parole of feeble-minded inmates from state institutions under board of control.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 274

Amend section 1, line 5, by striking the words "five years" and inserting in lieu thereof the words "eighteen months".

HOUSE MESSAGES CONSIDERED

House File 168, a bill for an act providing for an additional millage levy in counties having a population of between thirty-five thousand and forty thousand, upon all the taxable property of the county for the purpose of the completion of buildings upon the fairgrounds, after such additional levy has been approved by a majority of the voters of said county at a general election.

Read first and second times and referred to the sifting committee.

House File 440, a bill for an act to amend section three thousand seven hundred fifty-seven (3757), Code, 1939, relating to the employment of prisoners of the state penitentiary and men's reformatory at state institutions under the board of control.

Read first and second times and referred to the sifting committee.

House File 453, a bill for an act to amend chapter one hundred seventy-two (172), Code, 1939, by including therein a section to authorize the board of control to parole epileptic patients from the hospital for epileptics.

Read first and second times and referred to the sifting committee.

House File 454, a bill for an act to amend section three thousand eight hundred twenty-eight and one hundred fifty-three thousandths (3828.153), Code, 1939, relating to medical and surgical treatment of minors and incompetent persons.

Read first and second times and referred to the sifting committee.

House File 461, a bill for an act to amend section three thousand four hundred forty-six (3446), Code, 1939, to provide for the parole of feeble-minded inmates from state institutions under the board of control.

Read first and second times and referred to the sifting committee.

Senator Watson offered the following resolution and moved its adoption:

SENATE MEMORIAL RESOLUTION

Whereas, The Honorable Morris Moore, a former member of this body representing the Nineteenth Senatorial District in the 45th, 45th Extra, 46th, 46th Extra, 47th and 48th General Assemblies, died at Council Bluffs October 16th, 1944, therefor,

Be It Resolved by the Senate of the State of Iowa: That a committee be appointed by the President to draft and present to the Senate suitable resolutions commemorating the life, character and accomplishments of the late Senator Moore.

The motion prevailed and the resolution was adopted.

The President appointed as such committee: Senators Watson, Sjulín, White, Hultman and Love.

COMMITTEE APPOINTMENT

In accordance with House Joint Resolution 8, the President announced the following Senators as members of the special committee on tax study: Cromwell, Keir and Byers.

COMMITTEE APPOINTMENT

In accordance with chapter 16, Acts of the Forty-ninth General Assembly, the President announced the appointment of the following Senators as members of the legislative advisory committee on state office building: Henningsen, Shaw and Hultman.

UNFINISHED BUSINESS

Senator Hill called up for further consideration, Senate File 436, a bill for an act to provide for the general welfare of public employees by establishing an old age and survivor insurance system; to provide for the administration of such system; to provide for deductions from pay of public employees and contributions from the state, political subdivisions and other instrumentalities of the state and all political subdivisions thereof including public school districts to raise funds for such retirement system; to repeal conflicting laws and to declare an emergency.

Senator Hill offered the following amendments and moved their adoption:

Amend Senate File 436 by striking the word "three" in line 9 of section 8 and substitute in lieu thereof the word "two".

Further amend Senate File 436 by striking the words and figures from line 18 in section 20 "forty-five dollars (\$45.00)" and substitute in lieu thereof the words and figures, "fifty dollars (\$50.00)".

Further amend Senate File 436 by striking from line 20 of section 20 the words and figures "forty-five dollars (\$45.00)" and substitute in lieu thereof the words and figures, "fifty dollars (\$50.00)".

Amend Senate File 436, section 20, line 65, by inserting the word "or" immediately after the semicolon following the word "death."

The amendments were adopted.

Senator Hill offered the following amendments and moved their adoption:

Amend Senate File 436 by adding after the word "Iowa" in line 21, section 20, the following: ", the counties, municipalities and public school districts therein and all of the political subdivisions thereof".

Further amend said section 20 by substituting the word "their" for the word "its" in line 22.

Further amend said section 20 by adding after the word "instrumentalities" in line 22 the following: ", all hereinafter called political subdivisions".

Further amend said section 20 by adding after the figures "1946" in line 47 the following: "in which he was covered under this act, and in which he earned more than fifty dollars (\$50.00)".

Further amend said section 20 by substituting a period (.) for the comma (,) at the end of line 48 and by striking lines 49 to 52 inclusive.

Further amend said section 20 by adding after the figures "1945" in line 57 the following: "and after he was first covered under this act".

Further amend said section 20 by adding after the word "he" in line 60 the following: "retired after he had".

Further amend said section 20 by striking from line 16 the word "year".

Amend section 14 by striking all of lines 51 to 55, inclusive.

Further amend Senate File 436, section 20, by adding to subsection "b" another paragraph to read as follows:

"(3) Any service performed by an employee of the State Board of Education who on or after the effective date of this act holds a position of assistant professor or higher".

Further amend section 20, subsection "m" by inserting after the word "people" in line 123 the following: ", employees of the State Board of Education who on or after the effective date of this act holds a position of assistant professor or higher".

The amendments were adopted.

Senator Berg offered the following amendment and moved its adoption:

Amend Senate File 436 as follows:

1. Amend section 20, line 14, by striking the words "of the effective date of this Act" and substituting in lieu thereof the following: "or may hereafter have".

2. Further amend section 20, line 23, by inserting after the word "now" the following: "or may become".

3. Further amend section 20, line 124, by inserting after the word "now" the following: "or may become".

Senator Berg offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking section 3 thereof and inserting in lieu thereof the following:

"3. Further amend section 20, line 124, by striking the words "who are" and inserting in lieu thereof the following: "who now are or may become".

The amendment to the amendment was adopted.

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

AFTERNOON SESSION

The Senate reconvened, President pro tempore Hart presiding.

HOUSE AMENDMENTS CONSIDERED

Senator Rockhill called up Senate File 274, a bill for an act to amend section seven thousand three hundred twenty-eight (7328), Code, 1939, relating to inheritance tax and avoidance of administration, amended by the House, and moved that the Senate concur in the following House amendment:

HOUSE AMENDMENT TO SENATE FILE 274

Amend section 1, line 5, by striking the words "five years" and inserting in lieu thereof the words "eighteen months".

The motion prevailed and the Senate concurred in the House amendment.

Senator Rockhill moved that the bill be read a third 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	Knudson	Ritchie
Barkley	Foster	Leo	Rockhill
Bekman	Hart	Long	Schluter
Benson	Harvey	Lucas	Sharp
Berg	Hawkins	Lynes	Shaw
Byers	Henningsen	Martin	Sjulin
Clem	Hill	Mercer	Vittetoe
Cromwell	Jacobson	Miller	Vrba
Dewel	Jones	Mowry	Watson
Doud	Keir	Pine	White
Dykhouse	Klein	Reilly	Zastrow

Nays, none.

Absent or not voting, 5:Elthon
Faul

Hultman

Love

Newsome

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

Senator Rockhill moved that the 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 Keir called up for consideration House File 118, a bill for an act to provide for reimbursement by the state of Iowa to school districts of pupil transportation costs, providing the manner of computing the amount of reimbursement and making an appropriation for said reimbursement, and moved that the Senate insist upon its amendments to House File 118.

The motion prevailed and the Senate insisted upon its amendments to House File 118.

CONFERENCE COMMITTEE APPOINTED

The Chair appointed Senators Doud, Clem, Watson and Jones on the part of the Senate on House File 118.

BILL RECALLED FROM HOUSE

Senator Shaw asked and received unanimous consent that Senate File 1 be recalled from the House.

THIRD READING OF BILLS

The Senate resumed consideration of the amendment as amended by Senator Berg to Senate File 436.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 6:Bekman
BergFaul
Hart

Lucas

Ritchie

Nays, 34:Augustine
Barkley
Benson
ClemDewel
Doud
Elthon
FindlayHarvey
Hawkins
Henningsen
HillJacobson
Jones
Keir
Klein

Knudson	Miller	Sharp	Vrba
Leo	Mowry	Shaw	Watson
Long	Reilly	Sjulin	White
Love	Rockhill	Vittetoe	Zastrow
Lynes	Schluter		

Absent or not voting, 9:

Byers	Foster	Martin	Newsome
Cromwell	Hultman	Mercer	Pine
Dykhouse			

The amendment as amended was lost.

Senator Faul asked and received unanimous consent to withdraw the amendment to Senate File 436 filed by him on April 7 and found on pages 962 and 963 of the Senate Journal.

Senator White offered the following amendment and moved its adoption:

Amend Senate File 436, section 20, subsection (m), line 122, by inserting after the word city a "comma (,)" and adding the word "town".

The amendment was adopted.

Senator White offered the following amendment and moved its adoption:

Amend Senate File 436 by adding the following after the period at the close of section 26:

"The provisions of this bill, if and when passed by this General Assembly, shall be in legal effect and operation only upon and after approval and ratification thereof by the Fifty-second General Assembly of Iowa, or upon approval and ratification thereof by it with any amendments thereto by said General Assembly."

President Evans took the chair at 2:15 p. m.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 2:

White	Zastrow
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Nays, 41:

Augustine	Elthon	Keir	Mowry
Barkley	Faul	Knudson	Newsome
Bekman	Findlay	Leo	Pine
Benson	Harvey	Long	Reilly
Berg	Hawkins	Love	Rockhill
Byers	Henningsen	Lucas	Schluter
Clem	Hill	Lynes	Sharp
Cromwell	Hultman	Martin	Sjulin
Dewel	Jacobson	Mercer	Vrba
Doud	Jones	Miller	Watson
Dykhouse			

Absent or not voting, 6:

Foster	Klein	Shaw	Vittetoe
Hart	Ritchie		

The amendment was lost.

Senator Klein offered the following amendment by Senators Klein and Knudson and moved its adoption:

Amend line 5 of section 26 of Senate File 436 by substituting the word "five (5)" in lieu of the word "fifteen (15)" and the figures by substituting the figure "\$500.00" in lieu of "\$1500.00".

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 24:

Barkley	Dykhouse	Knudson	Sharp
Bekman	Findlay	Leo	Shaw
Benson	Foster	Long	Sjulin
Berg	Hawkins	Love	Watson
Cromwell	Jones	Mowry	White
Doud	Klein	Ritchie	Zastrow

Nays, 22:

Augustine	Harvey	Lucas	Newsome
Byers	Henningsen	Lynes	Rockhill
Clem	Hill	Martin	Schluter
Dewel	Hultman	Mercer	Vittetoe
Elthon	Jacobson	Miller	Vrba
Faul	Keir		

Absent or not voting, 3:

Hart	Pine	Reilly
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Rule 8 was invoked.

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, 45:

Augustine	Findlay	Knudson	Reilly
Barkley	Hart	Leo	Rockhill
Bekman	Harvey	Long	Schluter
Benson	Hawkins	Love	Sharp
Berg	Henningsen	Lucas	Shaw
Byers	Hill	Martin	Sjulin
Clem	Hultman	Mercer	Vittetoe
Cromwell	Jacobson	Miller	Vrba
Dewel	Jones	Mowry	Watson
Doud	Keir	Newsome	White
Dykhouse	Klein	Pine	Zastrow
Elthon			

Nays, 3:

Faul

Lynes

Ritchie

Absent or not voting, 1:

Foster

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

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

Senator Hill asked and received unanimous consent that Senate File 436 be immediately messaged to the House.

Senator Faul asked and received unanimous consent to have an explanation of his vote on Senate File 436 printed in the Journal.

EXPLANATION OF VOTE

The following is an explanation of my vote against Senate File 436:

It is my opinion that this measure is wholly inadequate to accomplish a reasonable retirement plan for public employees. While no retirement plan is designed to give the employee as much compensation as he was receiving during his working years, any plan should, to a reasonable degree, enable the employee to continue in his accustomed station in life and maintain his accustomed standard of living. The bill fails to provide for disability benefits, it fails to provide for separation benefits, for the return of contributions made by the employee prior to separation from public service and fails to make any supplementation because of the long and faithful previous service of the employee.

I favor legislation which will adequately provide security for all employees of the state and in all political subdivisions of the state. This bill so completely fails to do justice to the thousands of faithful public servants that I cannot give it my support.

GEORGE FAUL

Senator Berg asked and received unanimous consent that further action on Senate File 437 be deferred and that it retain its place on the calendar.

UNFINISHED BUSINESS

Senator Rockhill called up for further consideration, Senate File 326, a bill for an act to amend section one thousand five hundred thirty-six (1536), Code, 1939, relating to the employment of persons under sixteen (16) years of age.

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

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

Ayes, 34:

Augustine	Faul	Keir	Rockhill
Barkley	Foster	Leo	Schluter
Bekman	Hart	Lucas	Sharp
Benson	Harvey	Lynes	Shaw
Byers	Henningsen	Mercer	Vittetoe
Cromwell	Hill	Miller	Vrba
Dewel	Hultman	Newsome	White
Doud	Jacobson	Reilly	Zastrow
Elthon	Jones		

Nays, 9:

Clem	Hawkins	Long	Sjulin
Dykhouse	Klein	Martin	Watson
Findlay			

Absent or not voting, 6:

Berg	Love	Pine	Ritchie
Knudson	Mowry		

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 Benson moved that Senate File 18 which proposes to give World War II veterans a business property tax credit identical to the Homestead Tax Credit and sufficient to fully cover G. I. loan investments, be brought out of the sifting committee so that it may be proved or disproved that these tax credits can be provided for and paid for by the use tax, cigarette tax and beer tax as proposed by Senate File 225, Senate File 226, and Senate File 18.

Action on the motion was temporarily deferred.

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 33, 126, 146, 154, 155, 156, 205, 224, 295, 356, 402, 412, 428, 434 and 435.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *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 33, 126, 146, 154, 155, 156, 205, 224, 295, 356, 402, 412, 428, 434 and 435.

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 9th day of April, 1945, sent to the Governor for his approval, Senate Files 33, 126, 146, 154, 155, 156, 205, 224, 295, 356, 402, 412, 428, 434 and 435.

ROBERT C. REILLY, *Chairman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 7th he had approved the following bills:

Senate File 52, relating to watchmakers and watchmaking.

Senate File 192, relating to distribution of motor vehicle fuel license fees.

Senate File 385, relating to the keeping of a suspended tax list.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

House File 218.

House File 456.

House File 460.

STANLEY L. HART, *Chairman.*

AMENDMENTS FILED

Amend House File 168 by inserting after the word "fairground" in the last line the words "special construction". R. A. ROCKHILL.

Amend House File 451 by striking from line 5 of section 1 the words, "forty-five hundred", and inserting in lieu thereof the words, "thirty-six hundred".

Further amend by striking from line 10 of section 1 the words, "forty-five hundred", and inserting in lieu thereof the words, "thirty-six hundred".

Further amend by striking from line 16 of section 1 the words, " 'forty-five hundred' ", and inserting in lieu thereof the words, " 'thirty-six hundred' ".

Further amend by striking from line 13, section 1, as amended by the House, the words, " 'forty-five hundred' ", and inserting in lieu thereof the words, " 'thirty-six hundred' ".

IRVING D. LONG.

J. G. LUCAS.

FRED J. RITCHIE.

O. N. HULTMAN.

HARLAN C. FOSTER.

LEROY S. MERCER.

CARL O. SJULIN.

Amend House File 460, section 1, by striking lines 3 to 11, inclusive, and substituting in lieu thereof the following:

The President of the Senate or the Speaker of the House may engage the services of the Secretary of the Senate, the Chief Clerk of the House, and any clerical help as may be found necessary for a period of not to exceed thirty (30) days before the convening of the General Assembly and for a period not to exceed thirty (30) days after the adjournment of the General Assembly, to perform such duties as may be required for the General Assembly. Employees so engaged shall be compensated on the same basis as for the regular Legislative Session immediately preceding and for any expense involved in connection with the duties assigned.

LEO ELTHON.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 10, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend Arthur F. Schuldt, pastor of the Methodist church, Emmetsburg, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Byers, from residents of Madison county, favoring local option.

By Senator Hart, from residents of Buena Vista, Crawford, Hancock and Mahaska counties, favoring local option.

By Senator Keir, from residents of O'Brien county, favoring local option.

By Senator Leo, from residents of Tama county, favoring local option.

By Senator Schluter, from residents of Jones county, in opposition to the Farmer amendment to proposed school legislation.

INTRODUCTION OF BILLS

Senate File 442, by committee on judiciary 1, a bill for an act to legalize the appointments of certain public officials by the Governor of Iowa which have been confirmed by the Senate.

Read first and second times and referred to sifting committee.

Senate File 443, by committee on claims, a bill for an act to make appropriations to J. T. Dykhouse, Rock Rapids, Iowa; O. H. Henningsen, Clinton, Iowa; R. V. Leo, Dysart, Iowa; G. T. Kuester, Griswold, Iowa; John S. Heffner, Webster City, Iowa, and Melvin Wilson, Lake City, Iowa.

Read first and second times and referred to sifting committee.

Senate File 444, by committee on claims, a bill for an act to make appropriations to B. S. Moyle, Des Moines, Iowa; G. W.

Hunt, Guttenberg, Iowa; Robert Keir, Spencer, Iowa; Alden L. Doud, Douds, Iowa; N. D. McCombs, Des Moines, Iowa; Henry K. Peterson, Council Bluffs, Iowa, and Mrs. Raymond Sayre, Ackworth, Iowa.

Read first and second times and referred to sifting committee.

Senate File 445, by committee on claims, a bill for an act to make appropriation to Otis Truck Line, Forest City, Iowa.

Read first and second times and referred to sifting committee.

Senator Faul asked and received unanimous consent that the rules be suspended and that the amendment to House File 50 filed by Senators Shaw, Faul and Berg on April 4 and found on pages 903, 904 and 905 of the Senate Journal, be considered by the Senate.

Senator Pine asked and received unanimous consent that further action on Senate File 425 be deferred and that it retain its place on the calendar.

Senator Berg asked unanimous consent that further action on Senate File 437 be deferred and that it retain its place on the calendar.

Objection was raised.

Senator Berg moved that action on Senate File 437 be deferred and that it retain its place on the calendar, 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 concurred in Senate amendments to and passed House File 326, a bill for an act providing for use of unexpended funds from appropriations to fund for aid to the blind.

Also: That the House has concurred in Senate amendments to and passed House File 327, a bill for an act providing for use of unexpended funds from appropriations to fund for aid to dependent children.

Also: That the Speaker of the House has appointed as members of the conference committee on the part of the House for House File 118, providing for reimbursement of pupil transportation costs to school districts, Representatives Farmer, Weichman, Bryson and Steinberg.

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

House Concurrent Resolution 25, providing for an investigation of the number of judges needed in the judicial districts in the state of Iowa.

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

Senate Concurrent Resolution 16, relating to date of adjournment of the Fifty-first General Assembly.

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 authorizing conveyance of Iowa Great Lakes Sewage Disposal System in Dickinson county.

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

Senate File 290, a bill for an act relating to Iowa Great Lakes Sewage Disposal System in Dickinson county.

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

Senate File 291, a bill for an act creating sanitary districts and providing for government, operation and financing thereof.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 335, a bill for an act authorizing the state highway commission to accept bridges over the Missouri and Mississippi rivers as gifts.

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

Senate File 416, a bill for an act making appropriations for certain claims against the state of Iowa.

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

Senate File 424, a bill for an act relating to existing toll bridge across the Mississippi at Keokuk, Iowa.

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

Senate File 427, a bill for an act making appropriations for certain claims against the state of Iowa.

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

House File 185, a bill for an act relating to county public hospital benefits.

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

House File 256, a bill for an act relating to memorials and monuments for members of armed forces.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 25

Whereas, Under section ten thousand seven hundred sixty-eight (10768) the judicial districts and number of judges are determined, and

Whereas, The legislature should consider from time to time the necessary number of judges and the grouping of counties in the districts in accordance with the amount of legal work, population, and the necessity for a smaller number of judges, all in the interests of economy and the efficient administration of justice, and

Whereas, The public and the taxpayers are vitally interested in the courts and the economical administration of all branches of the government,

Be It Resolved by the House, the Senate Concurring:

The Committee on Retrenchment and Reform shall carry out the provisions of this Resolution.

The Committee shall investigate the number of judges that are needed in the judicial districts with due regard to the division of the state into judicial districts with due regard to the speedy and economical administration of justice in the state of Iowa.

The Committee shall make a report including drafts of proposed bills to effect its recommendation to the Governor on or before November 10, 1946, and thereupon the Governor shall cause to be printed five hundred copies of said report including the drafts of proposed bills and cause copies of same to be mailed to the elected members of the Fifty-first General Assembly on or before December 1, 1946, and make available copies to other interested parties. The expense thereof shall be paid from the funds allocated to the committee on retrenchment and reform.

HOUSE AMENDMENT TO SENATE CONCURRENT
RESOLUTION 16

Amend by striking from line three (3) thereof the words and figures "Tuesday, April 10th" and inserting in lieu thereof the words and figures "Thursday, April 12".

HOUSE AMENDMENTS TO SENATE FILE 335

1. Amend by adding after section four (4) the following as a new section:

"Sec. 5. This Act shall become effective when the adjoining state or states agree to accept one-half of the ownership and one-half of the maintenance."

2. Amend by renumbering section 5 to "Sec. 6".

3. Amend by striking all of section six (6) and inserting in lieu thereof the following:

"Sec. 7. Before any bridge owned by any private individual or corporation shall be accepted by the state highway commission under the provisions of this act, the said proposal and acceptance shall first be approved by the following tax levying and tax certifying bodies located in the said tax district: the board of supervisors, the city councils and the school board or boards.

3. Amend by adding thereto the following section:

"Sec. 8. This act is deemed to be separable. Should any court of competent jurisdiction hold that any section or part thereof of this act is invalid or unconstitutional, then such decision shall affect only the section or part so held to be invalid or unconstitutional and shall not affect any other section or part of this act."

4. Amend the title by striking the period at the end thereof and adding thereto the following: "and providing for the approval by tax levying and certifying bodies where the bridge is owned by an individual or a corporation."

HOUSE MESSAGES CONSIDERED

House File 185, a bill for an act to amend section one (1), chapter one hundred ninety-seven (197), Acts of the Forty-ninth General Assembly, relating to county public hospital benefits.

Read first and second times and referred to the sifting committee.

House File 256, a bill for an act to repeal section four hundred ninety (490), and to amend chapter thirty-three and section four hundred eighty-nine (489), Code, 1939, relating to memorial halls and Monuments for Soldiers, Sailors and Marines and to provide for a tax levy for maintenance and construction.

Read first and second times and referred to the sifting committee.

THIRD READING OF BILLS

On motion of Senator Lynes, House File 164, a bill for an act to amend sections three thousand one hundred and twenty-three hundredths (3100.23), three thousand one hundred and twenty-six hundredths (3100.26), three thousand one hundred and twenty-eight hundredths (3100.28) and three thousand one hundred and forty-five hundredths (3100.45), Code, 1939, relating to cream grading, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

President pro tempore Hart took the chair at 11:05 a. m.

Senator White moved the previous question on the bill, which motion prevailed.

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, 39:

Augustine	Findlay	Knudson	Ritchie
Bekman	Hart	Leo	Rockhill
Benson	Harvey	Long	Schluter
Berg	Henningsen	Lucas	Sharp
Byers	Hill	Lynes	Shaw
Clem	Hultman	Martin	Vrba
Cromwell	Jacobson	Miller	Watson
Dewel	Jones	Mowry	White
Dykhouse	Keir	Newsome	Zastrow
Elthon	Klein	Reilly	

Nays, 5:

Barkley	Faul	Hawkins	Sjulin
Doud			

Absent or not voting, 5:

Foster	Mercer	Pine	Vittetoe
Love			

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.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Barkley for the balance of the day on request of Senator Sharp.

PRESENTATION OF VISITORS

Senator Miller asked and received unanimous consent to present to the Senate the members of the senior class of the Minburn high school who were present in the balcony.

HOUSE AMENDMENT CONSIDERED

Senator Hill called up the following concurrent resolution: Senate Concurrent Resolution 16: *Be It Resolved by the Senate, the House Concurring:* That the 51st General Assembly adjourn sine die at 5:00 o'clock p. m. on Tuesday, April 10, 1945, amended by the House, and moved that the Senate concur in the following House amendment:

**HOUSE AMENDMENT TO SENATE CONCURRENT
RESOLUTION 16**

Amend by striking from line 3 thereof the words and figures "Tuesday, April 10th" and inserting in lieu thereof the words and figures "Thursday, April 12".

The motion prevailed and the Senate concurred in the House amendment.

Senator Hill moved that the resolution as amended by the House and concurred in by the Senate be adopted, which motion prevailed.

THIRD READING OF BILLS

On motion of Senator Lucas, House File 125, a bill for an act to provide for the special education of handicapped children, to create a state administrative authority, to enable school directors and boards of education to establish and maintain classes and schools for handicapped children, to provide for payments from state funds of the excess cost of maintaining and operating such classes and schools over the cost of maintaining and operating schools for normal children, and to establish controls for the distribution of such funds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Long offered the following amendment and moved its adoption:

Amend House File 125 by inserting after the figures, "\$30,000.00", in line 3 of section 11 the following: "for each year of the biennium beginning July 1, 1945, and ending June 30, 1947."

Further amend House File 125 by inserting after the word, "used" in line 5 of section 11 the following: "for the expenses and maintenance of the division of special education and".

The amendment was adopted.

Senator Hill offered the following amendments and moved their adoption:

Amend the title to House File 125 by striking from line 2 thereof, "state administrative authority," and substitute in lieu thereof the following: "division of special education within the state department of public instruction,".

Further amend House File 125 by adding after the comma in line 7 of subsection 1 of section 2 the word "or".

Further amend subsection 1 of section 2 by striking the word "such" from line 7.

Further amend House File 125 by striking the letter "a" being the last letter in line 1 of section 9 and substituting in lieu thereof "an approved".

Further amend House File 125 by striking the last letter "a" in line 2 of section 10 and substituting in lieu thereof "an approved".

Senator Hill asked and received unanimous consent to withdraw paragraph 3 of the amendment.

The amendments were adopted.

Senator Keir offered the following amendment and moved its adoption:

Amend House File 125, section 4, line 3, by striking the word "or" after the word "transportation" and inserting in lieu thereof the word "and".

Further amend section 4, line 4, of House File 125 by striking the word "or" after the word "classes" and substituting in lieu thereof the words "and may".

Senator Keir asked and received unanimous consent to withdraw paragraph 2 of the amendment.

The amendment was adopted.

Senator Lucas moved that the bill be read a third 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	Knudson	Pine
Bekman	Hart	Leo	Reilly
Benson	Harvey	Long	Ritchie
Berg	Hawkins	Love	Rockhill
Byers	Henningsen	Lucas	Schluter
Cromwell	Hill	Lynes	Sharp
Dewel	Hultman	Martin	Shaw
Doud	Jacobson	Mercer	Sjulin
Dykhouse	Jones	Miller	Vittetoe
Faul	Keir	Mowry	Vrba
Findlay	Klein	Newsome	Watson

Nays, none.

Absent or not voting, 5:

Barkley	Elthon	White	Zastrow
Clem			

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 Lucas moved that the 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 Henningsen called up Senate File 335, a bill for an act authorizing the state highway commission to accept as a gift any bridge and approaches thereto, over the Missouri river or over the Mississippi river, on the boundary of the state of Iowa, which bridge constitutes a connecting link or part thereof between

the primary roads of this state and similar roads of an adjoining state, to receive and accept conveyance of title of such bridge and approaches, and to thereafter operate and maintain such bridge approaches, free of tolls, as a part of the primary road system, and to relieve any bridge so accepted by the commission from the payment of state and local taxes, amended by the House, and moved that the Senate concur in the following House amendments:

HOUSE AMENDMENTS TO SENATE FILE 335

1. Amend by adding after section 4 the following as a new section:
"Sec. 5. This act shall become effective when the adjoining state or states agree to accept one-half of the ownership and one-half of the maintenance."

2. Amend by renumbering section 5 to "Sec. 6".

3. Amend by striking all of section 6 and inserting in lieu thereof the following:

"Sec. 7. Before any bridge owned by any private individual or corporation shall be accepted by the state highway commission under the provisions of this act, the said proposal and acceptance shall first be approved by the following tax levying and tax certifying bodies located in the said tax district: the board of supervisors, the city councils and the school board or boards."

3. Amend by adding thereto the following section:

"Sec. 8. This act is deemed to be separable. Should any court of competent jurisdiction hold that any section or part thereof of this act is invalid or unconstitutional, then such decision shall affect only the section or part so held to be invalid or unconstitutional and shall not affect any other section or part of this act."

4. Amend the title by striking the period at the end thereof and adding hereto the following: "and providing for the approval by tax levying and certifying bodies where the bridge is owned by an individual or a corporation."

The motion prevailed and the Senate concurred in the House amendments.

Senator Henningsen offered the following amendment by Senators Henningsen and Reilly to the House amendments and moved its adoption:

Amend the House amendment to Senate File 335 by striking all of section 5 and inserting in lieu thereof the following: "The State Highway Commission shall not enter into an agreement of acceptance until the adjoining state enters into an agreement to accept ownership of one-half ($\frac{1}{2}$) of such bridge and agrees to pay one-half ($\frac{1}{2}$) of the cost of maintenance."

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, 42:

Augustine	Harvey	Long	Reilly
Bekman	Hawkins	Love	Ritchie
Benson	Henningsen	Lucas	Rockhill
Berg	Hill	Lynes	Schluter
Byers	Hultman	Martin	Sharp
Cromwell	Jacobson	Mercer	Shaw
Dewel	Jones	Miller	Sjulin
Dykhouse	Keir	Mowry	Vittetoe
Faul	Klein	Newsome	Vrba
Findlay	Knudson	Pine	Watson
Hart	Leo		

Nays, none.

Absent or not voting, 7:

Barkley	Doud	Foster	Zastrow
Clem	Elthon	White	

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 335 be immediately messaged to the House, which request was complied with.

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

AFTERNOON SESSION

The Senate reconvened, President Evans presiding.

THIRD READING OF BILLS

On motion of Senator Cromwell, House File 50, 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 the child or children of soldiers, sailors, marines and nurses, was taken up and considered.

Senator Shaw offered the following amendment by Senators Shaw, Faul and Berg and moved its adoption:

Amend House File 50 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section six thousand nine hundred forty-six (6946), Code, 1939, as amended by chapter two hundred forty-one (241), Acts of the Forty-ninth (49th) General Assembly, is amended by striking all of subsection three (3), four (4), and five (5) and the amendment of chapter two hundred forty-one (241), Acts of the Forty-ninth (49th) General Assembly, and inserting in lieu thereof the following:

"3. The property, not to exceed one thousand (\$1,000) dollars in taxable value of any honorably discharged soldier, sailor, marine or nurse of the first World War.

"4. The property, not to exceed five hundred (\$500) dollars in taxable value of any honorably discharged soldier, sailor, marine or nurse of the second World War, Army of Occupation in Germany November 12, 1918 to July 11, 1923, American Expeditionary Forces in Siberia November 12, 1918 to April 30, 1920, Second Nicaraguan Campaign with the Navy or Marines in Nicaragua or on combatant ships 1926-1933, Second Haitian Suppressions of Insurrections 1919-1920, Navy and Marine Operations in China 1937-1939 and Yangtze Service with Navy and Marines in Shanghai or in Yangtze Valley 1926-1927 and 1930-1932.

"In case any person in the foregoing classifications does not claim any such exemption from taxation, it shall be allowed in the name of such person to the same extent on the property of any one of the following persons in the order named:

"1. The wife, or widow remaining unmarried, of any such soldier, sailor, marine or nurse, where they are living together or were living together at the time of the death of such person.

"2. The widowed mother, remaining unmarried, of any such soldier, sailor, marine or nurse, whether living or deceased, where such widowed mother is, or was at the time of death of the soldier, sailor, marine or nurse, dependent on such person for support.

"3. The minor child, or children owning property as tenants in common, of any such deceased soldier, sailor, marine or nurse.

"No more than one tax exemption shall be allowed under this section in the name of any honorably discharged soldier, sailor, marine or nurse."

Sec. 2. The state tax commission shall reimburse the several counties of the state for any loss of revenue occasioned by the granting of tax exemptions to soldiers, sailors, marines or nurses, or their dependents, under the provisions of sections six thousand nine hundred forty-six (6946) of the Code as amended.

Sec. 3. The auditors of the several counties shall before October first (1st) of each year, certify to the state tax commission the aggregate amount in dollars of revenue that the several taxing districts in the county would lose by reason of granting of such exemptions and the state tax commission shall, after ascertaining the correctness of said claim, remit the same to the various county treasurers. The funds received by each county treasurer shall be apportioned by him to the several taxing districts as provided by law, in the same manner as though the tax had been paid by the owners of the various properties upon which the exemption had been allowed.

Sec. 4. The reimbursement provided for in sections two (2) and three (3) of this act shall be paid by warrants drawn by the state comptroller upon certification of the state tax commission, from any excess in the homestead credit fund after all homestead credits have been allowed as provided by law.

Sec. 5. In the event that said excess in the homestead credit fund is insufficient to pay the claims of the several counties in full then the amount of each such claim shall be reduced by the state tax commission in the ratio that the total funds available bears to the total amount of such claims and in that event the several county treasurers shall distribute the funds received to the various taxing districts in the same manner.

Sec. 6. In any county in which is located a special charter city, which levies and collects its own taxes separately from the county, the auditor of such city shall certify to the county auditor the amount in dollars of revenue which the city would lose as a result of exemptions to soldiers, sailors, marines and nurses and the county auditor shall include said amount in his county estimate. Upon receipt of reimbursement funds from the state tax commission the county auditor shall turn over to the city treasurer the proportionate share for such city for allocation to the several taxing districts of said city."

Further amend House File 50 by striking from the title all after the word "amend" in line 1 and by substituting in lieu thereof the following: "section six thousand nine hundred forty-six (6946), Code, 1939, relating to tax exemption to soldiers, sailors, marines and nurses, and to provide for reimbursement to the counties for loss of revenues occasioned by such exemptions."

Senator Benson offered the following amendment to the amendment and moved its adoption:

Amend the amendment by Shaw, Faul and Berg to House File 50, by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Chapter three hundred twenty-nine and six-tenths (329.6), Code, 1939, is amended by adding to the title after the word "Homestead" the words "Service People's Rehabilitation".

Sec. 2. Section six thousand nine hundred forty-three and one hundred forty-two thousandths (6943.142), six thousand nine hundred forty-three and one hundred forty-three thousandths (6943.143), six thousand nine hundred forty-three and one hundred forty-four thousandths (6943.144), six thousand nine hundred forty-three and one hundred forty-five thousandths (6943.145), six thousand nine hundred forty-three and one hundred forty-six thousandths (6943.146), six thousand nine hundred forty-three and one hundred forty-seven thousandths (6943.147), six thousand nine hundred forty-three and one hundred forty-eight thousandths (6943.148), six thousand nine hundred forty-three and one hundred forty-nine thousandths (6943.149), six thousand nine hundred forty-three and one hundred fifty thousandths (6943.150), six thousand nine hundred forty-three and one hundred fifty-one thousandths (6943.151), six thousand nine hundred forty-three

and one hundred fifty-four thousandths (6943.154), and six thousand nine hundred forty-three and one hundred fifty-five thousandths (6943.155), Code, 1939, are amended by adding after the word "homestead", wherever it appears, the words "and/or service people's property".

Sec. 3. Section six thousand nine hundred forty-three and one hundred fifty-two thousandths (6943.152), Code, 1939, is amended by adding after subsection three (3) an additional subsection as follows: "The words 'service people's property' shall mean any property which is owned and used for business and occupational purposes by service people who are honorably discharged from the United States military forces, engaged in World War II. The service people's property tax credit, as provided in this chapter, shall be allowed continuously, from year to year, to such service people who have suffered, while in the service, the loss of a hand, foot, eye, lung, kidney, complete loss of hearing, or paralysis, heart ailments and mental incompetency which ever is noted on the discharge papers. To all other service people the property tax credits of this chapter shall be allowed from year to year until they have received, in the aggregate a total tax credit computed as follows: To every honorably discharged soldier, sailor, marine or nurse who has served all their time within the continental United States, or who has served less than three months outside of the continental United States, a total of five hundred dollars (\$500) or ten years tax credits, whichever limit is first acquired.

To every honorably discharged soldier, sailor, marine or nurse who has served more than three months and less than two years outside the continental United States, a total of six hundred and twenty-five dollars (\$625) or 12 years tax credits, whichever limit is first acquired.

To every honorably discharged soldier, sailor, or marine or nurse who has served more than two full years, outside the continental United States, a total of seven hundred and fifty dollars (\$750) or 15 years whichever limit is first acquired.

Whenever the rehabilitation tax credit limits have been acquired, or whenever such service people fail to qualify for rehabilitation tax credits, or whenever the service people are those honorably discharged from the women's military service corps such as WACS, WAVES and MARINES, they shall be entitled, from year to year, by the provisions of this act, a full tax credit on five hundred dollars (\$500) personal property valuation.

Sec. 4. "In case any person in the foregoing classification does not acquire all credits due them, it shall be allowed in the name of such person to the same extent on the property of any one of the following persons in the order named:

"1. The wife, or widow remaining unmarried, of any such soldier, sailor, marine where they are living together or were living together at the time of the death of such person.

"2. The widowed mother, remaining unmarried, of any such soldier, sailor, marine or nurse, whether living or deceased, where such widowed mother is, or was at the time of death of the soldier, sailor, marine or nurse, dependent on such person for support.

"3. The minor child, or children owning property as tenants in common, of any such deceased soldier, sailor, marine.

"No more than one tax exemption shall be allowed under this section in the name of any honorably discharged person of World War II service."

Sec. 5. Section six thousand nine hundred forty-three and one hundred forty-three thousandths (6943.143) is amended by adding the following paragraph: "Any service people who apply for tax credit under the service people's property tax credit provisions of this chapter must be honorably discharged from the military services and domiciled in the state of Iowa at the time they entered service and remain domiciled in the state of Iowa and a resident of the state for at least nine months out of each year in which they qualify for the service people's property tax credit."

Senator Mowry moved the previous question on the Benson amendment, which motion prevailed.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 13:

Augustine
Benson
Clem
Harvey

Hawkins
Klein
Leo

Mowry
Reilly
Schluter

Sjulin
Vrba
Zastrow

Nays, 28:

Bekman
Berg
Byers
Cromwell
Dewel
Dykhouse
Elthon

Faul
Findlay
Hart
Henningsen
Hill
Hultman
Jacobson

Jones
Keir
Knudson
Long
Love
Lynes
Martin

Pine
Ritchie
Rockhill
Shaw
Vittetoe
Watson
White

Absent or not voting, 8:

Barkley
Doud

Foster
Lucas

Mercer
Miller

Newsome
Sharp

The amendment to the amendment was lost.

Senator Berg offered the following amendment to the amendment and moved its adoption:

Amend the amendment by inserting after section 6 as section 7 the following:

"Sec. 7. This act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in the Cedar Rapids Gazette, a newspaper published at Cedar Rapids, Iowa, and the American Citizen, a newspaper published at Des Moines, Iowa."

The amendment to the amendment was adopted.

Senator Rockhill offered the following amendment to the amendment and moved its adoption:

Amend the amendment to House File 50 by striking from line 1 of section 3 the word "October" and inserting in lieu thereof the word "November".

The amendment to the amendment was adopted.

Senator Watson moved the previous question on the amendment as amended and the main bill, which motion prevailed.

Roll call was demanded.

On the question "Shall the amendment as amended be adopted?" the vote was:

Ayes, 35:

Augustine	Findlay	Love	Sharp
Bekman	Hart	Martin	Shaw
Benson	Harvey	Mercer	Sjulin
Berg	Henningsen	Miller	Vittetoe
Byers	Hill	Mowry	Vrba
Clem	Hultman	Newsome	Watson
Dewel	Klein	Pine	White
Elthon	Leo	Reilly	Zastrow
Faul	Long	Rockhill	

Nays, 10:

Cromwell	Hawkins	Knudson	Ritchie
Doud	Jacobson	Lucas	Schluter
Dykhouse	Keir		

Absent or not voting, 4:

Barkley	Foster	Jones	Lynes
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The amendment as amended 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, 48:

Augustine	Findlay	Knudson	Reilly
Bekman	Foster	Leo	Ritchie
Benson	Hart	Long	Rockhill
Berg	Harvey	Love	Schluter
Byers	Hawkins	Lucas	Sharp
Clem	Henningsen	Lynes	Shaw
Cromwell	Hill	Martin	Sjulin
Dewel	Hultman	Mercer	Vittetoe
Doud	Jacobson	Miller	Vrba
Dykhouse	Jones	Mowry	Watson
Elthon	Keir	Newsome	White
Faul	Klein	Pine	Zastrow

Nays, none.

Absent or not voting, 1:

Barkley

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 Sharp, House File 200, a bill for an act to amend chapter one hundred thirty (130), Acts of the Fiftieth General Assembly, relating to aid to dependent children, was taken up and considered.

Senator Sharp moved that the bill be read a third 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	Reilly
Bekman	Hart	Long	Rockhill
Benson	Harvey	Love	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Lynes	Shaw
Clem	Hultman	Martin	Sjulin
Cromwell	Jacobson	Mercer	Vittetoe
Dewel	Jones	Miller	Vrba
Dykhouse	Keir	Mowry	Watson
Elthon	Klein	Newsome	White
Faul	Knudson	Pine	Zastrow
Findlay			

Nays, none.

Absent or not voting, 4:

Barkley	Doud	Hill	Ritchie
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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 Sharp moved that the 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 moved that the Senate adjourn until 10:00 a. m., Wednesday, which motion was lost.

On motion of Senator Rockhill, Senate File 266, a bill for an act to amend section two thousand nine hundred and nine (2909), Code, 1939, relating to county and district fairs and tax aid therefor, and to provide for an additional tax levy in counties having a population of between thirty-five thousand and forty thousand after approval by the voters, was taken up and considered.

Senator Rockhill asked and received unanimous consent that House File 168 be substituted for Senate File 266.

On motion of Senator Rockhill, House File 168, a bill for an act providing for an additional millage levy in counties having a population of between thirty-five thousand and forty thousand, upon all the taxable property of the county for the purpose of the completion of buildings upon the fairgrounds, after such additional levy has been approved by a majority of the voters of said county at a general election, was taken up and considered.

Senator Rockhill offered the following amendment and moved its adoption:

Amend House File 168 by inserting after the word "fairground" in the last line the words "special construction".

The amendment was adopted.

Senator Rockhill moved that the bill be read a third 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	Klein	Reilly
Bekman	Foster	Knudson	Ritchie
Benson	Hart	Leo	Rockhill
Berg	Harvey	Long	Schluter
Byers	Hawkins	Love	Shaw
Clem	Henningsen	Lucas	Sjulin
Cromwell	Hill	Lynes	Vittetoe
Dewel	Hultman	Martin	Vrba
Doud	Jacobson	Mercer	Watson
Dykhouse	Jones	Mowry	White
Elthen	Keir	Newsome	Zastrow

Nays, none.

Absent or not voting, 5:

Barkley	Miller	Pine	Sharp
Faul			

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

Senator Rockhill moved that the 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 WITHDRAWN FROM FURTHER CONSIDERATION

Senator Rockhill asked and received unanimous consent to withdraw from further consideration of the Senate, Senate File 266.

On motion of Senator Bekman, Senate File 383, a bill for an act to define occupational diseases and to provide for workmen's compensation benefits for disability or death from injurious exposure thereto, was taken up, and considered.

Senator Bekman offered the following amendment by Senators Bekman and Clem and moved its adoption:

Amend Senate File 383 as follows:

1. Add at the end of line 4 of section 5 the following: " , and medical, surgical, and hospital treatment".

2. Strike from section 9 all of lines 15 to 155, inclusive, and insert in lieu thereof the following:

- | | |
|--|---|
| "1. Lead poisoning. | 1. Any industrial process involving the use of lead or its preparations or compounds |
| 2. Mercury poisoning. | 2. Any industrial process involving the use of mercury or its preparations or compounds. |
| 3. Poisoning by nitrous fumes or its sequelae. | 3. Any process or occupation in which nitrous fumes are evolved. |
| 4. Carbon monoxide poisoning. | 4. Any process or operation in which carbon monoxide is produced. |
| 5. Poisoning from methyl chloride, halogens, or other halogenated hydrocarbons. | 5. Any process or occupation involving the use of or direct contact with methyl chloride, halogens, or other halogenated hydrocarbons. |
| 6. Poisoning by benzol or by nitro and amido-derivatives of benzol (dinitrobenzol, aniline) and other aromatic hydrocarbons. | 6. Any industrial process involving the use of benzol or nitro or amido-derivative of benzol and other aromatic hydrocarbons or their preparations or compounds. |
| 7. Dermatitis. Infection or inflammation of the skin on contact surfaces due to oils, cutting compounds or lubricants, dust, liquids, fumes, gases, vapors and solids. | 7. Any industrial process involving the handling or use of oils, cutting compounds or lubricants, or involving contact with dust, liquids, fumes, gases or vapors and solids. |
| 8. Brass or zinc poisoning. | 8. Any process involving the manufacture, founding or refining of brass or the melting or smelting of zinc. |
| 9. Manganese dioxide poisoning. | 9. Any process involving the grinding or milling of manganese dioxide or the escape of manganese dioxide dust. |
| 10. Tenosynovitis and prepatellar bursitis. | 10. Primary tenosynovitis characterized by a passive effusion or crepitus into the tendon sheath of the flexor or extensor muscles of the hand, due to frequently |

- repetitive motions or vibrations, or prepatellar bursitis due to continued pressure.
- | | |
|--|--|
| 11. Chrome ulceration of the skin or nasal passages. | 11. Any industrial process involving the use of or direct contact with chromic acid or bichromates of ammonium, potassium or sodium or their preparations. |
| 12. Cyanide poisoning. | 12. Any industrial process involving the use of or direct contact with cyanides. |
| 13. Brucellosis (undulant fever). | 13. Handling of animals or carcasses of animals infected with brucellosis. |
| 14. Erysipeloid. | 14. Handling of animals or carcasses of animals infected with swine erysipelas. |
| 15. Silicosis. | 15. Any industrial process or occupation involving an exposure to or direct contact with silicon dioxide dust. |
| 16. Conjunctivitis. | 16. Any industrial process or occupation involving an exposure to or direct contact with electro and oxy-acetylene welding or other radiant energy." |

3. Strike the words "or silicatosiis" where they appear in each of the following lines:

- a. Line 8 of section 10.
- b. Line 9 of section 11.
- c. Line 10 of section 12.
- d. Line 25 of section 12.
- e. Line 28 of section 12.
- f. Line 32 of section 12.

Also strike the words "and silicatosiis" where they appear in each of the following lines:

- a. Line 2 of section 12.
- b. Line 8 of section 12.
- c. Line 23 of section 12.

Also insert a period (.) after the word "dust" in line 5 of section 12 and strike the remainder of subsection (a) of said section.

Also strike from line 14 of section 12 the words "or silicate dust".

4. Strike all of subsection (d) of section 12 and renumber the subsections of said section as 1 to 4, inclusive.

5. Strike the words "or asbestosis" where they appear in each of the following lines:

- a. Line 66 of section 12.
- b. Line 68 of section 12.
- c. Line 69 of section 12.
- d. Line 71 of section 12.
- e. Line 73 of section 12.
- f. Line 10 of section 20.

Also strike the words "and asbestosis" from line 65 of section 12.

6. Strike all of section 21 and insert in lieu thereof the following:

"Sec. 21. Controverted medical questions may be submitted. Contro-

versial medical questions may be referred to the medical board for investigation and report. No award shall be made in any case referred until the medical board shall have duly investigated the case and made its report with respect to all medical questions at issue. The date of disablement, if in dispute, shall be deemed a medical question."

7. Insert in line 2 of section 22 after the word "it" the following: "by the commissioner".

Also insert in line 4 of said section after the word "employer" the following: "or insurance carrier".

8. Strike from line 1 of section 24 the following: "—Scope of Review".

Also strike all of line 2 and the word "which" from line 3 of said section and insert in lieu thereof the following: "1. The medical board shall file its report in triplicate with the commissioner who".

Also insert a period (.) after the word "questions" in line 6 of said section and strike the remainder of said line.

Also insert at the beginning of line 7 of said section the following: "2. Any".

Also strike from said section all beginning with the words "of the physician" in line 23 to and including the words "fact or law" in line 29 and insert in lieu thereof the following: "other medical testimony on behalf of the claimant or employer".

9. Strike all of sections 25 and 26 and insert in lieu thereof the following:

"Sec. 26. Medical board. The medical board provided herein shall consist of the industrial hygiene physician of the state department of health and two physicians selected by the dean of medicine from the university college of medicine staff, who shall be qualified to diagnose and report on occupational diseases. Provided, however, that the industrial commissioner may in his discretion designate the industrial physician of the state department of health as a medical board of one member in which case he shall perform the same duties as are herein prescribed for the full board. The board shall have the use of all necessary laboratory and other facilities of the university hospital in performing its duties under this chapter, without charge therefor."

The amendment was adopted.

Senator Dykhouse moved that the Senate adjourn until 10:00 a. m., Wednesday, which motion was lost.

Senator Elthon 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.

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

Ayes, 43:

Augustine
Bekman
Benson

Berg
Byers
Clem

Cromwell
Dewel
Dykhouse

Elthon
Faul
Foster

Hart	Keir	Mercer	Shaw
Harvey	Klein	Miller	Sjulin
Hawkins	Knudson	Mowry	Vittetoe
Henningsen	Leo	Reilly	Vrba
Hill	Long	Ritchie	Watson
Hultman	Lucas	Rockhill	White
Jacobson	Lynes	Schluter	Zastrow
Jones	Martin	Sharp	

Nays, 1:

Findlay

Absent or not voting, 5:

Barkley	Love	Newsome	Pine
Doud			

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 Bekman asked and received unanimous consent that Senate File 383 be immediately messaged to the House, which request was complied with.

Senator Schluter offered the following resolution:

SENATE RESOLUTION 4

Be It Resolved by the Senate: That the bill room of the Senate, together with all bills introduced in the Senate of the Fifty-first 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 new desks and chairs used by the officers of the Senate be stored in a proper place by the custodian of the Capitol. The custodian is hereby instructed and directed not to 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 Fifty-first and Fifty-second General Assemblies of Iowa, except that said rooms may be used by proofreaders from the Code Editor's office.

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

23, 139, 218, 274, 400 and 405, and House Files 122, 127, 193, 198, 304, 326, 327, 379, 420, 445 and House Joint Resolution 7.

ROBERT, C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *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 23, 139, 218, 274, 400, and 405, and House Files 122, 127, 193, 198, 304, 326, 327, 379, 420, 445, and House Joint Resolution 7.

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 April, 1945, sent to the governor for his approval Senate Files 23, 139, 218, 274, 400 and 405.

ROBERT C. REILLY, *Chairman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 9th he had approved the following bills:

Senate File 33, relating to limitations for foreclosures of ancient mortgages.

Senate File 146, relating to the manner of construction of electric transmission lines.

Senate File 205, relating to the stoppage of payment on state warrants.

Senate File 220, relating to employers payrolls.

Senate File 356, relating to hospital bonds by the city of Waukon, Iowa.

Senate File 402, relating to salary of supervisor of building and loan associations.

Senate File 434, relating to transfer of funds of Crawford county, Iowa.

Senate File 435, relating to drainage district No. 40, Cerro Gordo county, Mason City, Iowa.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bill under consideration and recommends that it be placed on the Calendar: Senate File 442.

STANLEY L. HART, *Chairman.*

AMENDMENTS FILED

Amend Senate File 103 as follows:

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

"Section 1. Section one thousand five hundred fifty-one and nine hundredths (1551.09), Code, 1939, is amended by striking from line 6 of subsection 'B' the word, 'fifteen' and insert in lieu thereof the word, 'eighteen'."

2. Section one thousand five hundred fifty-one and nine hundredths (1551.09), Code, 1939, is amended by striking from line 6 of subsection "E" the word "fifteen" and insert in lieu thereof the word "eighteen".

3. Strike from the title all after the word "act" in the first line and insert in lieu thereof the following:

"to amend section one thousand five hundred fifty-one and nine hundredths (1551.09), Code, 1939, relating to weekly benefit amounts for total unemployment."

E. K. BEKMAN.

A. D. CLEM.

FRANK D. MARTIN.

GEORGE FAUL.

Amend Senate File 103 as follows:

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

"Section 1. Section one thousand five hundred fifty-one and nine hundredths (1551.09), Code, 1939, is amended by striking from line 6 of subsection 'D' the word, 'fifteen' and insert in lieu thereof the word, 'eighteen'."

2. Strike from the title all after the word "act" in the first line and insert in lieu thereof the following:

"to amend section one thousand five hundred fifty-one and nine hundredths (1551.09), Code, 1939, relating to weekly benefit amounts for total unemployment."

E. K. BEKMAN.

GEORGE FAUL.

A. D. CLEM.

FRANK D. MARTIN.

Amend House File 336 by striking from line 3 in section 1 the words "or sell".

Also amend by striking from line 5 in section 1 the words "or sale".

A. D. CLEM.

Amend the Elthon amendment to House File 460 by changing the period (.) at the end thereof to a comma (,) and adding "and there is hereby appropriated therefor \$2000 or so much thereof as may be necessary."

A. J. SHAW.

Senator Mercer moved that the Senate adjourn until 9:30 a. m., Wednesday.

Senator Faul moved as a substitute that the Senate adjourn until 10:00 a. m., Wednesday, which motion prevailed, and the substitution was made and the Senate adjourned until 10:00 a. m., Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 11, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend B. H. Finch, pastor of the Methodist church, Killduff, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Schluter, from residents of Dubuque county, in opposition to the Farmer amendment to proposed school legislation.

By Senator Vrba, from members of the Protivin Council of Knights of Columbus, Protivin, Howard county, Iowa, in opposition to the Farmer amendment to proposed school legislation.

PRESENTATION OF GAVEL TO LIEUTENANT GOVERNOR

Senator Hultman asked and received unanimous consent that the sergeant-at-arms be permitted to escort Victor Lindquist, doorkeeper, to the rostrum.

Mr. Lindquist addressed the following remarks to the lieutenant governor and presented him with a gavel:

MR. PRESIDENT: In 1890, at Stanton, Iowa, on the Mamrelund Lutheran church grounds following the dedication of a church that became nationally known in 1921 through an article in the Country Gentleman entitled "The Little White Town with the Big White Church" a black walnut tree was planted next to the church.

This church was struck by lightning in August, 1938, and burned to the ground. The tree was damaged to the extent that it had to be cut down, and a great many souvenirs have been made from the wood salvaged from this tree.

We obtained a piece of this wood through Senator O. N. Hultman, and also a piece of black walnut from a tree grown on the farm northeast of Emerson in Mills County known as the "Hopper Farm" from the early pioneer owners. This farm is now owned by John Evans, brother of Lieutenant Governor Kenneth A. Evans, who furnished one piece of wood at the request of Mr. J. R. Hall, Representative from Mills County.

These two pieces of wood have been fashioned into this gavel, and

now, Mr. President, it gives me great pleasure to present it to you, from the Sergeant-at-Arms and the doorkeepers of the Senate, as a token of our esteem and appreciation of our association with you during this 51st General Assembly.

Frank Buck.

Walter Homeyer.

O. H. Raleigh.

Rev. C. W. Hempstead.

R. G. Miller.

Victor E. Lindquist.

H. Dooley.

Frank Goodale.

E. F. Bryan.

O. L. Frazier.

George Mamminga.

Earl Walter.

Lieutenant Governor Evans responded as follows:

Thank you, Mr. Lindquist, for this very fine product of your handwork. The wood in this gavel comes from places quite familiar to me.

Stanton, where stands the Mamrelund Lutheran Church, is in the senatorial district I represented in the Senate and I have attended that church on many occasions.

The Hopper farm, owned by my brother, was once the property of the late Harry Hopper who gave to Simpson College its fine gymnasium. On many occasions I have helped with the threshing on this farm.

I trust that this gavel may always be used in the interest of good order.

My sincere thanks to the sergeants-at-arms and the doormen of the Senate.

Senator Hultman asked and received unanimous consent that the above remarks be printed in the Senate Journal.

Senator Hill asked and received unanimous consent that the following communications be printed in the Senate Journal.

STATE OF IOWA
DEPARTMENT OF STATE

Wayne M. Ropes, Secretary

Ray E. Johnson, Deputy

Des Moines 19

April 7, 1945

HONORABLE W. J. SCARBOROUGH

Secretary of the Senate

Building

Dear Mr. Scarborough:

I transmit herewith a copy of House Concurrent Resolution No. 24,

adopted by the Legislature of Kansas and forwarded to me by the Secretary of State of Kansas.

The resolution relates to the Missouri River Basin and provides that a copy be transmitted to the Legislature of each state bordering or through which the Missouri River flows.

Respectfully yours,

WAYNE M. ROPES, *Secretary of State.*

HOUSE CONCURRENT RESOLUTION 24

A Concurrent Resolution relating to flood control and improvements in the Missouri river basin and memorializing the congress to not create a Missouri valley authority with practically unlimited powers.

Whereas, The congress of the United States has enacted legislation providing for additional flood control and also for a further development of navigation on the Missouri river; and

Whereas, Plans are being made for an even greater development of the Missouri river including a great development of irrigation; and

Whereas, Said improvements should be made at the earliest possible time in view of the destruction of life and property and the loss to industry, agriculture and commerce caused by recent floods and the continuous waste of valuable water resources within this basin; and

Whereas, Improvements of the type contemplated have been carried on in the past by the corps of engineers, United States army, and the bureau of reclamation, department of interior; and

Whereas, The said government agencies have had charge of such developments for many years and have planned and are prepared to execute the said works of improvement with no delay at the conclusion of the war; and

Whereas, It has been suggested that in order to further the progress of this development, a Missouri valley authority should be formed with broad powers similar to the Tennessee valley authority: Now, therefore,

Be It Resolved by the House of Representatives of the State of Kansas. the Senate Concurring Therein:

Section 1. That we endorse the aforementioned improvement program and recommend and urge upon the congress of the United States of America that the coordinated plan for the control and use of the waters of the Missouri river basin, as now authorized by law, be given immediate adequate appropriation so that the plan can be executed as expeditiously as is consistent with the public economy.

Sec. 2. That we commend the corps of engineers and the bureau of reclamation for their action in effecting coordination of their activities within the Missouri river basin.

Sec. 3. That while it may be necessary to create some permanent administrative coordinating agency to regulate the use of the water resources when development has been further advanced along the Missouri river and there is no objection to calling it a Missouri valley authority, we object, however, to granting to such administrative agency unchecked authority to engage in private business, operate farms, remove hundreds

of thousands of acres of land from the tax rolls, take over the administration of education and of local and state laws, and in general to do the economic planning for the entire area.

Sec. 4. That a copy of this resolution, suitably engrossed, be transmitted by the secretary of state to the vice-president of the United States as presiding officer of the senate of the United States, to the speaker of the house of representatives of the United States, to each member from Kansas in the senate of the United States and in the house of representatives of the United States, and to the legislature of each state bordering or through which the Missouri river flows.

I hereby certify that the above CONCURRENT RESOLUTION originated in the House, and was adopted by that body.

March 16, 1945.

STATE OF SOUTH DAKOTA
DEPARTMENT OF STATE
PIERRE
April 9, 1945

MRS. L. M. LARSEN
Secretary of State
W. J. SCARBOROUGH
Secretary of Senate
Des Moines, Iowa
Dear Sir:

Your letter of April 6 enclosing copy of Senate Concurrent Resolution No. 17 adopted by your State Legislature has been received. Our Legislature adjourned on March 2. We are handing the resolution to our Governor for his information.

Very truly yours,
MRS. L. M. LARSEN, *Secretary of State.*

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 a conference committee report and the amendments recommended therein and passed House File 447, a bill for an act making an appropriation for capital improvements of the institutions under the State Board of Control.

Also: That the House has concurred in Senate amendments to and passed House File 125, a bill for an act providing for special education of handicapped children.

Also: That the House has concurred in Senate amendments to and passed House File 168, a bill for an act providing for additional millage levy in certain counties for completion of buildings upon fairgrounds.

Also: That the House has concurred in Senate amendments to House amendments to, and passed Senate File 335, a bill for an act relating to bridges over the Missouri and Mississippi Rivers.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 330, a bill for an act providing for study and survey of reorganization of school districts by county boards of education.

A. C. GUSTAFSON, *Chief Clerk.*

CONFERENCE COMMITTEE REPORT

We, the members of the Conference Committee appointed on House File 447, make the following recommendations:

1. Strike from the Knudson amendment the first five lines of section seven (7).

2. Strike subsection "C" of the Knudson amendment; also strike out the words and figures ten thousand dollars (\$10,000.00) in line two (2) of subsection "h" and substitute in lieu thereof the words and figures seventy-five hundred dollars (\$7,500.00).

Respectfully submitted,

J. R. HALL.

H. M. KNUDSON.

JAY C. COLBURN.

E. K. BEKMAN.

JOHN R. GARDNER.

J. G. LUCAS.

ARCH W. MCFARLANE.

LEO ELTHON.

On the part of the House.

On the part of the Senate.

HOUSE AMENDMENTS TO SENATE FILE 330

1. Amend section one (1) by striking all of line one (1) and capitalizing the first letter "t" in line two (2).

Further amend said section, line four (4) by inserting after the word "county" the following: "and territory adjacent thereto".

Further amend said section by striking the words "in the county" in line five (5) thereof.

Further amend said section, line six (6), by striking the word "and" after the word "economical" and inserting in lieu thereof the following: "operation and the attainment of".

Further amend said section, line seven (7), by inserting a period (.) after the word "schools" and striking the rest of the sentence.

2. Amend section three (3) by striking all of lines seven (7), eight (8), nine (9) and ten (10) and substituting in lieu thereof the following: "In the development of such reorganization plans and surveys the county boards shall call upon the department of public instruction for advice and counsel in order to keep such reorganization plans in conformity to the statewide plan of education and to state laws."

3. Amend section four (4), line two (2), by inserting after the word "board" the following: "through its executive officer".

Further amend said section, line five (5), by striking the words "the majority" and inserting in lieu thereof the words "sixty per cent".

Further amend said section by striking all of lines ten (10), eleven (11), twelve (12), thirteen (13) and to the period in line fourteen (14).

4. Amend section five (5), line two (2), by striking the word "superintendent" and substituting in lieu thereof the following: "board through its executive officer".

5. Amend section six (6), line ten (10), by inserting after the word "apportioned" the following: "by the county board".

6. Amend section eight (8), line one (1), by striking the words "contemplated by" and inserting in lieu thereof the words "the intent of".

Further amend said section by inserting a period after the word "approved" in line four (4) and striking the remainder of the section.

7. Amend section ten (10) by adding thereto the following:

"In the case of controversy arising over the organization of joint districts, the matter shall be submitted to the state department of public instruction and its decision shall be final. Joint districts shall mean districts that lie in two or more adjacent counties."

8. Amend by adding a new section as follows:

"Sec. 12. Provided that school aid funds shall not be withheld from any school solely for the reason that said district has failed to comply with an order for reorganization."

CONFERENCE REPORT ADOPTED

Senator Long called up the conference report on House File 447, a bill for an act to appropriate and set aside from the income, corporation and sales tax special fund for certain capital improvements in institutions under the board of control, including construction of new buildings, repairs, improvements, replacements or alterations, and providing for joint control of the expenditure of the funds by the state board of control and the joint legislative committee on retrenchment and reform of the state of Iowa, and providing for its investment by the state treasurer and the method of expenditure.

Senator Knudson moved that the conference report be adopted, which motion prevailed.

Senator Knudson moved that the amendments in the report be adopted, which motion prevailed.

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, 44:

Augustine	Elthon	Leo	Ritchie
Barkley	Findlay	Long	Rockhill
Bekman	Foster	Love	Schluter
Benson	Hart	Lucas	Sharp
Berg	Hawkins	Lynes	Shaw
Byers	Henningsen	Martin	Sjulin
Clem	Hill	Mercer	Vittetoe
Cromwell	Hultman	Mowry	Vrba
Dewel	Keir	Newsome	Watson
Doud	Klein	Pine	White
Dykhouse	Knudson	Reilly	Zastrow

Nays, none.

Absent or not voting, 5:

Faul
Harvey

Jacobson

Jones

Miller

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.

BILL WITHDRAWN FROM FURTHER CONSIDERATION

Senator Pine asked and received unanimous consent to withdraw from further consideration of the Senate, Senate File 425.

THIRD READING OF BILLS

On motion of Senator Sharp, Senate File 103, a bill for an act to amend the law as it appears in chapter seventy-seven and two tenths (77.2), Code of 1939, and sections one thousand five hundred fifty-one and nine hundredths (1551.09), one thousand five hundred fifty-one and ten hundredths, subsection E (1551.10-E) as amended, section one thousand five hundred fifty-one and thirteen hundredths, subsection C, paragraph one (1551.13-C-1), one thousand five hundred fifty-one and twenty-five hundredths, subsections J and Q (1551.25-J-Q), and to repeal section one thousand five hundred fifty-one and eleven hundredths, subsections A and B (1551.11-A-B), and to enact a substitute therefor all in said chapter relating to unemployment compensation and the payment thereof, so as to increase the weekly benefits and to provide the method of determining the same; so as to increase individual credits and lengthen the duration of payment of benefits; so as to re-state provisions relating to eligibility and disqualifications for benefits; so as to re-define total unemployment and partial unemployment; so as to increase the maximum amount of benefits which may be charged against the account of an employer; so as to fix the method of receiving and processing of claims filed prior to the effective date of this act; and to repeal all acts or parts of acts in conflict with this act, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Clem asked and received unanimous consent that

further action on Senate File 103 be deferred and that it retain its place on the calendar.

On motion of Senator Harvey, House File 464, a bill for an act to prohibit the use of misleading names or designations of places of business and misleading trade practices and to provide penalties for violations, was taken up and considered.

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

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

Ayes, 43:

Barkley	Hart	Long	Rockhill
Bekman	Harvey	Love	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Lynes	Shaw
Clem	Hill	Martin	Sjulin
Cromwell	Hultman	Mercer	Vittetoe
Dewel	Jacobson	Miller	Vrba
Doud	Keir	Mowry	Watson
Elthon	Klein	Pine	White
Findlay	Knudson	Reilly	Zastrow
Foster	Leo	Ritchie	

Nays, none.

Absent or not voting, 6:

Augustine	Dykhouse	Jones	Newsome
Benson	Faul		

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

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

On motion of Senator Keir, House File 218, a bill for an act to amend chapter one hundred fourteen (114), Code, 1939, relating to registration of vital statistics as pertaining to adoptions or annulment of adoption and substitution of new birth certificates, 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	Benson	Clem	Doud
Barkley	Berg	Cromwell	Elthon
Bekman	Byers	Dewel	Findlay

Foster	Klein	Mercer	Sharp
Hart	Knudson	Miller	Shaw
Harvey	Leo	Mowry	Sjulin
Hawkins	Long	Pine	Vittetoe
Henningsen	Love	Reilly	Vrba
Hultman	Lucas	Ritchie	Watson
Jacobson	Lynes	Rockhill	White
Keir	Martin	Schluter	Zastrow

Nays, none.

Absent or not voting, 5:

Dykhouse	Hill	Jones	Newsome
Faul			

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

HOUSE AMENDMENTS CONSIDERED

Senator Doud called up Senate File 330, a bill for an act to provide for the study and survey by the county boards of education of the matter or reorganization of school districts, the submission of plans of reorganization to the voters of affected districts, and making effective any reorganization which may be authorized, amended by the House, and moved that the Senate concur in the following House amendments:

HOUSE AMENDMENTS TO SENATE FILE 330

1. Amend section 1 by striking all of line 1 and capitalizing the first letter "t" in line 2.

Further amend said section, line 4, by inserting after the word "county" the following: "and territory adjacent thereto".

Further amend said section by striking the words "in the county" in line 5 thereof.

Further amend said section, line 6, by striking the word "and" after the word "economical" and inserting in lieu thereof the following: "operation and the attainment of".

Further amend said section, line 7, by inserting a period (.) after the word "schools" and striking the rest of the sentence.

2. Amend section 3 by striking all of lines 7, 8, 9 and 10 and substituting in lieu thereof the following: "In the development of such reorganization plans and surveys the county boards shall call upon the department of public instruction for advice and counsel in order to keep such reorganization plans in conformity to the statewide plan of education and to state laws."

3. Amend section 4, line 2, by inserting after the word "board" the following: "through its executive officer".

Further amend said section, line 5, by striking the words "the majority" and inserting in lieu thereof the words "sixty per cent".

Further amend said section, by striking all of lines 10, 11, 12, 13 and to the period in line 14.

4. Amend section 5, line 2, by striking the word "superintendent" and substituting in lieu thereof the following: "board through its executive officer".

5. Amend section 6, line 10, by inserting after the word "apportioned" the following: "by the county board".

6. Amend section 8, line 1, by striking the words "contemplated by" and inserting in lieu thereof the words "the intent of".

Further amend said section by inserting a period after the word "approved" in line 4 and striking the remainder of the section.

7. Amend section 10 by adding thereto the following: "In the case of controversy arising over the organization of joint districts, the matter shall be submitted to the state department of public instruction and its decision shall be final. Joint districts shall mean districts that lie in two or more adjacent counties."

8. Amend by adding a new section as follows:

"Sec. 12. Provided that school aid funds shall not be withheld from any school solely for the reason that said district has failed to comply with an order for reorganization."

The motion prevailed and the Senate concurred in the House amendments.

Senator Doud moved that the bill be read a third 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	Ritchie
Barkley	Hart	Love	Rockhill
Bekman	Harvey	Lucas	Schluter
Benson	Hawkins	Lynes	Sharp
Berg	Henningsen	Martin	Shaw
Byers	Hill	Mercer	Sjulin
Clem	Hultman	Miller	Vittetoe
Cromwell	Jacobson	Mowry	Vrba
Dewel	Keir	Newsome	Watson
Doud	Klein	Pine	White
Elthon	Knudson	Reilly	Zastrow
Findlay	Leo		

Nays, none.

Absent or not voting, 3:

Dykhouse	Faul	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.

On motion of Senator Ritchie, House File 460, a bill for an act to amend chapter two (2), Code, 1939, relating to officers and employees of the General Assembly, was taken up and considered.

Senator Elthon offered the following amendment and moved its adoption:

Amend House File 460, section 1, by striking lines 3 to 11, inclusive, and substituting in lieu thereof the following:

The President of the Senate or the Speaker of the House may engage the services of the Secretary of the Senate, the Chief Clerk of the House, and any clerical help as may be found necessary for a period of not to exceed thirty (30) days before the convening of the General Assembly and for a period not to exceed thirty (30) days after the adjournment of the General Assembly, to perform such duties as may be required for the General Assembly. Employees so engaged shall be compensated on the same basis as for the regular Legislative Session immediately preceding and for any expense involved in connection with the duties assigned.

Senator Shaw offered the following amendment to the amendment and moved its adoption:

Amend the Elthon amendment to House File 460 by changing the period (.) at the end thereof to a comma (,) and adding "and there is hereby appropriated therefor \$2000 or so much thereof as may be necessary."

Senator Cromwell asked and received unanimous consent that Senate Rules 21 and 23 be suspended on action on the amendments.

The amendment to the amendment was adopted.

The amendment as amended 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, 46:

Augustine	Findlay	Leo	Reilly
Barkley	Foster	Long	Rockhill
Bekman	Hart	Love	Schluter
Benson	Harvey	Lucas	Sharp
Berg	Henningsen	Lynes	Shaw
Byers	Hill	Martin	Sjulin
Clem	Hultman	Mercer	Vittetoe
Cromwell	Jacobson	Miller	Vrba
Dewel	Jones	Mowry	Watson
Doud	Keir	Newsome	White
Elthon	Klein	Pine	Zastrow
Faul	Knudson		

Nays, none.

Absent or not voting, 3:

Dykhouse	Hawkins	Ritchie
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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.

Senator Faul asked and received unanimous consent that the following poem by the Bard from Union, the former Senator S. Ray Emerson, be printed in the Senate Journal.

SALUTE TO THE SENATE

I was in the Senate Chamber just a few short days ago;
Bills were pouring in the hopper in a way that wasn't slow;
Lt. "Ken" presiding in the Chair with dignity I'd say;
Each Senator busy at his desk—there seemed no time to play.

I confessed a pang of sadness or at least I'd say regret
That I'm not still a Senator and in there helping yet,
Because of all the gentlemen that I have chanced to meet,
The best are in the Senate—they're a bunch you just can't beat.

All the new men of the Senate I admit I don't know well,
But the old boys are the finest bunch you'll find this side of Hell.
I speak from my experience and the way they treated me,
And before the session's over, I'm sure you will agree.

They're a royal bunch of fellows, and they sure will help you out
On your pet bills—and lots of things that you just don't know about.
And, if you should get out of line and start to sorta lean,
These boys are glad to help you get back on that old beam.

Each one is there to do a job, and I mean they really try.
But, if they fail to get their way, you'll never hear them cry.
They dicker and maneuver in a way I think is fine
On the Floor, and in Committee, in there trying all the time.

Of the old heads in the Senate I have said a lot I know
Cause finer men you'll never find no matter where you go.
But to the new men in the Senate, guess I'll dedicate this poem.
I'll bet you'll find them just as swell once you finally get to know 'em.

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

AFTERNOON SESSION

The Senate reconvened, President Evans presiding.

INTRODUCTION OF BILLS

Senate File 446, by committee on aeronautics, a bill for an act

to amend chapter two hundred nine (209), Acts of the Forty-ninth General Assembly, relating to levy of taxes for airports.

Read first and second times and referred to the sifting committee.

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 421	House File 416
House File 228	House File 247
House File 451	House File 471
House File 256	

The following bills are referred to the appropriations committee under Rule 21.

Senate File 443	Senate File 445
Senate File 444	

STANLEY L. HART, *Chairman.*

PRESENTATION OF VISITORS

Senator Mowry asked and received unanimous consent to present to the Senate 24 members of the No. 5 school of Newton who were present in the balcony with their teacher.

Senator Klein asked and received unanimous consent to present to the Senate the members of the class in speech and government of the Knoxville high school who were present in the balcony with their teacher.

THIRD READING OF BILLS

On motion of Senator Sjulín, House File 456, a bill for an act to amend section four thousand six hundred eighty-six and twenty hundredths (4686.20), Code, 1939, relating to use of counties' allotment of motor vehicle fuel license fees on farm-to-market projects, was taken up and considered.

Senator Sjulín moved that the bill be read a third 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	Byers	Doud	Foster
Barkley	Clem	Dykhouse	Hart
Bekman	Cromwell	Elthon	Harvey
Berg	Dewel	Findlay	Hawkins

Henningsen	Leo	Mowry	Shaw
Hill	Long	Newsome	Sjulin
Jacobson	Love	Reilly	Vittetoe
Jones	Lucas	Ritchie	Vrba
Keir	Lynes	Rockhill	Watson
Klein	Mercer	Schluter	White
Knudson	Miller	Sharp	Zastrow

Nays, none.

Absent or not voting, 5:

Benson	Hultman	Martin	Pine
Faul			

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

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

Senator Long asked and received unanimous consent that Senate Rules 21 and 23 be suspended and that Senate Files 443, 444 and 445 be placed on the calendar and taken up at this time.

On motion of Senator Jacobson, Senate File 443, a bill for an act to make appropriations to J. T. Dykhous, Rock Rapids, Iowa; O. H. Henningsen, Clinton, Iowa; R. V. Leo, Dysart, Iowa; G. T. Kuester, Griswold, Iowa; John S. Heffner, Webster City, Iowa, and Melvin Wilson, Lake City, Iowa, was taken up and considered.

Senator Jacobson moved that the bill be read a third 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	Rockhill
Barkley	Hart	Love	Schluter
Bekman	Harvey	Lucas	Sharp
Berg	Hill	Lynes	Shaw
Byers	Hultman	Martin	Sjulin
Clem	Jacobson	Mercer	Vittetoe
Cromwell	Jones	Miller	Vrba
Dewel	Keir	Mowry	Watson
Doud	Klein	Newsome	White
Elthon	Knudson	Reilly	Zastrow
Findlay	Leo	Ritchie	

Nays, none.

Absent or not voting, 6:

Benson	Faul	Henningsen	Pine
Dykhous	Hawkins		

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

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

On motion of Senator Jacobson, Senate File 444, a bill for an act to make appropriations to B. S. Moyle, Des Moines, Iowa; G. W. Hunt, Guttenberg, Iowa; Robert Keir, Spencer, Iowa; Alden L. Doud, Douds, Iowa; N. D. McCombs, Des Moines, Iowa; Henry K. Peterson, Council Bluffs, Iowa, and Mrs. Raymond Sayre, Ackworth, Iowa, was taken up and considered.

Senator Jacobson offered the following amendment and moved its adoption:

Amend Senate File 444 by striking from the last line of the title the word "Ackwardt" and inserting in lieu thereof the word "Ackworth".

Further amend Senate File 444 by striking from line 3 of section 7 the word "Ackwardt" and inserting in lieu thereof the word "Ackworth".

The amendment was adopted.

Senator Jacobson moved that the bill be read a third 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	Knudson	Reilly
Barkley	Foster	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Benson	Harvey	Love	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Lynes	Shaw
Clem	Hill	Martin	Sjulin
Cromwell	Hultman	Mercer	Vittetoe
Dewel	Jacobson	Miller	Vrba
Doud	Jones	Mowry	Watson
Dykhouse	Keir	Newsome	White
Elthon	Klein	Pine	Zastrow

Nays, none.

Absent or not voting, 1:

Faul

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

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

On motion of Senator Jacobson, Senate File 445, a bill for an act to make appropriation to Otis Truck Line, Forest City, Iowa, was taken up and considered.

Senator Jacobson moved that the bill be read a third 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	Knudson	Ritchie
Barkley	Foster	Leo	Rockhill
Bekman	Hart	Long	Schluter
Benson	Harvey	Love	Sharp
Berg	Hawkins	Lucas	Shaw
Byers	Henningsen	Lynes	Sjulin
Clem	Hill	Martin	Vittetoe
Cromwell	Hultman	Mercer	Vrba
Dewel	Jacobson	Miller	Watson
Doud	Jones	Mowry	White
Dykhouse	Keir	Newsome	Zastrow
Elthon	Klein	Reilly	

Nays, none.

Absent or not voting, 2:

Faul Pine

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

Senator Jacobson moved that the 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 Jacobson asked and received unanimous consent that Senate Files 443, 444, and 445 be immediately messaged to the House, which request was complied with.

BILL RE-REFERRED TO SIFTING COMMITTEE

Senator Watson asked and received unanimous consent that Senate File 228 be re-referred to the sifting committee.

President pro tempore Hart took the chair at 2:20 p. m.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House requests the return of Senate File 412, a bill for an act to legalize an election held in Sibley, Iowa, for correction by amendment.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

BILL RECALLED FROM GOVERNOR

Senator Dykhouse moved that Senate File 412 be recalled from the Governor, which motion prevailed.

Senator Dykhouse moved that Senate File 412 be immediately messaged to the House, which motion prevailed.

UNFINISHED BUSINESS

Senator Sharp called up Senate File 103, a bill for an act to amend the law as it appears in chapter seventy-seven and two tenths (77.2), Code of 1939, and sections one thousand five hundred fifty-one and nine hundredths (1551.09), one thousand five hundred fifty-one and ten hundredths, subsection E (1551.10-E) as amended, section one thousand five hundred fifty-one and thirteen hundredths, subsection C, paragraph one (1551.13-C-1), one thousand five hundred fifty-one and twenty-five hundredths, subsections J and Q (1551.25-J-Q), and to repeal section one thousand five hundred fifty-one and eleven hundredths, subsections A and B (1551.11-A-B), and to enact a substitute therefor all in said chapter relating to unemployment compensation and the payment thereof, so as to increase the weekly benefits and to provide the method of determining the same; so as to increase individual credits and lengthen the duration of payment of benefits; so as to re-state provisions relating to eligibility and disqualifications for benefits; so as to re-define total unemployment and partial unemployment; so as to increase the maximum amount of benefits which may be charged against the account of an employer; so as to fix the method of receiving and processing of claims filed prior to the effective date of this act; and to repeal all acts or parts of acts in conflict with this act.

Senator Bekman offered the following amendment by Senators Bekman, Faul, Clem and Martin and moved its adoption:

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

"Section 1. Section one thousand five hundred fifty-one and nine hundredths (1551.09), Code, 1939, is amended by striking from line 6 of subsection 'D' the word, 'fifteen' and insert in lieu thereof the word, 'eighteen'."

2. Strike from the title all after the word "act" in the first line and insert in lieu thereof the following:

"to amend section one thousand five hundred fifty-one and nine hundredths (1551.09), Code, 1939, relating to weekly benefit amounts for total unemployment."

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 15:

Augustine	Clem	Jones	Vrba
Barkley	Faul	Martin	Watson
Bekman	Harvey	Mowry	Zastrow
Byers	Henningsen	Reilly	

Nays, 30:

Benson	Hart	Leo	Pine
Berg	Hawkins	Love	Ritchie
Cromwell	Hill	Lucas	Schluter
Dewel	Hultman	Lynes	Sharp
Doud	Jacobson	Mercer	Sjulin
Dykhous	Keir	Miller	Vittetoe
Findlay	Klein	Newsome	White
Foster	Knudson		

Absent or not voting, 4:

Elthon	Long	Rockhill	Shaw
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The amendment was lost.

Senator Bekman asked and received unanimous consent to withdraw the amendment to Senate File 103 filed by Senators Faul, Bekman, Clem and Martin on April 10 and found on page 1002 of the Senate Journal.

Senator Bekman offered the following amendment by Senators Faul, Bekman, Clem and Martin and moved its adoption:

Amend Senate File 103 as follows: Amend section 6, subsection 2, line 14, by striking the words "benefit amount", and insert in lieu thereof the words, "full-time wage in his regular employment."

The amendment was adopted.

Senator Sharp offered the following amendment and moved its adoption:

1. Amend section 1 by striking from line 15 thereof, the word "earned" and substituting in lieu thereof the word "paid".

2. Amend section 4, subsection (A), by striking from lines 14 and 15 thereof the following: "prior to the expiration of his first payroll period".

3. Amend by renumbering the sections on page 5 of the bill from sections 6, 7 and 8 to 7, 8 and 9 respectively.

The amendment was adopted.

Senator Bekman offered the following amendment by Senators Bekman, Martin, Clem and Faul:

1. Amend section 6 of Senate File 103 as shown on page 5 of said bill to read "Sec. 7", and renumber the following sections.

2. Amend section 1-D, line 15, by striking the words "One twenty sixth" and inserting in lieu thereof the words "one twenty third".

3. Further amend section 2 by striking from line five the words "one third", and inserting in lieu thereof the words "one fifth", and by striking from line 7 the word "ninety" and inserting the word "eighty".

4. Further amend section 3, by striking all of said section, and inserting the following: Section 3. Amend section one thousand five hundred fifty-one and ten hundredths, subsection E (1551.10-E), Code, 1939, as amended, by striking all of said Code section as amended, and inserting in lieu thereof the following: "He has within the last four (4) quarters of his base period been paid wages in insured work equal to not less than eighteen (18) times his weekly benefit amount".

5. Further amend section 4 by striking all of said section and inserting the following: Sec. 4. Amend section one thousand five hundred fifty-one and eleven hundredths, subsection A (1551.11-A), Code, 1939, by striking from lines 2 and 3 the words "attributable to his employer".

6. Further amend section 5 by striking from line 5 the words "one-third" and inserting in lieu thereof the words "one-fifth", and by striking from line 6 the word "ninety" and inserting in lieu thereof the word "eighty".

7. Further amend by striking all of section 7 and renumber the following sections.

8. Further amend the last section by providing for publication in the following newspapers: Ottumwa Daily Courier, published at Ottumwa, Iowa; The Plain Talk, published at Des Moines, Iowa.

Senator Bekman moved the adoption of sections 1 and 2 of the amendment.

The amendment was adopted.

Senator Bekman asked and received unanimous consent that action on section 3 of the amendment be temporarily deferred.

Senator Bekman moved the adoption of section 7 of the amendment.

Senator Doud moved that the Senate resolve itself into a committee of the whole for further explanation of Senate File 103.

Senator Mowry moved as a substitute that Senate File 103 be made a special order of business for 10:15 a. m., Thursday, April 12, and that all members of the Iowa Employment Security Commission be present at that time.

The substitute motion was lost.

The motion by Senator Doud was lost.

Senator Zastrow moved the previous question on section 7 of the amendment, which motion prevailed.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 17:

Augustine	Harvey	Martin	Shaw
Bekman	Henningsen	Mowry	Vrba
Clem	Jones	Reilly	Watson
Elthon	Klein	Rockhill	Zastrow
Faul			

Nays, 29:

Barkley	Foster	Leo	Pine
Benson	Hawkins	Long	Ritchie
Berg	Hill	Love	Schluter
Cromwell	Hultman	Lucas	Sharp
Dewel	Jacobson	Lynes	Sjulin
Doud	Keir	Mercer	Vittetoe
Dykhouse	Knudson	Newsome	White
Findlay			

Absent or not voting, 3:

Byers	Hart	Miller
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The amendment was lost.

Senator Sharp offered the following amendment and moved its adoption:

Amend Senate File 103, section 2, by striking the word, "ninety" in line 7 and inserting in lieu thereof the words, "one hundred thirty".

Further amend section 5 by striking the word, "ninety" and inserting in lieu thereof the words, "one hundred thirty".

The amendment was adopted.

Senator Bekman asked and received unanimous consent to withdraw sections 3, 4, 5 and 6 of the amendment.

Senator Bekman moved the adoption of section 8 of the amendment.

The amendment was adopted.

Senator Sharp moved that the bill be read a third 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	Klein	Pine
Barkley	Findlay	Knudson	Reilly
Bekman	Foster	Leo	Ritchie
Benson	Hart	Long	Rockhill
Berg	Harvey	Love	Schluter
Byers	Hawkins	Lucas	Sharp
Clem	Henningsen	Lynes	Shaw
Cromwell	Hill	Martin	Sjulin
Dewel	Hultman	Mercer	Vittetoe
Doud	Jacobson	Miller	Vrba
Dykhouse	Jones	Mowry	Watson
Elthon	Keir	Newsome	White

Nays, none.

Absent or not voting, 1:

Zastrow

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

Senator Sharp moved that the 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 Sharp asked and received unanimous consent that Senate File 103 be immediately messaged to the House, which request was complied with.

On motion of Senator Hill, Senate File 442, a bill for an act to legalize the appointments of certain public officials by the Governor of Iowa which have been confirmed by the Senate, was taken up and considered.

Senator Hill offered the following amendment and moved its adoption:

Amend Senate File 442 by inserting after the word "the" in line 3, section 3, the words "Baxter New Era"; also insert before the comma (,) in line 4, section 3, the word "Baxter".

Further amend Senate File 442 by inserting after the word "the" in line 4, section 3, the words "Keokuk County News"; also insert after the word "at" in line 5, section 3, the word "Sigourney".

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	Findlay	Klein	Pine
Barkley	Foster	Knudson	Reilly
Bekman	Hart	Leo	Ritchie
Benson	Harvey	Long	Rockhill
Berg	Hawkins	Lynes	Schluter
Clem	Henningsen	Martin	Sharp
Cromwell	Hill	Mercer	Sjulin
Dewel	Hultman	Miller	Vittetoe
Doud	Jacobson	Mowry	Vrba
Dykhouse	Jones	Newsome	White
Elthon	Keir		

Nays, none.

Absent or not voting, 7:

Byers	Love	Shaw	Zastrow
Faul	Lucas	Watson	

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

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

Senator Hill asked and received unanimous consent that House File 442 be immediately messaged to the House, which request was complied with.

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 436, a bill for an act establishing an old age insurance system for public employees.

Also: That the House refuses to concur in Senate amendments to House File 50, a bill for an act relating to exemptions from taxation of property of members of the armed forces.

Also: That the House refuses to concur in Senate amendments to House File 460, a bill for an act relating to officers and employees of the Fifty-first General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 436

Amend section six (6), line eight (8), by striking therefrom the word "Insurance".

Amend section six (6), paragraph "A", line two (2), by striking therefrom the words ", excepting the state of Iowa,".

Amend section nine (9), line seven (7), by inserting after the word "deducted," the word "adjustments".

Amend section twelve (12), line six (6), by striking therefrom the word "Insurance".

Amend section twenty (20) by striking all of subsection "(b) (3)" thereof.

Amend section twenty (20), subsection "(2) (m)", by striking from lines three (3), four (4) and five (5) the following: ", employees of the State Board of Education who on or after the effective date of this act holds a position of assistant professor or higher".

Amend the title by striking all after the word "system" in line nine (9) and inserting in lieu thereof the following: ", and to repeal conflicting laws."

HOUSE MESSAGE CONSIDERED

Senator Shaw asked unanimous consent to take up House File 50, 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 the child or children of soldiers, sailors, marines and nurses.

Objection was raised.

Senator Shaw moved that the Senate take up House File 50 and that the Senate insist on its amendments to House File 50.

Senator Dykhouse moved as a substitute that the Senate recede from its amendments to House File 50.

Senator Long raised the point of order that the motion by Senator Dykhouse was out of order.

The Chair ruled the point not well taken under Joint Rule No. 1.

Senator Sjulín moved the previous question on the motion, which motion prevailed.

Roll call was demanded.

On the question "Shall the motion by Senator Dykhouse be adopted?" the vote was:

Ayes, 9:

Cromwell
Doud
Dykhouse

Harvey
Jacobson

Keir
Knudson

Ritchie
Schluter

Nays, 35:

Augustine	Findlay	Long	Rockhill
Barkley	Hart	Lynes	Sharp
Bekman	Hawkins	Martin	Shaw
Benson	Henningesen	Mercer	Vittetoe
Berg	Hill	Miller	Vrba
Byers	Hultman	Mowry	Watson
Clem	Jones	Newsome	White
Elthon	Klein	Pine	Zastrow
Faul	Leo	Reilly	

Absent or not voting, 5:

Dewel	Love	Lucas	Sjulin
Foster			

The substitute motion was lost.

The motion by Senator Shaw prevailed and the Senate insisted upon its amendments to House File 50.

CONFERENCE COMMITTEE APPOINTED

The Chair appointed Senators Shaw, Faul, Cromwell and Dykhous on the part of the Senate on House File 50.

THIRD READING OF BILLS

On motion of Senator Long, House File 451, a bill for an act to amend sections three thousand three hundred eighty-eight (3388), three thousand four hundred three (3403), three thousand four hundred sixty-six (3466) and three thousand four hundred eighty-six (3486), Code, 1939, relating to salaries of superintendents of state hospitals under the board of control, was taken up and considered.

Senator Long offered the following amendment by Senators Long, Lucas, Ritchie, Hultman, Foster, Mercer and Sjulin and moved its adoption:

Amend House File 451 by striking from line 5 of section 1 the words, " 'forty-five hundred' ", and inserting in lieu thereof the words, " 'thirty-six hundred' ".

Further amend by striking from line 10 of section 1 the words, " 'forty-five hundred' ", and inserting in lieu thereof the words, " 'thirty-six hundred' ".

Further amend by striking from line 16 of section 1 the words, " 'forty-five hundred' ", and inserting in lieu thereof the words, " 'thirty-six hundred' ".

Further amend by striking from line 13, section 1, as amended by the House, the words, " 'forty-five hundred' ", and inserting in lieu thereof the words, " 'thirty-six hundred' ".

The amendment was 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, 49:

Augustine	Findlay	Knudson	Reilly
Barkley	Foster	Leo	Ritchie
Bekman	Hart	Long	Rockhill
Benson	Harvey	Love	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Lynes	Shaw
Clem	Hill	Martin	Sjulin
Cromwell	Hultman	Mercer	Vittetoe
Dewel	Jacobson	Miller	Vrba
Doud	Jones	Mowry	Watson
Dykhouse	Keir	Newsome	White
Elthon	Klein	Pine	Zastrow
Faul			

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 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 Long, House File 471, a bill for an act to amend sections three thousand three hundred eighty-four and nine hundredths (3384.09), three thousand seven hundred seven (3707), three thousand six hundred eighty-seven (3687) and three thousand seven hundred twenty-four (3724), Code, 1939, relating to salaries of superintendents of institutions and state schools under the board of control, 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, 48:

Augustine	Doud	Henningsen	Long
Barkley	Dykhouse	Hill	Love
Bekman	Elthon	Hultman	Lynes
Benson	Faul	Jacobson	Martin
Berg	Findlay	Jones	Mercer
Byers	Foster	Keir	Miller
Clem	Hart	Klein	Mowry
Cromwell	Harvey	Knudson	Newsome
Dewel	Hawkins	Leo	Pine

Reilly
Ritchie
Rockhill

Schluter
Sharp
Shaw

Sjulin
Vittetoe
Vrba

Watson
White
Zastrow

Nays, none.

Absent or not voting, 1:

Lucas

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.

Senator Bekman asked unanimous consent that the Senate consider Senate File 421.

Objection was raised.

Senator Henningsen moved that the Senate adjourn until 10:00 a. m. Thursday, which motion was lost.

Senator Bekman moved that the Senate Consider Senate File 421, which motion prevailed.

On motion of Senator Bekman, Senate File 421, a bill for an act authorizing qualified life insurance companies, associations and interinsurance exchanges to write life, health and accident insurance for the individual members of organized industrial, business and professional groups or their organized employees, was taken up and considered.

Senator Bekman offered the following amendment and moved its adoption:

Amend Senate File 421, section 1, by striking from line 6 the following: "organized industrial," and by striking from line 8 of section 1 "industrial,".

Further amend the title by striking from line 4 "industrial,".

Senator Bekman asked and received unanimous consent to correct the amendment by striking the word "organized" in line 2.

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, 47:

Augustine	Findlay	Leo	Ritchie
Barkley	Foster	Long	Rockhill
Bekman	Hart	Love	Schluter
Benson	Harvey	Lucas	Sharp
Berg	Hawkins	Lynes	Shaw
Byers	Hill	Martin	Sjulin
Clem	Hultman	Mercer	Vittetoe
Cromwell	Jacobson	Miller	Vrba
Dewel	Jones	Mowry	Watson
Doud	Keir	Newsome	White
Dykhouse	Klein	Pine	Zastrow
Elthon	Knudson	Reilly	

Nays, none.**Absent or not voting, 2:**

Faul	Henningson
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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.

GOVERNOR'S DAY

On behalf of the people of Cerro Gordo county, I am very happy to extend an invitation to the members of the Senate and to the representatives of the Press to be our guests at Clear Lake on Governor's Day Saturday and Sunday, August 4 and August 5, 1945.

In the past some of you have been our guests on similar occasions, and I sincerely trust that all of you will honor us with your presence.

HERMAN M. KNUDSON.

Senator Watson asked and received unanimous consent that the invitation by Senator Knudson be printed in the Journal.

CORRECTION TO TITLE OF SENATE FILE 28

Senator Jacobson asked and received unanimous consent that the rules of the Senate be suspended and that Senate File 428 which has passed both the House and Senate be corrected by including the name "Hindman" after the words "Betty Lou" in line 9 of section 1 and also that the words "Shirley Ann" in line 12 of section 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 Senate Files 289, 290, 291, 416, 427 and 424.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *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 289, 290, 291, 416, 427 and 424.

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 April, 1945, sent to the governor for his approval, Senate Files 289, 290, 291, 416, 427 and 424.

ROBERT C. REILLY, *Chairman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 10th he had approved the following bills:

Senate File 23, relating to the warning by authorities preventing persons from acquiring a settlement.

Senate File 113, relating to old age assistance.

Senate File 139, relating to sale of county real estate.

Senate File 154, relating to extension of time for levying a tax for park purposes.

Senate File 155, relating to extension of time for levying a park tax for the improvement of lakes.

Senate File 156, relating to levying a tax for park purposes prior to 1919, or improving any driveway or boulevard connecting one park with another.

Senate File 218, relating to embezzlement and penalty therefor.

Senate File 224, relating to Iowa commission for the blind.

Senate File 274, relating to inheritance tax and avoidance of administration.

Senate File 295, relating to the apportionment of revenues derived from the tax on moneys and credits.

Senate File 400, relating to bonds of state officers.

Senate File 405, relating to funds for various departments and various divisions thereof, of the state of Iowa.

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

JOURNAL OF THE SENATE

SENATE CHAMBER.

DES MOINES, IOWA, APRIL 12, 1945.

The Senate met in regular session, President Kenneth A. Evans presiding.

Prayer was offered by the Reverend E. A. Briggs, pastor of the First Methodist church, Boone, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Benson, from residents of Sac county, favoring local option.

By Senator Hart, from residents of Clinton, Franklin and Pottawattamie counties, favoring local option.

By Senator Harvey, from residents of Monona county, favoring local option.

By Senator Jones, from residents of Warren county, favoring local option.

PRESENTATION OF VISITORS

Senator Jones asked and received unanimous consent to present to the Senate the students of the rural schools of Burgess and Concord of Warren county, who were present in the balcony with their teachers.

Senator Harvey asked and received unanimous consent to present to the Senate 21 members of the senior class of the Manilla high school, who were present in the balcony with their superintendent.

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

SENATE RESOLUTION 4

Be It Resolved by the Senate: That the bill room of the Senate, together with all bills introduced in the Senate of the Fifty-first 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 new desks and chairs used by the officers of the Senate be stored in a proper place by the custodian of the Capitol. The custodian is hereby instructed and directed not to 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 Fifty-first and Fifty-second General Assemblies of Iowa, except that said rooms may be used by proofreaders from the Code Editor's office.

The motion prevailed and the resolution was adopted.

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

HOUSE CONCURRENT RESOLUTION 25

Whereas, Under section ten thousand seven hundred sixty-eight (10768) the judicial districts and number of judges are determined, and

Whereas, The legislature should consider from time to time the necessary number of judges and the grouping of counties in the districts in accordance with the amount of legal work, population, and the necessity for a smaller number of judges, all in the interests of economy and the efficient administration of justice, and

Whereas, The public and the taxpayers are vitally interested in the courts and the economical administration of all branches of the government,

Be It Resolved by the House, the Senate Concurring:

The Committee on Retrenchment and Reform shall carry out the provisions of this Resolution.

The Committee shall investigate the number of judges that are needed in the judicial districts with due regard to the division of the state into judicial districts with due regard to the speedy and economical administration of justice in the state of Iowa.

The Committee shall make a report including drafts of proposed bills to effect its recommendation to the Governor on or before November 10, 1946, and thereupon the Governor shall cause to be printed five hundred copies of said report including the drafts of proposed bills and cause copies of same to be mailed to the elected members of the Fifty-first General Assembly on or before December 1, 1946, and make available copies to other interested parties. The expense thereof shall be paid from the funds allocated to the committee on retrenchment and reform.

Senator Rockhill offered the following amendment and moved its adoption:

Amend House Concurrent Resolution 25 by striking from the last paragraph thereof the words "Fifty-first" and insert in lieu thereof "Fifty-second".

The amendment was adopted.

The resolution as amended was adopted.

Senator Rockhill asked and received unanimous consent that the resolution be immediately messaged to the House, which request was complied with.

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 appointed as members of the conference committee on the part of the House on House File 50, a bill for an act relating to exemption from taxation of property of members of the armed forces, Representatives Sloane, Carlson, Klemesrud and Nielsen.

Also: That the House has adopted the conference committee report and the amendments recommended therein and passed House File 118, a bill for an act providing reimbursement to school districts for pupil transportation costs.

Also: That the House has expunged the record on the adoption of the report of the committee on enrolled bills and the signature of the speaker and has reconsidered the vote by which the bill passed and amended and repassed Senate File 412, a bill for an act legalizing an election held at Sibley, Iowa.

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 making an appropriation for payment of miscellaneous expenses of the Fifty-first General Assembly.

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 levy of taxes for airports.

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

Senate File 443, a bill for an act making appropriations for services rendered by members of State Office Building Legislative Committee.

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

Senate File 444, a bill for an act making appropriations for claims for services rendered by members of commission to study school laws created by Senate Joint Resolution 10.

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

Senate File 445, a bill for an act making an appropriation to Otis Truck Line, Forest City, Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE 118

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned members of the conference committee appointed to consider the differences between the House and the Senate on House File 118, relating to the transportation of school pupils, beg leave to report that we have had the same under consideration and we make the following recommendations:

That House File 118 be amended as follows:

Amend section six (6), line one (1), by striking the word "board" and inserting in lieu thereof the word "department".

Amend section six (6), line four (4), by adding after the period in said line a new sentence as follows: "The appropriation provided by this act may be expended in part for the direction and supervision provided by the act which shall include salaries and all necessary traveling expense incurred by the director and his assistants in the performance of their official duties."

Amend section eight (8), subsection one (1), by striking from line three (3) the words "Administer the provisions of this act and".

Amend section eight (8) by striking lines six (6) and seven (7) and inserting in lieu thereof "(2) Review and approve bus routes which, when established, are located in more than one county."

Amend section eight (8) by striking lines eight (8), nine (9), ten (10) and eleven (11) and inserting in lieu thereof "(3) Establish uniform standards for locating and operating bus routes for the protection of the health and safety of pupils transported."

Amend section eight (8) by striking lines twelve (12), thirteen (13) and fourteen (14).

Amend section eight (8) by renumbering the remaining subsections.

Amend section nine (9) by striking lines six (6) to twelve (12), inclusive, and inserting in lieu thereof "(2) Approve all bus routes of school districts within the county, except bus routes in city, town or village independent districts and consolidated school districts, and review and approve arrangements between school districts for transportation from one district to another district within the county."

Amend section ten (10), line one (1), by inserting the word "local" after the second "the".

Amend section ten (10), line seven (7), by striking the period and adding the words, "so as to provide for the economical and efficient operation thereof without duplication of facilities, and to properly safeguard the health and safety of the pupils transported."

Amend section ten (10), line thirteen (13), by striking the words, "to provide transportation" and inserting in lieu thereof "and prescribe their qualifications and adopt rules for their conduct."

Respectfully submitted,

GEORGE E. FARMER.

ALDEN L. DOUD.

HARRY WEICHMAN.

A. D. CLEM.

ALBERT STEINBERG.

FLOYD JONES.

C. A. BRYSON.

DE VERE WATSON.

On the part of the House.

On the part of the Senate.

HOUSE AMENDMENT TO SENATE FILE 412

Amend the first "*Whereas*" line one (1) by striking therefrom the words "regular school" and inserting in lieu thereof the words "special city", and by striking from line three (3) thereof the words "Independent School District" and inserting in lieu thereof the word "city".

Amend the third "*Whereas*" line two (2) by striking therefrom the words "school district" and inserting in lieu thereof the words "city of Sibley".

Amend the sixth "*Whereas*" lines seven (7) and eight (8) by striking therefrom the words: "which was the polling place of the independent school district".

Amend section one (1), lines one (1) and two (2) by striking therefrom the words "Independent School District" and inserting in lieu thereof the word "city".

HOUSE MESSAGES CONSIDERED

CONFERENCE REPORT ADOPTED

Senator Doud called up the conference committee report on House File 118, a bill for an act to provide for reimbursement by the state of Iowa to school districts of pupil transportation costs, providing the manner of computing the amount of reimbursement and making an appropriation for said reimbursement, and moved its adoption.

The motion prevailed and the report was adopted.

Senator Doud moved that the amendments in the report be adopted, which motion prevailed.

Senator Doud moved that the bill be read a third 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	Klein	Pine
Bekman	Foster	Knudson	Ritchie
Benson	Hart	Leo	Rockhill
Berg	Harvey	Long	Schluter
Byers	Hawkins	Love	Shaw
Clem	Henningsen	Lucas	Sjulin
Cromwell	Hill	Lynes	Vittetoe
Dewel	Hultman	Mercer	Vrba
Doud	Jacobson	Miller	Watson
Dykhouse	Jones	Mowry	White
Elthon	Keir	Newsome	

Nays, none.

Absent or not voting, 6:

Barkley	Martin	Sharp	Zastrow
Faul	Reilly		

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

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

Senator Elthon called up House File 460, a bill for an act to amend chapter two (2), Code, 1939, relating to officers and employees of the General Assembly, and moved that the Senate insist on its amendments to House File 460.

The motion prevailed and the Senate insisted on its amendments to House File 460.

CONFERENCE COMMITTEE APPOINTED

The President appointed Senators Elthon, Shaw, Harvey and Sjulín on the part of the Senate on House File 460.

PRESENTATION OF GIFT TO LIEUTENANT GOVERNOR EVANS

Senator Hart, President pro tempore of the Senate, asked and received unanimous consent that Senator Hultman escort our distinguished Republican floor leader, Senator Hill, to the rostrum.

Senator Hultman escorted Senator Hill to the rostrum who, on behalf of the Senate, made the following presentation:

As this session of the legislature draws to a close, we, the members of this Senate, take occasion to pause briefly and express our affection for our presiding officer. On this occasion I have been given the privilege of extending our best wishes to the Lieutenant Governor.

Governor Evans, many of us enjoyed the pleasure of serving with you as a member of this Senate before you were elevated to your present office. As a member of the Senate you served with honor and distinction, and we gained much through our association with you.

The people of Iowa have since elevated you to the office of the Lieutenant Governor, and your service has proven that the people's trust and confidence was well placed. You have performed your duties with the utmost consideration for all of us, and with a firm and definite purpose. You have presided over this Senate with a dignity and a patience that has caused our deliberations to run ever smoothly.

That we may express ourselves outwardly, and that you may have lasting evidence of our deep affection for you, it is my pleasure, on behalf of the members of the Senate, to present you with this gift.

Lieutenant Governor Evans, in accepting, said:

Thank you, Senator Hill and Members of the Senate. The honor

has been mine in serving with you as your presiding officer. I deeply appreciate the courtesy and consideration you have shown me during this session. I do not recall that an appeal has been made on any decision of the chair.

This gift is beautiful. Something I will long treasure and I thank you for it. .

Senator Hill called up Senate File 436, a bill for an act to provide for the general welfare of public employees by establishing an old age and survivor insurance system; to provide for the administration of such system; to provide for deductions from pay of public employees and contributions from the state, political subdivisions and other instrumentalities of the state and all political subdivisions thereof including public school districts to raise funds for such retirement system; to repeal conflicting laws and to declare an emergency, amended by the House, and moved that the Senate concur in the following House amendments to Senate File 436:

HOUSE AMENDMENTS TO SENATE FILE 436

Amend section six (6), line eight (8), by striking therefrom the word "Insurance".

Amend section six (6), paragraph "A", line two (2), by striking therefrom the words ", excepting the state of Iowa,".

Amend section nine (9), line seven (7), by inserting after the word "deducted," the word "adjustments".

Amend section twelve (12), line six (6), by striking therefrom the word "Insurance".

Amend section twenty (20) by striking all of subsection "(b) (3)" thereof.

Amend section twenty (20), subsection "(2) (m)", by striking from lines three (3), four (4) and five (5) the following: "employees of the State Board of Education who on or after the effective date of this act holds a position of assistant professor or higher".

Amend the title by striking all after the word "system" in line nine (9) and inserting in lieu thereof the following: "and to repeal conflicting laws."

The motion prevailed and the Senate concurred in the House amendments.

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	Findlay	Klein	Pine
Barkley	Foster	Knudson	Reilly
Bekman	Hart	Leo	Rockhill
Benson	Harvey	Long	Schluter
Berg	Hawkins	Love	Sharp
Byers	Henningsen	Lucas	Shaw
Clem	Hill	Martin	Sjulin
Cromwell	Hultman	Mercer	Vittetoe
Dewel	Jacobson	Miller	Vrba
Doud	Jones	Mowry	Watson
Dykhouse	Keir	Newsome	White
Elthon			

Nays, 2:

Faul Lynes

Absent or not voting, 2:

Ritchie 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.

Senator Dykhouse called up Senate File 412, a bill for an act to legalize an election held in the city of Sibley, Iowa, on March 12, 1945, for the annexation of certain unplatted real estate of the city of Sibley, Osceola county, Iowa, amended by the House, and moved that the Senate concur in the following House amendments:

Amend the first "WHEREAS" line 1 by striking therefrom the words "regular school" and inserting in lieu thereof the words "special city", and by striking from line 3 thereof the words "Independent School District" and inserting in lieu thereof the word "city".

Amend the third "WHEREAS" line 2 by striking therefrom the words "school district" and inserting in lieu thereof the words "city of Sibley".

Amend the sixth "WHEREAS" lines 7 and 8 by striking therefrom the words: "which was the polling places of the independent school district".

Amend section 1, lines 1 and 2, by striking therefrom the words "Independent School District" and inserting in lieu thereof the word "city".

The motion prevailed and the Senate concurred in the House amendments to Senate File 412.

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	Hart	Leo	Reilly
Barkley	Harvey	Long	Ritchie
Bekman	Hawkins	Love	Rockhill
Benson	Henningsen	Lucas	Schluter
Berg	Hill	Lynes	Sharp
Byers	Hultman	Martin	Shaw
Clem	Jacobson	Mercer	Sjulin
Cromwell	Jones	Miller	Vittetoe
Dewel	Keir	Mowry	Vrba
Doud	Klein	Newsome	Watson
Dykhouse	Knudson	Pine	White
Findlay			

Nays, none.**Absent or not voting, 4:**

Elthon	Faul	Foster	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 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.

ADDITIONAL COPIES

Senator Hill asked and received unanimous consent to have 5000 copies of Senate File 436 as passed, printed.

RESIGNATION OF MEMBERS OF CONFERENCE COMMITTEE ON HOUSE FILE 448**MR. PRESIDENT:**

We, the undersigned senators desire to withdraw from the conference committee on House File 448.

JOHN P. BERG.
IRVING D. LONG.

The resignations were accepted and the President appointed Senators Bekman and Elthon as members of the conference committee on House File 448.

Senator Cromwell took the chair at 11:45 a. m.

THIRD READING OF BILLS

On motion of Senator Faul, House File 228, a bill for an act to amend section six thousand six hundred ten and fifty-eight hundredths (6610.58), Code, 1939, relating to trackless trolleys, fees and taxes and to increase the license fee for tax, was taken up and considered.

Senator Lynes asked and received unanimous consent to withdraw the amendment to House File 228 filed by him on March 28 and found on page 815 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, 46:

Augustine	Faul	Long	Ritchie
Barkley	Findlay	Love	Rockhill
Bekman	Hart	Lucas	Schluter
Benson	Harvey	Lynes	Sharp
Berg	Henningsen	Martin	Shaw
Byers	Hill	Mercer	Sjulin
Clem	Hultman	Miller	Vittetoe
Cromwell	Jacobson	Mowry	Vrba
Dewel	Jones	Newsome	Watson
Doud	Keir	Pine	White
Dykhouse	Klein	Reilly	Zastrow
Elthon	Leo		

Nays, none.

Absent or not voting, 3:

Foster	Hawkins	Knudson
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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 Speaker of the House has appointed as members of the conference committee on the part of the House for House File 460, relating to officers and employees of the General Assembly, Representatives Wormley, Farmer, Kruse and Morrissey.

Also: That the House refuses to concur in Senate amendments to House File 451, a bill for an act relating to salaries of superintendents of state hospitals under the board of control.

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

Senate File 103, a bill for an act relating to unemployment compensation.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 195, a bill for an act relating to old age assistance funeral expenses.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 195

Amend section one (1) by adding after the period immediately following the word "vault" at the end of said section the following: "Provided that said additional expense shall not be paid by the state of Iowa."

HOUSE MESSAGES CONSIDERED

House File 476, a bill for an act making an appropriation for payment of miscellaneous expenses of the Fifty-first General Assembly.

Read first and second times and referred to the sifting committee.

House File 478, a bill for an act to amend chapter two hundred nine (209), Acts of the Forty-ninth General Assembly, relating to levy of taxes for airports.

Read first and second times and referred to the sifting committee.

EXECUTIVE SESSION

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

The Senate, in executive session, confirmed the following appointments:

H. Sam Love, of Adair county, as a member of the Board of Social Welfare.

E. W. Carlsen, of Clayton county, as a member of the Board of Control.

Wm. H. Jeffries, of Polk county, as a member of the Iowa Development Commission.

Arthur Poe, of Linn county, as a member of the Iowa Development Commission.

William Yungclas, of Hamilton county, as a member of the Iowa Development Commission.

Malcolm Lomas, of Montgomery county, as a member of the Iowa Development Commission.

Seth Barker, of Wapello county, as a member of the Iowa Development Commission.

G. L. Weesenberger, of Lee county, as a member of the Iowa Development Commission.

A. D. Clem, of Woodbury county, as a member of the Iowa Development Commission.

G. R. Hill, of Wright county, as a member of the Iowa Development Commission.

Lloyd A. Meyer, of Jackson county, as a member of the Iowa Development Commission.

Herman Walter, of Pottawattamie county, as a member of the Iowa Development Commission.

Harlan Girton, of Cerro Gordo county, as a member of the Iowa Development Commission.

The Senate arose from executive session and resumed regular session.

On motion of Senator Hill, the Senate recessed until 2:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Evans presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Vittetoe for the balance of the day on request of Senator Mowry.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

House File 478.

House File 28.

The following bill is subject to being referred to the appropriations committee under Rule 21:

House File 476.

STANLEY L. HART, *Chairman.*

HOUSE MESSAGES CONSIDERED

Senator Long called up House File 451, a bill for an act to amend sections three thousand three hundred eighty-eight (3388), three thousand four hundred three (3403), three thousand four hundred sixty-six (3466) and three thousand four hundred eighty-six (3486), Code, 1939, relating to salaries of superintendents of state hospitals under the board of control, and moved that the Senate insist upon its amendments to House File 451.

The motion prevailed and the Senate insisted upon its amendments to House File 451.

CONFERENCE COMMITTEE APPOINTED

The President appointed Senators Lucas, Ritchie, Watson and Rockhill on the part of the Senate on House File 451.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Concurrent Resolution 26, providing for the payment of miscellaneous expense of the 51st General Assembly.

Also: That the Speaker of the House has appointed as a second conference committee on House File 448, a bill for an act making an appropriation for the state board of education, Representatives Colburn, Miller, Palmer and Van Eaton. A. C. GUSTAFSON, *Chief Clerk*.

HOUSE CONCURRENT RESOLUTION 26

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, Acts of the Forty-ninth General Assembly:

SENATE

Iowa Paper Box Company (supplies).....	\$ 1.80
Railway Express Agency (express charge)	1.79

HOUSE

Floyd Woodard (expense for Memorial Session).....	10.00
Koch Brothers (supplies)	29.50
A. C. Gustafson (postage and miscellaneous expense).....	26.60

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.

Senator Long asked and received unanimous consent that rules 21 and 23 be suspended and that House File 476 be taken up at this time.

THIRD READING OF BILLS

On motion of Senator Long, House File 476, a bill for an act making an appropriation for payment of miscellaneous expenses of the Fifty-first General Assembly, was taken up and considered.

Senator Long offered the following amendment and moved its adoption:

Amend House File 476 by striking section 5.

The amendment was adopted.

Senator Henningsen offered the following amendment and moved its adoption:

Amend House File 476 by striking section 6.

Senator Henningsen asked and received unanimous consent to withdraw the amendment.

Senator Henningsen offered the following amendment and moved its adoption:

Amend House File 476 by adding to section 6 under the word "Senate" the following:

"Ethel Preston (Ways and Means).....\$25.00"

And also by adding:

"Palma Quanrude (Claims).....\$25.00"

The amendment was adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend House File 476 by adding to section 6 under the word "Senate" the following:

"Betty Morford (Floor Leader).....\$25.00"

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, 46:

Augustine	Faul	Klein	Newsome
Barkley	Findlay	Knudson	Reilly
Bekman	Foster	Leo	Ritchie
Benson	Hart	Long	Rockhill
Berg	Harvey	Love	Schluter
Byers	Hawkins	Lucas	Shaw
Clem	Henningsen	Lynes	Sjulin
Cromwell	Hill	Martin	Vrba
Dewel	Hultman	Mercer	Watson
Doud	Jacobson	Miller	White
Dykhouse	Jones	Mowry	Zastrow
Elthon	Keir		

Nays, none.

Absent or not voting, 3:

Pine	Sharp	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.

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 Berg, House File 478, a bill for an act to amend chapter two hundred nine (209), Acts of the Forty-ninth General Assembly, relating to levy of taxes for airports, 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, 42:

Augustine	Elthon	Jones	Reilly
Barkley	Faul	Klein	Ritchie
Bekman	Findlay	Knudson	Rockhill
Benson	Foster	Leo	Schluter
Berg	Hart	Long	Shaw
Byers	Harvey	Love	Sjulin
Clem	Hawkins	Lynes	Vrba
Cromwell	Henningsen	Martin	Watson
Dewel	Hill	Miller	White
Doud	Hultman	Newsome	Zastrow
Dykhouse	Jacobson		

Nays, none.

Absent or not voting, 7:

Keir	Mercer	Pine	Vittetoe
Lucas	Mowry	Sharp	

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.

BILL WITHDRAWN FROM FURTHER CONSIDERATION

Senator Berg asked and received unanimous consent to withdraw from further consideration of the Senate, Senate File 446, a companion bill to House File 478.

SECOND CONFERENCE COMMITTEE APPOINTED ON HOUSE FILE 448

The conference committee appointed on House File 448 having failed to reach an agreement was discharged and the President appointed as a second conference committee on the part of the Senate, Senators Shaw, Hultman, Clem and Faul.

THIRD READING OF BILLS

On motion of Senator Newsome, House File 416, a bill for an act to authorize the purchase of and payment for certain real estate in Wayne county, Iowa, and to provide for the supervision thereof, was taken up and considered.

Senator Newsome moved that the bill be read a third 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	Keir	Ritchie
Barkley	Faul	Klein	Rockhill
Bekman	Findlay	Knudson	Schluter
Benson	Foster	Leo	Sharp
Berg	Hart	Long	Shaw
Byers	Harvey	Martin	Sjulin
Clem	Hawkins	Mercer	Vrba
Cromwell	Henningsen	Miller	Watson
Dewel	Hill	Mowry	White
Doud	Hultman	Newsome	Zastrow
Dykhousc	Jones	Reilly	

Nays, none.

Absent or not voting, 6:

Jacobson	Lucas	Pine	Vittetoe
Love	Lynes		

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

Senator Newsome moved that the vote by which the 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, House File 256, a bill for an act to repeal section four hundred ninety (490), and to amend chapter thirty-three and section four hundred eighty-nine (489), Code, 1939, relating to memorial halls and Monuments for Soldiers, Sailors and Marines and to provide for a tax levy for maintenance and construction, 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, 45:

Augustine	Faul	Keir	Reilly
Barkley	Findlay	Klein	Ritchie
Bekman	Foster	Leo	Rockhill
Benson	Hart	Long	Schluter
Berg	Harvey	Love	Sharp
Byers	Hawkins	Lucas	Shaw
Clem	Henningsen	Martin	Sjulin
Cromwell	Hill	Mercer	Vrba
Dewel	Hultman	Miller	Watson
Doud	Jacobson	Mowry	White
Dykhouse	Jones	Newsome	Zastrow
Elthon			

Nays, none.

Absent or not voting, 4:

Knudson	Lynes	Pine	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 Miller moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

HOUSE AMENDMENTS CONSIDERED

Senator Sharp called up Senate File 195, a bill for an act to amend subsection four (4), 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), section nine (9), chapter one hundred forty-six (146), Acts of the Forty-ninth General Assembly, and section one (1), chapter one hundred thirty-six (136), Acts of the Fiftieth General Assembly; relating to old age assistance funeral expenses, amended by the House, and moved that the Senate concur in the following House amendment:

Amend section 1 by adding after the period immediately following the word "vault" at the end of said section the following: "Provided that said additional expense shall not be paid by the state of Iowa."

The motion prevailed and the Senate concurred in the House amendment.

Senator Sharp moved that the bill be read a third 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	Klein	Reilly
Barkley	Findlay	Knudson	Rockhill
Bekman	Foster	Leo	Schluter
Benson	Hart	Long	Sharp
Berg	Harvey	Love	Shaw
Byers	Henningsen	Martin	Sjulin
Clem	Hill	Mercer	Vrba
Cromwell	Hultman	Miller	Watson
Dewel	Jacobson	Mowry	White
Dykhouse	Jones	Newsome	Zastrow
Elthon	Keir		

Nays, none.

Absent or not voting, 7:

Doud	Lucas	Pine	Vittetoe
Hawkins	Lynes	Ritchie	

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

Senator Sharp moved that the 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 concurred in Senate amendments to and passed House Concurrent Resolution 25, providing for an investigation of the judicial districts of 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 388, a bill for an act relating to state aid to schools and providing an appropriation therefor. A. C. GUSTAFSON, *Chief Clerk*.

HOUSE AMENDMENTS TO SENATE FILE 388

Amend by striking all of section five (5) and substituting in lieu thereof the following:

"Sec. 5. Supplementary aid shall be on the basis of per school census child and shall be computed and determined as follows:

1. Multiply seventy-five dollars (\$75.00) by the combined number of non-tuition elementary students in average daily attendance and average number of elementary students for which the district pays tuition to another district.

2. Multiply one hundred twenty-five dollars (\$125.00) by the combined number of non-tuition high school students in average daily at-

tendance and average number of high school students for which the district pays tuition to another district.

3. Take the sum of the amounts found in paragraphs one (1) and two (2) of this section.

4. From this sum, subtract the receipts in the general fund, which are described in paragraph two (2) of section four (4).

5. Divide the remainder obtained in paragraph four (4) by the school census to determine the amount per census child to which the district may be entitled in supplementary aid."

Amend section eight (8) by adding at the end thereof the following: "The necessary expense incurred by the department of public instruction in the administration of this act may be paid from the appropriation provided by this act."

Amend the title by striking the period at the end thereof and adding the following: "; and providing for an appropriation for such aid and the expenses of administering same."

THIRD READING OF BILLS

On motion of Senator Mercer, House File 28, a bill for an act to amend sections five hundred sixty (560) and seven hundred thirty-eight (738), Code, 1939, relating to compensation of judges and clerks of elections, 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, 40:

Augustine	Elthon	Keir	Reilly
Barkley	Faul	Klein	Rockhill
Bekman	Findlay	Knudson	Schluter
Benson	Hart	Long	Sharp
Berg	Harvey	Love	Shaw
Byers	Henningsen	Martin	Sjulin
Clem	Hill	Mercer	Vrba
Cromwell	Hultman	Miller	Watson
Dewel	Jacobson	Mowry	White
Dykhouse	Jones	Newsome	Zastrow

Nays, none.

Absent or not voting, 9:

Doud	Leo	Lynes	Ritchie
Foster	Lucas	Pine	Vittetoe
Hawkins			

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.

HOUSE AMENDMENTS CONSIDERED

Senator Keir called up Senate File 388, a bill for an act to provide for the use of state funds to supplement funds of school districts in support of education; and to repeal section three thousand nine hundred two (3902), Code, 1939, relating to state aid to schools, amended by the House, and moved that the Senate concur in the House amendments to Senate File 388.

The motion prevailed, and the Senate concurred in the House amendments.

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	Faul	Keir	Reilly
Barkley	Findlay	Klein	Ritchie
Bekman	Hart	Knudson	Rockhill
Benson	Harvey	Long	Schluter
Berg	Hawkins	Lucas	Sharp
Byers	Henningsen	Martin	Shaw
Clem	Hill	Mercer	Sjulin
Cromwell	Hultman	Miller	Vrba
Dewel	Jacobson	Mowry	Watson
Dykhouse	Jones	Newsome	White
Elthon			

Nays, none.

Absent or not voting, 8:

Doud	Leo	Lynes	Vittetoe
Foster	Love	Pine	Zastrow

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

On motion of Senator Watson, House File 247, a bill for an act to amend section five thousand six hundred sixty-nine (5669), Code, 1939, relating to compensation of city assessors, in cities under the commission form of government and in cities of the first class, 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, 39:

Augustine	Faul	Jones	Reilly
Bekman	Findlay	Keir	Rockhill
Benson	Foster	Klein	Schluter
Berg	Hart	Knudson	Sharp
Byers	Harvey	Long	Shaw
Clem	Hawkins	Lynes	Sjulin
Cromwell	Henningesen	Martin	Vrba
Dewel	Hill	Mercer	Watson
Doud	Hultman	Miller	White
Dykhous	Jacobson	Mowry	

Nays, none.

Absent or not voting, 10:

Barkley	Love	Pine	Vittetoe
Elthon	Lucas	Ritchie	Zastrow
Leo	Newsome		

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

The following communication was received:

LIEUTENANT GOVERNOR KENNETH A. EVANS

Senate Chamber,

Des Moines, Iowa.

Dear Lieutenant Governor Evans:

Just a little note to tell you your kind thought and beautiful flowers meant so much to me. I was hoping I would be back to express my appreciation in person before the session ends, but that is out of the question now.

Thanks again.

Sincerely,

Marie Spencer.

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 330 and 335, and House Files 125, 164, 168, 200, 218, 447, 456, and 464.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *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 330 and 335, and House Files 125, 164, 168, 200, 218, 447, 456, and 464.

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 12th day of April, 1945, sent to the Governor for his approval, Senate Files 335 and 330. ROBERT C. REILLY, *Chairman*.

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 11th he had approved the following bills:

Senate File 289, relating to the Iowa Great Lakes sewage disposal system in Dickinson county, Iowa.

Senate File 290, relating to the Iowa Great Lakes sewage disposal system in Dickinson county, Iowa, and the State Conservation Commission.

Senate File 416, relating to appropriations to various named persons.

EXECUTIVE SESSION

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

The Senate in executive session confirmed the following appointment:

Chas. W. Harness, of Wapello county, as state labor commissioner.

The Senate arose from executive session and resumed regular session.

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

The Senate resumed regular session, President Evans presiding.

Prayer was offered by the Reverend Le Roy L. Weis, pastor of the Wesley Methodist church, Des Moines, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Benson, from residents of Greene county, favoring local option.

By Senator Hart, from residents of Lee county, favoring proposed occupational disease legislation.

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

HOUSE CONCURRENT RESOLUTION 26

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, Acts of the Forty-ninth General Assembly:

SENATE

Iowa Paper Box Company (Supplies).....	\$ 1.80
Railway Express Agency (Express Charge).....	1.79

HOUSE

Floyd Woodard (expense for Memorial Session).....	10.00
Koch Brothers (supplies).....	29.50
A. C. Gustafson (postage and miscellaneous exp.).....	26.60

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.

Senator Long offered the following amendment and moved its adoption:

Amend House Concurrent Resolution 26 by adding after "Railway Express Agency" the following:

"W. J. Scarborough, Secretary of Senate (miscellaneous expense).....	\$15.10
Koch Brothers (supplies for the Senate).....	18.71"

The amendment was adopted.

The resolution as amended was adopted.

BILLS WITHDRAWN FROM FURTHER CONSIDERATION

Senator Reilly asked and received unanimous consent to withdraw from further consideration of the Senate, Senate File 280.

Senator Findlay asked and received unanimous consent to withdraw from further consideration of the Senate, Senate File 437.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I beg leave to inform your honorable body that the Speaker of the House has appointed as members of the conference committee on the part of the House for House File 451, a bill for an act relating to salaries of superintendents of state hospitals under board of control, Representatives Heffner, Gardner of Linn, Poston and Kuester.

Also: That the House has adopted the conference committee report and the provisions recommended therein and passed House File 460, a bill for an act relating to officers and employees of the General Assembly.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 31, a bill for an act providing for licensing, inspection, control and regulation of barber shops and barber schools.

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

Senate File 114, a bill for an act providing for an additional deputy industrial commissioner.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 254, a bill for an act relating to plats.

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

Senate File 442, a bill for an act legalizing appointments of certain public officials by the Governor.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 326, a bill for an act relating to employment of persons under 16 years of age.

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 relating to investments by fraternal beneficiary associations.

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

Senate File 394, a bill for an act relating to chauffeurs over 16 years of age and under 18 years.

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

House Concurrent Resolution 27, providing for a joint convention of the Senate and the House to be held at eleven o'clock today as a memorial and tribute to our late President. A. C. GUSTAFSON, *Chief Clerk*.

CONFERENCE COMMITTEE REPORT ON HOUSE FILE 460

MR. SPEAKER AND MR. PRESIDENT:

We, your conference committee appointed to compose the difference between the House and the Senate on House File 460, beg leave to submit the following report:

Amend the Senate amendment by striking from lines five (5) and six (6) the words "a period not to exceed thirty (30) days", and inserting in lieu thereof the following: "such period as may be necessary".

Further amend by striking from the last line of said amendment the figures "\$2000" and inserting in lieu thereof the words and figures "three thousand dollars (\$3,000.00)".

LEO ELTHON.

A. J. SHAW.

CARL SJULIN.

ROBT. W. HARVEY.

Senate Committee.

HENRY W. WORMLEY.

GEORGE E. FARMER.

EDW. J. MORRISSEY.

WILLIAM KRUSE.

House Committee.

HOUSE AMENDMENT TO SENATE FILE 326.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Amend section one thousand five hundred thirty-six (1536), Code, 1939, by adding after the first paragraph the following:

'Provided, however, boys from 12 to 16 years of age may be employed in bowling alleys where no beer is sold, if they have a work permit as required by section 1531.'"

HOUSE AMENDMENTS TO SENATE FILE 254

Amend section five (5), line five (5), by striking therefrom the word "twenty-five" and inserting in lieu thereof the word "twelve".

Amend section six (6), line five (5), by striking therefrom the word "twenty-five" and inserting in lieu thereof the word "twelve".

Amend the title by striking from the last line thereof the word "twenty-five" and inserting in lieu thereof the word "twelve".

HOUSE AMENDMENT TO SENATE FILE 31

Amend Senate File 31 by striking lines 3 and 4 of section 2.

HOUSE CONCURRENT RESOLUTION 27

Whereas, The entire nation and the world was plunged in great sorrow late yesterday upon the announcement of the death of our President, and

Whereas, It would seem fitting in these tragic hours that we pause in our deliberations to pay tribute to him, now therefore,

Be It Resolved By the House, the Senate Concurring: That the President of the Senate appoint two members of the Senate and the Speaker of the House appoint two members of the House to draft suitable resolutions commemorating his life and public service to the nation.

Be It Further Resolved, That the committee herein appointed make its report to a joint convention of the Senate and the House, and

Be It Further Resolved, That all departments of state be requested to remain closed during the two-hour period beginning with the convening of said joint convention.

PRESENTATION OF VISITORS

Senator Miller asked and received unanimous consent to present to the Senate 26 members of the 8th grade class of Waukees junior high school who were present in the balcony with their teacher.

Senator Rockhill asked and received unanimous consent to present to the Senate the senior class of the St. Anthony high school who were present in the balcony with their teacher.

Senator Knudson asked and received unanimous consent to present to the Senate the senior class of the Garner high school who were present in the balcony.

HOUSE AMENDMENTS CONSIDERED

Senator Cromwell called up Senate File 326, a bill for an act to amend section one thousand five hundred thirty-six (1536), Code, 1939, relating to the employment of persons under sixteen (16) years of age, amended by the House, and moved that the Senate concur in the following House amendment:

HOUSE AMENDMENT TO SENATE FILE 326

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Amend section one thousand five hundred thirty-six (1536), Code, 1939, by adding after the first paragraph the following:

'Provided, however, boys from 12 to 16 years of age may be employed in bowling alleys where no beer is sold, if they have a work permit as required in section 1531.'"

The motion prevailed and the Senate concurred in the House amendment.

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

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

Ayes, 36:

Augustine	Dykhouse	Jones	Mowry
Bekman	Findlay	Keir	Pine
Benson	Foster	Klein	Reilly
Berg	Hart	Knudson	Rockhill
Byers	Harvey	Long	Schluter
Clem	Hawkins	Love	Sharp
Cromwell	Henningsen	Martin	Shaw
Dewel	Hill	Mercer	Vrba
Doud	Hultman	Miller	White

Nays, 1:

Sjulin

Absent or not voting, 12:

Barkley	Jacobson	Lynes	Vittetoe
Elthon	Leo	Newsome	Watson
Faul	Lucas	Ritchie	Zastrow

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

Senator Byers called up Senate File 31, a bill for an act to provide for the licensing, inspection, control and regulation of barber shops and barber schools, amended by the House, and moved that the Senate concur in the following House amendment:

HOUSE AMENDMENT TO SENATE FILE 31

Amend Senate File 31 by striking lines 3 and 4 of section 2.

The motion prevailed and the Senate concurred in the House amendment.

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	Dykhouse	Jones	Mowry
Bekman	Elthon	Keir	Pine
Benson	Findlay	Klein	Reilly
Berg	Hart	Knudson	Schluter
Byers	Harvey	Long	Sharp
Clen.	Hawkins	Love	Sjulin
Cromwell	Henningsen	Martin	Vrba
Dewel	Hill	Mercer	White
Doud	Hultman	Miller	

Nays, none.

Absent or not voting, 14:

Barkley	Leo	Ritchie	Vittetoe
Faul	Lucas	Rockhill	Watson
Foster	Lynes	Shaw	Zastrow
Jacobson	Newsome		

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 Martin called up Senate File 254, a bill for an act to amend sections six thousand two hundred seventy (6270), six thousand two hundred seventy-two (6272), six thousand two hundred seventy-eight and one tenth (6278.1), six thousand two hundred eighty (6280), six thousand two hundred eighty-nine (6289), and six thousand two hundred ninety-three (6293), Code, 1939, relating to plats, and to provide for closer supervision of the platting of additions in cities and towns including cities acting under special charter and to require approval of auditor's plats in cities, cities acting under special charter, and towns having over twenty-five thousand population, amended by the House, and moved that the Senate concur in the following House amendments:

HOUSE AMENDMENTS TO SENATE FILE 254

Amend section 5, line 5, by striking therefrom the word "twenty-five" and inserting in lieu thereof the word "twelve".

Amend section 6, line 5, by striking therefrom the word "twenty-five" and inserting in lieu thereof the word "twelve".

Amend the title by striking from the last line thereof the word "twenty-five" and inserting in lieu thereof the word "twelve".

The motion prevailed and the Senate concurred in the House amendments.

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

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

Ayes, 35:

Augustine	Clem	Elthon	Hawkins
Bekman	Cromwell	Findlay	Henningsen
Benson	Dewel	Foster	Hill
Berg	Doud	Hart	Jones
Byers	Dykhouse	Harvey	Keir

Klein
Knudson
Long
Love

Lynes
Martin
Miller
Mowry

Pine
Reilly
Schluter
Sharp

Sjulin
Vrba
White

Nays, none.

Absent or not voting, 14:

Barkley
Faul
Hultman
Jacobson

Leo
Lucas
Mercer
Newsome

Ritchie
Rockhill
Shaw

Vittetoe
Watson
Zastrow

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.

CONFERENCE REPORT ADOPTED

Senator Elthon called up the conference committee report on House File 460, a bill for an act to amend chapter two (2), Code, 1939, relating to officers and employees of the General Assembly, and moved its adoption.

The motion prevailed and the report was adopted.

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

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

Ayes, 35:

Augustine
Bekman
Benson
Berg
Byers
Clem
Cromwell
Dewel
Doud

Dykhouse
Elthon
Findlay
Foster
Hart
Harvey
Hawkins
Henningsen
Hill

Jones
Keir
Klein
Knudson
Long
Love
Mercer
Miller
Mowry

Newsome
Pine
Reilly
Schluter
Sharp
Sjulin
Vrba
White

Nays, none.

Absent or not voting, 14:

Barkley
Faul
Hultman
Jacobson

Leo
Lucas
Lynes
Martin

Ritchie
Rockhill
Shaw

Vittetoe
Watson
Zastrow

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

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

Senator Hill called up the following resolution:

HOUSE CONCURRENT RESOLUTION 27

Whereas, The entire nation and the world was plunged in great sorrow late yesterday upon the announcement of the death of our President, and

Whereas, It would seem fitting in these tragic hours that we pause in our deliberations to pay tribute to him, now therefore,

Be It Resolved by the House, the Senate Concurring: That the President of the Senate appoint two members of the Senate and the Speaker of the House appoint two members of the House to draft suitable resolutions commemorating his life and public service to the nation.

Be It Further Resolved: That the committee herein appointed make its report to a joint convention of the Senate and the House, and

Be It Further Resolved: That all departments of state be requested to remain closed during the two-hour period beginning with the convening of said joint convention.

On motion of Senator Mercer, the resolution was unanimously adopted.

President Evans appointed on the part of the Senate in accordance with the resolution duly adopted, Senators Hill and Mercer.

COMMITTEE TO NOTIFY THE HOUSE

The President appointed as a committee to notify the House that the Senate was ready to meet in joint session in accordance with House Concurrent Resolution 27, Senators Byers and Augustine.

Senator Hart and Senator Byers presented each member of the Senate with a white carnation to be worn in commemoration of the death of President Franklin D. Roosevelt.

The committee appointed to notify the House returned 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 SESSION

In accordance with House Concurrent Resolution 27, duly

adopted, the Joint Convention was called to order, President Evans of the Senate presiding.

President Evans announced a quorum present and the Joint convention duly organized.

Less of Dubuque moved that a committee of three be appointed to notify the Governor of Iowa that the joint convention was ready to receive him.

Motion prevailed and the President appointed Senator Vrba of Howard, and Representatives Less of Dubuque and Frederickson of Palo Alto.

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

Poston of Wayne offered the following resolution, asked and obtained unanimous consent for its immediate consideration, and moved its adoption:

RESOLUTION OF JOINT CONVENTION

Be It Resolved by the General Assembly of the State of Iowa, meeting in joint session: That with all other Americans we have heard with deep sorrow of the great bereavement that has befallen this nation and the world in the loss of our great President at this most eventful period in our national history. Regardless of party affiliation we all bow in sincere sorrow and profound grief at the untimely passing of Franklin Delano Roosevelt whose great leadership was most outstanding and most essential to all the world in these most trying and crucial times. We recognize the devoted patriotism, the arduous labors, the zeal for liberty for all men everywhere, which characterized his untiring service for humanity.

Therefore, Be It Resolved by the Senate, the House Concurring: That in behalf of all the people of this Commonwealth we express our deep sorrow in the loss of this great American and our most sincere sympathy to his bereaved widow and family.

Be It Further Resolved: That the portraits of President Roosevelt now in the Senate and House chambers shall be suitably draped in crepe for a period of at least thirty days.

Be It Further Resolved: That a copy of this Resolution be duly certified and permanently preserved in the office of the Secretary of State, and that a copy so certified be sent to Mrs. Roosevelt.

Resolution adopted.

Prayer was offered by the Reverend Allen O. Birchenough, rector of the St. Marks Episcopal church, Des Moines, Iowa.

President Evans presented Governor Robert D. Blue, who delivered the following address:

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE SENATE AND OF THE HOUSE OF REPRESENTATIVES OF THE FIFTY-FIRST GENERAL ASSEMBLY:

It is hard for us at this moment to realize the full extent of the tragedy that the people of America and of the world face, because of the loss of leadership caused by the death of the President of the United States.

Today, the people of Iowa together with the people of the nation and the world bow in mourning over his sudden passing. The cause of freedom throughout the world has suffered the loss of a great friend.

We are living in troublous times. We are reaching the time when we can begin to see the end of the war in Germany. We have been making great strides in the Pacific war. Today we face the need of leadership here in this country able to understand the problems which will be confronting us and other nations in the meeting at San Francisco called for the purpose of discussing the framework of a new world peace.

At this moment we are faced with the problems of furnishing the world with food, and of restoring the devastated countries of the whole world. We face the task here at home of demobilizing some eleven million people—men and women, as well as providing employment for some eighteen to twenty million men and women who are now engaged in war work.

It seems inevitable that there will be a certain amount of delay in the field of world affairs and in the domestic affairs here in the United States. Doubtless, many of the agreements that were made in the realm of international affairs were known completely only to the President. There will have to be new contacts made. There will have to be new understandings reached. So today, the people of Iowa with the rest of the freedom-loving people of the world bow their heads in mourning without regard to previous differences of opinion. We mourn the loss of our President.

We, who are assembled here, can and do pledge our support to the new President of the United States. We are determined that the cause of freedom must go on to a complete and final victory, and that the cause of a lasting peace must not falter.

So we have gathered here this morning to pay our respects to our wartime leader who has fallen. I can think of no more fitting words than those of Walt Whitman, written when another president, Abraham Lincoln, passed into the great beyond as a result of an assassin's bullet. Conditions, so far as the affairs of this country are concerned, are quite similar to those at the close of the Civil War at the time of Lincoln's death:

O CAPTAIN! MY CAPTAIN!

O Captain! my Captain! our fearful trip is done;
The ship has weather'd every rack, the prize we sought is won;
The port is near, the bells I hear, the people all exalting,
While follow eyes the steady keel, the vessel grim and daring.

But O heart! heart! heart!

O the bleeding drops of red,

Where on the deck my Captain lies,

Fallen cold and dead.

O Captain! my Captain! rise up and hear the bells;
Rise up—for you the flag is flung—for you the bugle trills—
For you bouquets and ribbon'd wreaths—for you the shores a-crowding—
For you they call, the swaying mass, their eager faces turning.

Here, Captain! dear father!

This arm beneath your head!

It is some dream that on the deck

You've fallen cold and dead.

My Captain does not answer, his lips are pale and still;
My father does not feel my arm, he has no pulse nor will.
The ship is anchor'd safe and sound, its voyage closed and done;
From fearful trip the victor ship comes in with object won.

Exult, O shores! and ring, O bells!

But I with mournful tread

Walk the deck my Captain lies,

Fallen cold and dead.

Senator Reilly of Dubuque moved that the joint convention be now dissolved. Motion prevailed and the convention stood dissolved.

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

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

The Senate reconvened, President Evans presiding.

Senator Faul asked and received unanimous consent to express to Senators Hart and Byers, the appreciation of the members of the Senate for their thoughtful kindness in presenting the members of the Senate with the white carnations worn in commemoration of the death of President Roosevelt.

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 conference committee report and passed House File 448, a bill for an act providing for certain capital improvements in institutions under the board of education.

Also: That the House has adopted the conference committee reports and amendments contained therein and passed House File 451, a bill for an act relating to salaries of superintendents of state hospitals under the board of control.

Also: That the House has concurred in Senate amendments to and

passed House File 476, a bill for an act making appropriation for payment of miscellaneous expenses of the 51st General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

CONFERENCE COMMITTEE REPORT

MR. SPEAKER AND MR. PRESIDENT: Your conference committee of the House and Senate appointed for House File 448 to consider the differences between the House and Senate begs leave to report that they have studied the said bill and the said matter submitted to them and now report and recommend to the House and Senate as follows:

That the Senate recede from its amendment appropriating \$1,500,000.00 for psychopathic hospitals and accept the said bill as returned to it by the House as passed by the House.

Respectfully submitted,

J. C. COLBURN.

A. J. SHAW.

J. F. MILLER.

GEORGE FAUL.

C. A. PALMER.

A. D. CLEM.

CHARLES S. VAN EATON.

O. N. HULTMAN.

On the Part of the House.

On the Part of the Senate.

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE 451

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned members of the conference committee appointed on House File 451, make the following recommendations:

Amend the Senate amendment as follows:

Strike from lines 2 and 3, paragraph 1, the words, "thirty-six hundred" and insert in lieu thereof the words, "thirty-nine hundred".

Further amend by striking from lines 2 and 3, paragraph 2, the words, "thirty-six hundred" and insert in lieu thereof the words, "thirty-nine hundred".

Further amend by striking from lines 2 and 3, paragraph 3, the words, "thirty-six hundred" and insert in lieu thereof the words, "thirty-nine hundred".

Further amend by striking from line 3, paragraph 4, the words "thirty-six hundred" and insert in lieu thereof the words "thirty-nine hundred".

Respectfully submitted,

JOHN S. HEFFNER.

J. G. LUCAS.

JOHN R. GARDNER.

FRED J. RITCHIE.

G. T. KUESTER.

DE VERE WATSON.

EUGENE POSTON.

ROBERT A. ROCKHILL.

On the Part of the House.

On the Part of the Senate.

CONFERENCE REPORT ADOPTED

Senator Long called up the conference committee report on House File 448, a bill for an act to appropriate and set aside from the income, corporation and sales tax special fund for certain capital improvements in institutions under the state board of

education, including construction of new buildings, repairs, improvements, replacements or alteration, and providing for joint control of the expenditure of the funds by the state board of education and the joint legislative committee on retrenchment and reform of the state of Iowa, and providing for its investment by the state treasurer and the method of expenditure.

Senator Shaw moved the adoption of the report.

Senator Elthon asked and received unanimous consent that he be recorded as voting "No" on the adoption of the committee report.

Senator Berg asked and received unanimous consent that he be recorded as voting "No" on the adoption of the committee report.

The motion by Senator Shaw prevailed and the report of the conference committee was 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, 44:

Augustine	Elthon	Jones	Newsome
Barkley	Faul	Keir	Reilly
Bekman	Findlay	Klein	Ritchie
Benson	Foster	Knudson	Rockhill
Berg	Hart	Long	Schluter
Byers	Harvey	Love	Sharp
Clem	Hawkins	Lucas	Shaw
Cromwell	Henningsen	Martin	Sjulin
Dewel	Hill	Mercer	Vrba
Doud	Hultman	Miller	Watson
Dykhouse	Jacobson	Mowry	White

Nays, none.

Absent or not voting, 5:

Leo	Pine	Vittetoe	Zastrow
Lynes			

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.

Senator Long called up the conference committee report on House File 451, a bill for an act to amend sections three thousand

three hundred eighty-eight (3388), three thousand four hundred three (3403), three thousand four hundred sixty-six (3466) and three thousand four hundred eighty-six (3486), Code, 1939, relating to salaries of superintendents of state hospitals under the board of control, and moved the adoption of the report, which motion prevailed.

Senator Long moved the adoption of the amendments in the conference committee report, which motion prevailed, and the amendments were adopted.

President pro tempore Hart took the chair at 2:45 p. m.

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	Faul	Keir	Reilly
Barkley	Findlay	Klein	Ritchie
Bekman	Foster	Knudson	Rockhill
Benson	Hart	Long	Schluter
Berg	Harvey	Love	Sharp
Byers	Hawkins	Lucas	Shaw
Clem	Henningsen	Martin	Sjulin
Cromwell	Hill	Mercer	Vrba
Dewel	Hultman	Miller	Watson
Doud	Jacobson	Mowry	White
Dykhouse	Jones	Newsome	

Nays, none.

Absent or not voting, 6:

Elthon	Lynes	Vittetoe	Zastrow
Leo	Pine		

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.

PRESENTATION OF GIFT TO SECRETARY

Senator Clem asked and received unanimous consent that Senator Knudson be escorted to the rostrum.

Senator Clem escorted Senator Knudson to the rostrum, and on behalf of the members of the Senate, the employees and his many

friends, presented William J. Scarborough, "Bill", with a set of golf clubs.

President Evans took the chair at 3:00 p. m.

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 rejected the conference committee report on House File 50, a bill for an act relating to exemptions from taxation of property of members of the armed forces and the Speaker has appointed as members of the second conference committee, Representatives Parrish, McFarlane, Shepard and Putney.

A. C. GUSTAFSON, *Chief Clerk.*

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 fifty (50) relative to veterans' exemption from taxation, beg leave to report that we have had the matter under consideration and do make the following recommendations:

1. Amend paragraph numbered three (3) in the first part of section one (1) by striking the words and figures "one thousand (\$1,000)" and inserting in lieu thereof the words and figures "seven hundred fifty (\$750)".

2. Amend section two (2) by striking all of said section following the word "exemptions" in line three (3) and inserting in lieu thereof the following:

"to the persons described in paragraph numbered four (4) of section one (1), or persons entitled to claim exemptions by, through or under such persons".

3. Amend section three (3) by striking the words "such exemptions" in line five (5) and inserting in lieu thereof the words, "exemptions to the persons described in paragraph numbered four (4) of section one (1), or persons entitled to claim exemptions by, through, or under such persons."

Further amend said bill by adding thereto the following as a new section:

"Separability.

If any provision of this act or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the provisions or application of this act which can be given effect without the invalid provisions or application, and to this end the provisions of this act are declared to be severable."

Respectfully submitted,

TED SLOANE.

A. J. SHAW.

A. J. NIELSEN.

GEORGE FAUL.

ROBERT CARLSON.

J. T. DYKHOUSE.

THEO. KLEMESRUD.

On the Part of the Senate.

On the Part of the House.

INTRODUCTION OF BILLS

Senate Joint Resolution 11, by committee of the whole, a joint resolution suspending the operation of the provisions of section nine thousand ten (9010), Code, 1939, making it unlawful for two or more insurance companies doing business in this state entering into combinations or agreements relative to the rates to be charged for insurance within the state.

SECOND CONFERENCE COMMITTEE APPOINTED ON
HOUSE FILE 50

The Chair appointed Senators Long, Byers, Bekman and Hultman on the part of the Senate on House File 50.

On motion of Senator Bekman, the Senate resolved itself into a committee of the whole, for the consideration of Senate Joint Resolution 11.

The Senate arose from the committee of the whole and resumed regular session.

REPORT OF THE COMMITTEE OF THE WHOLE

Senator Bekman submitted the following report on Senate Joint Resolution 11, a resolution suspending the operation of the provisions of section nine thousand ten (9010), Code, 1939, making it unlawful for two or more insurance companies doing business in this state entering into combinations or agreements relative to the rates to be charged for insurance within the state, and recommends the same do pass.

THIRD READING OF BILLS

On motion of Senator Bekman, Senate Joint Resolution 11, suspending the operation of the provisions of section nine thousand ten (9010), Code, 1939, making it unlawful for two or more insurance companies doing business in this state entering into combinations or agreements relative to the rates to be charged for insurance within the state, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bekman 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:

On motion of Senator Elthon, the record on the roll call on Senate Joint Resolution 11 was expunged.

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 reports and amendments contained therein and passed House File 50, a bill for an act relating to exemptions from taxation of property of members of armed forces, their widows and children. A. C. GUSTAFSON, *Chief Clerk*.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT AND MR. SPEAKER:·

We, the undersigned members of the conference committee appointed on House File 50, make the following recommendations:

Amend the Senate amendment to House File 50 by amending paragraph 3 in the first part of section 1 by striking the words and figures "one thousand (\$1,000.00)" and inserting in lieu thereof the words and figures "seven hundred fifty (\$750.00)".

Further amend the Senate amendment to House File 50 by striking sections 2, 3, 4, 5 and 6.

Further amend the Senate amendments to House File 50 by striking therefrom the amendment to the title.

IRVING D. LONG.

FRANK C. BYERS.

O. N. HULTMAN.

E. K. BEKMAN.

On the Part of the Senate.

PAUL PARRISH.

ARCH W. MCFARLANE.

RAY E. SHEPARD.

LAWRENCE PUTNEY.

On the Part of the House.

THIRD READING OF BILLS

Senator Bekman called up for further consideration, Senate Joint Resolution 11.

Senator Bekman moved to reconsider the vote by which Senate Joint Resolution 11 went to its third reading, which motion prevailed.

Senator Bekman 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:

Senator Mowry moved that the vote by which Senate Joint Resolution 11 failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table.

Senator Faul moved as a substitute that the record on the roll call on Senate Joint Resolution 11 be expunged.

Roll call was demanded.

On the question "Shall the record on the roll call on Senate Joint Resolution 11 be expunged?" the vote was:

Ayes, 22:

Bekman	Dykhouse	Henningsen	Love
Berg	Elthon	Hill	Lucas
Byers	Faul	Keir	Mercer
Clem	Findlay	Knudson	Reilly
Dewel	Hart	Long	Schluter
Doud	Harvey		

Nays, 14:

Augustine	Jones	Newsome	Shaw
Benson	Klein	Ritchie	Vrba
Hawkins	Martin	Rockhill	White
Hultman	Mowry		

Absent or not voting, 13:

Barkley	Leo	Pine	Vittetoe
Cromwell	Lynes	Sharp	Watson
Foster	Miller	Sjulin	Zastrow
Jacobson			

The substitute motion prevailed and the record on the roll call was expunged.

Senator Long called up the conference committee report on House File 50, 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 the child or children of soldiers, sailors, marines and nurses, and moved the adoption of the report, which motion prevailed.

Senator Long moved the adoption of the amendments in the conference committee report on House File 50, which motion prevailed, and the amendments were 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, 40:

Augustine	Clem	Faul	Henningsen
Bekman	Dewel	Findlay	Hill
Benson	Doud	Hart	Hultman
Berg	Dykhouse	Harvey	Jacobson
Byers	Elthon	Hawkins	Jones

Keir	Lucas	Newsome	Shaw
Klein	Martin	Reilly	Sjulin
Knudson	Mercer	Ritchie	Vrba
Long	Miller	Rockhill	Watson
Love	Mowry	Schluter	White

Nays, none.

Absent or not voting, 9:

Barkley	Leo	Pine	Vittetoe
Cromwell	Lynes	Sharp	Zastrow
Foster			

The bill having received a constitutional majority was declared to have passed the Senate and the title, as amended, 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 Hart, the Senate recessed until the fall of the gavel.

The Senate reconvened, President Evans presiding.

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, 114, 254, 326, 360, 394, 442, 103, 195, 388, 412, 436, 443, 444 and 445, and House Files 28, 50, 118, 228, 247, 256, 416, 448, 451, 460, 471, 476 and 478.

ROBERT C. REILLY, *Chairman Senate Committee.*

CARL A. ANDERSON, *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, 114, 254, 326, 360, 394, 442, 103, 195, 388, 412, 436, 443, 444, and 445, and House Files 28, 50, 118, 228, 247, 256, 416, 448, 451, 460, 471, 476, and 478.

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 12th day of April, 1945, sent to the governor for his approval: Senate Files 31, 114, 254, 326, 360, 394, 442, 103, 195, 388, 412, 436, 443, 444 and 445.

ROBERT C. REILLY, *Chairman*.

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 12th he had approved the following bills:

Senate File 126, relating to expenditures by board of supervisors on property.

Senate File 291, relating to sanitary districts.

Senate File 330, relating to reorganization of school districts.

Senate File 335, relating to the acceptance of any bridge as a gift to the state.

Senate File 424, relating to the purchase of the toll bridge at Keokuk, Lee County, Iowa.

Senate File 427, relating to appropriations to certain named persons.

Senate File 428, relating to payment of claims in connection with the highway commission.

COMMITTEE TO NOTIFY THE GOVERNOR

- Senator Hill 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 Doud and Vrba.

COMMITTEE TO NOTIFY THE HOUSE

Senator Hill 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 Lucas and Rockhill.

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:

HONORABLE K. A. EVANS, LIEUTENANT GOVERNOR, AND
HONORABLE MEMBERS OF THE SENATE OF THE FIFTY-FIRST GENERAL
ASSEMBLY:

My dear Lieutenant Governor and Members of the Senate:

I have received your message advising that you have completed your work and are ready to adjourn. Please accept my thanks for your conscientious efforts and for the constructive legislative achievements of this session.

You have accomplished as much or more than any General Assembly in recent years. Through your efforts much has been accomplished in the field of school legislation, veterans legislation and welfare legislation, including a retirement act for public employees, and improvements in our laws for child welfare, old age assistance, workmen's compensation, unemployment compensation and blind assistance. You have provided for marketing news for our farmers, a new seed law, a cream grading law and an agricultural lime law. You have provided the means for improvements at our Board of Control Institutions which have been needed for more than a quarter of a century. You have provided for needed additions to the institutions of higher learning of this state. In the aggregate, you have wisely invested approximately twelve and one half million dollars for needed permanent capital improvements, which will also provide a cushion for the re-employment of returning veterans. These together with many other things, you have accomplished without increasing the income tax which would have levied twelve to fourteen million dollars additional taxes.

You have met in one of the most troubled times of world history. Burdened with your own business problems and anxiety over your sons and daughters in military service, you have courageously faced the abnormal, financial and social problems of our times. You have provided for the uncertain two years which lie ahead. I congratulate you.

But your service to the state does not end with the adjourning of the legislature. As leading citizens of your community and of the state, the people of Iowa and the nation look to you for sound thinking and leadership in the closing months of the war and during the vital and confusing period of reconstruction.

As you depart for your home, I wish for each of you and your family good health, peace and happiness.

The latch string to the Blue home always hangs out to you.

Sincerely yours,

ROBERT D. BLUE, *Governor.*

The report was accepted and the committee discharged.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to adjourn sine die.

FINAL ADJOURNMENT

The hour of five o'clock p. m., April 12, 1945, having arrived, President Kenneth A. Evans declared the Senate of the Fifty-first 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 326, which provided that boys from 12 to 16 years of age could be employed in bowling alleys. Also a copy of the letter of the Governor relative to the veto of House File 460, which provided for officers and employees of the General Assembly.

- S. F. 31—Relating to barber shops and barber schools. Approved April 16.
- S. F. 103—Relating to unemployment compensation. Approved April 21.
- S. F. 114—Relating to workmen's compensation law. Approved April 20.
- S. F. 195—Relating to old age assistance funeral expenses. Approved April 16.
- S. F. 254—Relating to platting of additions in cities and towns. Approved April 16.
- S. F. 360—Relating to investments by associations under the supervision of the insurance commissioner. Approved April 16.
- S. F. 388—Relating to state aid to schools. Approved April 21.
- S. F. 412—Relating to an election held in the City of Sibley, Osceola county, Iowa. Approved April 16.
- S. F. 436—Relating to employees retirement system. Approved April 17.
- S. F. 442—Relating to appointments of public officials by the Governor. Approved April 16.
- S. F. 443—Relating to claims against the state. Approved April 16.
- S. F. 444—Relating to claims against the state. Approved April 16.
- S. F. 445—Relating to claims against the state. Approved April 16.
- S. F. 394—Relating to chauffeurs over the age of 16 years and under 18 years. Approved May 1.

TO THE HONORABLE MEMBERS OF THE SENATE, FIFTY-FIRST GENERAL ASSEMBLY OF IOWA:

GENTLEMEN: I desire to advise the members that I have disapproved of Senate File 326, providing that boys from 12 to 16 years of age may be employed in bowling alleys.

The historic age of discretion, under the common law, is 14 years. I need not recite the abuses of child labor, nor difficulties encountered or the length of time which was required to secure child labor legislation. All are familiar with the history of the efforts to secure child labor amendment to the federal constitution. Iowa should take no backward step in this field. The bill in question is in direct conflict with the whole spirit of Chapter 76 of the Code. It is in specific conflict with the provision of Section 1530 of the Code to such a degree as to make the administration of the law most difficult.

If boys of 12 years of age are to be permitted to work in bowling alleys, then no logical reason seems to exist why the same provision should not be made for boys of 12 to work in hotels, cafes, restaurants, poolrooms, barber shops where no beer is sold. Under the provisions of Section 1536, which is amended, no boy under 16 years of age can be employed in any hotel, cafe, restaurant, pool or billiard room, cigar store or barber shop.

In these days of growing juvenile delinquency and relaxing of parental supervision the permanent change in the child labor laws provided by this act, in order to meet a temporary labor shortage, appears to me to be a backward step, which Iowa ought not take.

Therefore, I disapprove this bill.

Respectfully yours,

ROBERT D. BLUE, *Governor.*

TO THE HONORABLE MEMBERS OF THE SENATE OF THE FIFTY-FIRST GENERAL ASSEMBLY:

GENTLEMEN: I desire to advise the members that I have disapproved of House File 460.

In 1941 House File 31, known as Chapter 26 of the Forty-ninth General Assembly, was passed providing for an unlimited appropriation in these words: "A sum sufficient to pay current and miscellaneous expenses of the General Assembly authorized by either the Senate or the House and the Comptroller is hereby authorized and directed to issue warrants for such items of expense upon requisition of the President and Secretary of the Senate, and Speaker and Chief Clerk of the House, after vouchers for said items of expense have been approved by action of the House and Senate by resolution".

There was introduced and passed earlier in the Fifty-first General Assembly House File 88, providing for the appropriation of \$500.00 annually for the payment of current and miscellaneous expense to be paid out on requisition for warrants drawn by the presiding officer of either House, by the Secretary of the Senate for Senate expense and by the Chief Clerk of the House for House expense, after vouchers for same have been approved by the committee on appropriation for and on behalf of its respective house. Action upon this was completed on February 15th.

Later in the session, Senate File 426 was passed and action finally completed on April 6th, amending Chapter 26 of the Acts of the Forty-ninth General Assembly providing for the annual appropriation of \$500.00 "or so much thereof as may be necessary for each branch of the General Assembly for the payment of any unpaid expense filed after adjournment of the General Assembly or incurred in the interim between sessions of the General Assembly. The State Comptroller is hereby authorized and directed to issue warrant for such items of expense upon requisition of the President of the Senate for Senate expense and the Speaker of the House for House expense."

House File 460, as originally written, authorized the Speaker of the

House or the President of the Senate to engage the service of any officer or employee of the General Assembly when it is not in session to perform such duties as may be required for the General Assembly or any department of the State, the explanation being that the purpose of the bill was to ratify the practice of calling into service legislative employees prior to the convening of the General Assembly or in case of any emergency or necessity.

House File 460 as finally passed is a result of a conference committee report providing for a standing appropriation of \$3,000.00 and providing that the President of the Senate or the Speaker of the House may engage the service of the Secretary of the Senate, Chief Clerk of the House and clerical help as may be found necessary before the convening of the General Assembly and for such period as may be necessary after the General Assembly.

There will be seen from an examination of these various Acts that House File 460, as finally passed, is in many respects a duplication of the provision of Chapter 26 of the Acts of the Forty-ninth General Assembly as amended by Senate File 426 of the Acts of the Fifty-first General Assembly.

My opinion is that this field has been adequately covered by previous legislation and that House File 460 is not only unnecessary, but in conflict with the previous Acts of legislation during the Fifty-first General Assembly and can serve no useful or necessary purpose, adequate provision having been made by Senate File 426 for any post-legislative expenses or for any expense incurred in the interim between sessions of the General Assembly.

THEREFORE, I disapprove of House File 460.

Respectfully yours,

ROBERT D. BLUE, *Governor*.



IN MEMORIAM

Senate

WARREN A. CALDWELL.....January 7, 1886-March 7, 1944
JOHN T. CLARKSON.....December 16, 1861-June 6, 1944
H. A. DARTING.....February 1, 1875-February 14, 1945
FREDERICK O. ELLISON.....July 4, 1853-October 5, 1944
JOSEPH R. FRAILEY.....March 2, 1876-October 6, 1944
JOHN H. JACKSON.....June 30, 1863-October 7, 1943
O. J. KIRKETEG.....May 2, 1891-March 22, 1945
CHARLES E. MALONE.....October 24, 1881-March 22, 1945
MORRIS MOORE.....September 11, 1874-October 16, 1944
BYRON W. NEWBERRY.....September 1, 1853-March 17, 1944
OLAF MARTIN OLESON.....June 29, 1849-February 8, 1944
FRANK PALZER.....January 27, 1876-August 28, 1944
B. C. WHITEHILL.....March 6, 1875-January 8, 1945
CHESTER W. WHITMORE.....January 11, 1869-December 4, 1943

JOURNAL OF THE SENATE

MEMORIALS

WARREN A. CALDWELL

MR. PRESIDENT: Your committee appointed to prepare a memorial resolution commemorating the life and public service of the late Honorable Warren A. Caldwell begs leave to submit the following:

Warren A. Caldwell was born in Mahaska county on a farm near the town of Wright on January 7, 1886. He attended rural school and also two years in Penn Academy at Oskaloosa. Following this period he taught a rural school for two years.

He was married in 1907 to Isabelle Hay of Oskaloosa and to this union three sons were born. They are Norval, Harold and Robert.

Prior to 1912 he operated a farm in the community where he was born. In 1912 he moved to Oskaloosa and assumed the active management of the Caldwell Silo Company. In 1914 he was elected a member of the Mahaska County Board of Supervisors, in which capacity he served for six years. In 1920 he was elected from the fourteenth Senatorial District to the Iowa Senate where he served in the Thirty-ninth and Fortieth General Assemblies. After this period he became actively engaged in the real estate business in Oskaloosa in which profession he continued until his death. Senator Caldwell was an active Republican and remained actively interested in party politics during his entire life.

On March 4, 1944, while at work in his office, he was stricken with cerebral hemorrhage from which he never regained consciousness and passed away on March 7, leaving to mourn his death his widow and sons, Norval of Oskaloosa, Harold, who is serving with the armed forces in the Southwest Pacific, and Robert of Des Moines, together with a host of friends.

Therefore, Be It Resolved by the Senate of the Fifty-first General Assembly of Iowa, That in the passing of Senator Caldwell, Iowa has lost a distinguished citizen whose entire life was devoted to public, civic and political life in his community and the state.

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.

A. E. AUGUSTINE,
T. H. KLEIN,
ROSS R. MOWRY,
LUKE VITTETOE,
ELMER K. BEKMAN,

Committee.

The resolution was unanimously adopted.

JOHN T. CLARKSON

MR. PRESIDENT: Your committee, appointed to prepare suitable resolutions commemorating the life, character and public service of the late Honorable John T. Clarkson of Albia, Iowa, begs leave to submit the following report:

John T. Clarkson was born of English and Welsh parents at Johnstown, Pennsylvania, December 16, 1861. He attended public school until ten years of age, when he began to work in coal mines. He continued his education by home study and special instruction, obtaining the equivalent of a college education. In 1884 he moved to Kirkville, Wapello county, Iowa, and after reading law in the office of A. C. Steck of Ottumwa, was admitted to the practice of law in May, 1895, and practiced law in Albia until July 1, 1937. In 1896 he was elected County Attorney of Monroe county and served two terms. He was elected State Senator, representing Monroe and Marion counties in 1908, and served two terms. He was the author of the Workmen's Compensation Law, and was appointed by Governor Kraschel as Industrial Commissioner July 1, 1937, which office he capably filled for six years.

From 1913 to 1931 he served as general counsel for District No. 13 of the United Mine Workers of America. After completing his services as Industrial Commissioner, he returned to the practice of law, in partnership with Ralph O. Woodcock at Des Moines, Iowa. He departed this life at his home in Des Moines, Iowa, June 6, 1944, survived by his wife, Mrs. Helen Clarkson; a daughter, Mrs. Theodore B. Perry, Albia; two sons, John L., and Clyde, both of Nashville, Illinois; three sisters, Mrs. Emma Phillips, Des Moines, Iowa, and Mrs. Mary Anderson and Mrs. W. P. Moses, both of Moline, Illinois, and several grandchildren.

He was a man of high character, loved and respected by his associates. He was a capable, conscientious and honest citizen and in his death the citizens and the state suffered a great loss.

Therefore, Be It Resolved by the Senate of the Fifty-first General Assembly, That in the passing of John T. Clarkson, 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 John T. Clarkson 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.

TUNIS H. KLEIN,
A. E. AUGUSTINE,
J. A. NEWSOME,
J. R. BARKLEY,
LUKE VITTETOE,

Committee.

The resolution was unanimously adopted.

H. A. DARTING

Harman Albert Darting was born at Missouri Valley, Iowa February 5, 1875. He received his education in rural schools. Moved to Glenwood, Mills county, Iowa, in 1911 to operate the Glenwood Canning Company with Mr. McGavern, a banker of Missouri Valley, which partnership was dissolved by the accidental death of Mr. McGavern. Subsequently Mr. Darting entered the automobile business.

In the earlier years of residence in Glenwood, Mr. Darting served a number of terms as mayor of the city.

In 1920 he was elected State Senator from the 8th District of Iowa and re-elected four years later, serving a total of eight years. Mr. Darting ably represented his district and became prominent and well known throughout the state.

At the expiration of his senatorial term, Mr. Darting was appointed to serve on the State Highway Commission by Governor John Hammill.

At the time that his health failed a few months ago, he was in charge of the horticultural division of Glenwood State School, a line of work for which he was especially well trained and fitted.

Mr. Darting was a member of Glenwood Lodge No. 58, A. F. & A. M.; Mt. Gerizim Ch. No. 59, Royal Arch Masons; O. E. S., Glenwood Chapter No. 412, and Ivanhoe Commandery No. 17; Council Bluffs Knights Templar, and the Shrine.

H. A. Darting died at Bettendorf, Iowa, February 14, 1945, at the age of seventy years and nine days. Mrs. Darting died in 1913. Mr. Darting is survived by four children: Eva, Mrs. John Hill of Marengo, Iowa; Miss Verona of Mead, Nebraska; Miss Byrl of Audubon, Iowa, and Hil-liard A. Darting of Omaha and his two children; two brothers and two sisters.

His loyalty to country, fidelity to duty and faithfulness in every public and private trust was an inspiration to all with whom he came in contact.

Therefore, Be It Resolved by the Senate of the Fifty-first General Assembly of Iowa, That in the passing of H. A. Darting, 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 his family 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.

O. N. HULTMAN,
CARL O. SJULIN,
DE VERE WATSON,
ED S. WHITE,
IRVING D. LONG,

Committee.

The resolution was unanimously adopted.

FREDERICK O. ELLISON

MR. PRESIDENT: Your committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the late Frederick O. Ellison, begs leave to submit the following report:

Mr. Frederick O. Ellison was born in New York City, July 4, 1853, and died at his home in Anamosa, Iowa, Saturday, October 5, 1944, at the age of 91. He was married to Anna Elida McCutcheon of Indianola, Iowa, in 1875, who died December 8, 1927, and again married to Vorinda Abbott of London, Canada, in 1930, who survives him.

Mr. Ellison studied at Simpson College, read law in the office of Hunter and Williamson, and was admitted to the bar in 1874. After being admitted to the bar he began practice in Clinton, Iowa, and a year later moved to Wyoming, Iowa, and in 1889 moved to Anamosa, Iowa, where he resided until his death.

He was always interested in civic affairs. He served as councilman and mayor of Anamosa and Jones county attorney from 1887 until 1893, state representative from 1894 to 1896 and state senator from the Jones-Cedar county district from 1896 to 1900; served thirty-two years on the district court bench, from 1906 to 1938.

All of Judge Ellison's service in a public capacity was characterized as of the highest quality. The faithfulness in his public trust was an inspiration to those who enjoyed his acquaintance.

Be It Resolved by the Senate of the Fiftieth General Assembly of Iowa in Regular Session, That in the passing of Judge Ellison 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.

EDWIN C. SCHLUTER,
FRANK D. MARTIN,
O. H. HENNINGSSEN,
FRANK C. BYERS,
LEROY S. MERCER,

Committee.

The resolution was unanimously adopted.

JOSEPH R. FRAILEY

MR. PRESIDENT: Your committee, appointed to prepare suitable resolutions commemorating the life, character and public service of the late Honorable Joseph R. Frailey, begs leave to submit the following:

Joseph R. Frailey was born in Fort Madison, Iowa, March 2, 1876, and was a lifelong resident of that community. He was graduated from Fort Madison high school in 1893; from the college of liberal arts of the State University of Iowa in 1898, and from the college of law of the Univer-

sity in 1900. He was a member of Phi Kappa Psi and Phi Delta Phi fraternities.

He was employed for about five years in the legal department of the Atchison, Topeka and Santa Fe Railroad, and then took up the practice of law in Fort Madison, serving as city solicitor from 1905 to 1914.

He was married October 20, 1905, to Miss Genevieve Albright.

During the Spanish American War he served as lieutenant in Company F, Fiftieth Iowa Infantry, United States Volunteers.

Mr. Frailey represented Lee county in the State Senate for sixteen years from 1914 until 1922, and from 1926 until 1934. He was a very active, able and popular member. He served as a director of the Cattermole Library in Fort Madison for twelve years.

He was a member of the Lee County and Iowa Bar Associations, the State Historical Society, B.P.O.E. Lodge 374, and A. F. & A. M. 440

Mr. Frailey passed away October 6, 1944, at his home in Fort Madison. He is survived by his wife and a sister, Margaret S. Frailey.

Be It Resolved by the Senate of the Fifty-first General Assembly, That in the passing of Senator Frailey the state has lost an able man of strong character and all who served with him in the Senate have lost a real friend.

Be It Further Resolved, That this resolution be printed in the Memorial section of the Journal of the Senate, and that copies be sent to the surviving wife and sister.

STANLEY L. HART,
ALDEN L. DOUD,
FRED CROMWELL,
HARLAN C. FOSTER,
J. R. BARKLEY,

Committee.

The resolution was unanimously adopted.

JOHN H. JACKSON

MR. PRESIDENT: Your committee, appointed to prepare suitable resolutions commemorating the life, character and public service of the late Honorable John H. Jackson of Sioux City, Iowa, begs leave to submit the following:

John H. Jackson was born in the village of Albany, Green county, Wisconsin, June 30, 1863. He was of English descent, his parents emigrating from Yorkshire, England, to Wisconsin at an early date. He attended Ripon College at Ripon, Wisconsin, and moved to Jefferson, Iowa, in 1894, where he studied law and was deputy clerk of the courts of Greene county, Iowa. In 1888 he graduated from the law department of the State University of Iowa. He began the practice of law in Sioux City in 1890, where he continued in practice during the remainder of his life. He was active in Republican organizations and was chairman of both city and county central committees for several terms. He was elected Senator in 1903 and served in the Thirtieth, Thirty-first and Thirty-second General Assemblies.

Senator Jackson married Miss Mary Isabelle Mangold of Sioux City in 1906. He was a member of the Sioux City Commercial Club, the Knights Templar and the Shrine, as well as of the Elks Lodge.

Senator Jackson was active in many worth-while civic and community projects during his long and useful life. He was kindly, considerate and helpful to all those with whom he came in contact.

Therefore Be It Resolved by the Senate of the Fifty-first General Assembly of Iowa, That in the passing of Senator Jackson the 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 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.

A. D. CLEM,
J. T. DYKHOUSE,
FRED J. RITCHIE,
ROBT. W. HARVEY,
ROBERT KEIR,

Committee.

The resolution was unanimously adopted.

O. J. KIRKETEG

MR. PRESIDENT: Your committee, appointed to prepare suitable resolutions commemorating the life, character and public service of the late O. J. Kirketeg, begs leave to submit the following:

O. J. Kirketeg was born on a farm near Eagle Grove, Iowa, May 2, 1891. He was one of five children born to Knute K. and Olena Kirketeg. He later moved with his family to Cedar Falls and was graduated from the Iowa State Teachers College in 1912, and in 1917 was graduated from the college of law of the University of Iowa.

He was an active member of the American Legion and a charter member of the Bedford Post No. 164. He served as District Commander of the 8th Congressional District in 1921. He was a member and trustee of the Presbyterian church. He was city attorney of Bedford, past president of the Third Judicial Bar Association, and a member of the Board of Governors of the Iowa Bar Association. He served as county attorney in 1929-1930, and was serving his third term in the State Senate, having been a member of the Senate in the 47th and 48th General Assemblies.

Mr. Kirketeg was an active Mason, having received his Masonic degrees in 1914 when he was initiated in Columbus City Lodge No. 107 at Columbus Junction, later affiliating with Taylor Lodge No. 156 at Bedford. He served as Worshipful Master in 1939, was a member of Triangle Chapter No. 164, Royal Arch Masons of Bedford, and served the Grand Chapter of that body as Grand High Priest in 1931; a member of Tyre Council, Royal and Select Masons at Shenandoah; Bethany Commandery, Knight Templars at Creston; Za-Ga-Zig Shrine at Des Moines, and St. Ignatius Conclave, Red Cross of Constantine, at Cedar Rapids.

He was also a member of Bedford Chapter, Order of Eastern Star, and in 1937 served as Grand Patron of the Grand Chapter of the Order of Easter Star. At the time of his death he was a member of the Order of Chapter Charity Board and was serving as Grand Treasurer of the Grand Lodge of Iowa.

On March 22, 1945, Senator Kirketeg was taken suddenly ill in his hotel room in Des Moines and passed away later that day at Mercy Hospital. He is survived by his widow, and two sisters, Mrs. Orville Evenson of Marshalltown, Iowa, and Mrs. A. O. Stensrud of Seattle, Washington.

Senator Kirketeg always took an active interest in politics and was recognized as one of Iowa's leading Republicans, having been appointed by Governor Blue to serve as a member of the Iowa State Tax Commission, a position he would have filled but for his passing. He left a worthy record as a member of the State Senate of Iowa.

Therefore Be It Resolved by the Senate of the Fifty-first General Assembly of Iowa, That in the passing of Senator Kirketeg, 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 Fifty-first General Assembly of Iowa, and that enrolled copies thereof be transmitted to the members of his family.

O. H. HENNINGSEN,

O. N. HULTMAN,

H. M. KNUDSON,

Committee.

The resolution was unanimously adopted.

CHARLES E. MALONE

MR. PRESIDENT: Your committee, appointed to prepare suitable resolutions commemorating the life, character and public service of the late Honorable Charles E. Malone of Atlantic, Iowa, begs leave to submit the following:

Charles Edward Malone was born October 24, 1881, near Wiota, the son of B. F. and Rebecca Malone, and was reared on a farm in the Wiota vicinity. He was married in Atlantic, April 18, 1906, to Miss Edna Harris of that city and resided continuously near there until 1934 when the family moved to the residence at 701 East Ninth Street, Atlantic, from which place he died suddenly as the result of a heart attack on March 22, 1945.

Mr. Malone founded the Malone Seed Company, and for forty years prepared Cass county's exhibit which won numerous blue ribbons at the Iowa State Fair; he served as assistant superintendent of the Iowa Department of Agriculture at the World's Fair in St. Louis, Missouri, in 1903, and was chosen by Dante Pierce, editor of the Iowa Homestead, to represent farmers in the middle west in Chicago in 1931 at the installation of new equipment of the C. R. I. & P. R. R.

Mr. Malone represented the eighteenth senatorial district, composed

of Cass and Shelby counties, in the Forty-sixth General Assembly. He brought to the Senate the policies that had made him successful in private life; 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 the services of the state. In 1936 he was appointed postmaster at Atlantic. He personally delivered letters from men overseas to relatives as soon as they were received at the office, whether at night or on holidays, and throughout his lifetime he was active in community and charitable enterprises. He was a member of the Atlantic B.P.O.E. Lodge, and the National Association of Postmasters. He is survived by his widow and two sons, Claude and Cecil, who operate the seed company which was founded by their father.

Therefore Be It Further Resolved by the Senate of the Fifty-first General Assembly of Iowa, That in the passing of Senator Malone, the 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 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. S. WHITE,
H. S. LOVE,
RALPH E. BENSON,
A. D. CLEM,
AI MILLER,

Committee.

The resolution was unanimously adopted.

MORRIS MOORE

MR. PRESIDENT: Your committee, appointed to prepare suitable resolutions commemorating the life, character and public service of the late Honorable Morris Moore, begs leave to submit the following:

Morris Moore was born in Washington county, Iowa, September 11, 1874, his father being a practicing physician, who moved with his family to Harlan, Iowa, in 1878. Senator Moore attended the public schools of Harlan and took his professional work in medicine at the John A. Creighton Medical College in Omaha, Nebraska, graduating in 1901. In 1902 he located at Walnut, Iowa, for the purpose of practicing his profession in that locality, and remained a resident of that town until his death.

In 1905 Doctor Moore was united in marriage with Cora F. Backus, who survives him. Two daughters also survive. They are Mrs. T. R. Osborne, Jr., of Des Moines, and Mrs. William Goodyear of Walnut, Iowa.

The life story of Senator Moore is the story of a typical Iowa doctor in a small community. He practiced his profession of medicine and surgery in the locality of his residence for over forty years, reflecting credit

upon himself and the noble profession he followed. His professional ethics were never questioned, and as a neighbor and member of the community his presence, his counsel and cooperation were always welcome to those people with whom he lived.

Senator Moore was elected to the State Senate in 1932 and re-elected in 1936, serving two full terms in this chamber. He brought to the Senate the sturdy qualities and fine balance that made him a successful professional man. He prized his membership in this body, and his dignity and fairness commanded the respect of his colleagues and the people he represented. Senator Moore passed out of this life at Council Bluffs, Iowa, on October 16, 1944.

His loyalty to our 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.

Therefore Be It Resolved by the Senate of the Fifty-first General Assembly of Iowa, in Regular Session, That in the death of Senator Morris Moore the state mourns the loss of an honored citizen, a good public servant and a splendid professional man, the loss resulting therefrom being one that will be felt far into the future.

Be It Further Resolved, That the Senate of the State of Iowa takes this means of extending sympathies and condolences to the widow and the daughters and their respective families, for the loss they have suffered and the grief that has been theirs.

Be It Further Resolved, That this memorial resolution be printed in the Journal of the Senate and that the Secretary of the Senate be directed to send copies of the same to the widow and daughters of the deceased.

DE VERE WATSON,
CARL O. SJULIN,
ED. S. WHITE,
O. N. HULTMAN,
H. SAM LOVE,

Committee.

The resolution was unanimously adopted.

BYRON W. NEWBERRY

MR. PRESIDENT: Your committee, appointed to prepare suitable resolutions commemorating the life, character and public service of the late Byron W. Newberry of Clayton county, begs leave to report as follows:

Byron W. Newberry was born in Lorain county, Ohio, on September 1, 1853, being the first born son of James Newberry and Maria Westfall Newberry. With his parents he joined the westward migration of that period and in the spring of 1855 the family settled on the virgin prairie land in Cass township a few miles southeast of the town of Strawberry Point in Clayton county, Iowa. That farm, known as their homestead, remains in the Newberry family to the present day.

Mr. Newberry lived a long, vigorous and useful life in Clayton county and died at the age of 91 years, on March 17, 1944, at his home in Straw-

berry Point, Iowa. He was a tall, straight, keen eyed man with a strong body and mind—a product of the prairies of Iowa and of the frontier. He was raised in a home of culture and received his early education in the rural schools of that day, then entered Upper Iowa University at Fayette, from which he graduated in 1875. The following year he completed the law course at Iowa State University, was admitted to the bar and opened a law office in Strawberry Point on February 7, 1877, where he continued the practice until his death.

He was elected to the State Senate in 1902 and served in the Thirtieth, Thirty-first, Thirty-second and Thirty-second Extra Sessions. He was again elected to the Senate in 1916 and served in four more regular sessions which were concluded in 1924. Senator Newberry was the champion of many worthy causes and took a particular interest in legislation to improve our schools. He was an extensive land owner and sponsored laws to benefit agriculture, dairying and highways. He had an active part in the writing and enactment of the first pure food laws of Iowa.

In 1926, Governor Hammill appointed Mr. Newberry as a member of the State Board of Conservation and he was very active in the creation and improvement of our state park system, and personally inspected every park in the state of Iowa. The development of the Backbone State Park was due especially to his interest and his labors.

He was an ardent Republican and was always active in the deliberations and discussions at the conventions of that party.

Mr. Newberry was married in 1905 to Miss Eva Buckley, who was his faithful companion to the time of his death, and she now lives in the home in Strawberry Point. Mrs. Newberry was one of the first members of the Ladies Legislative League.

Senator Newberry was very active in all local and community enterprises which were of a worthy nature. He was a member of the Knights of Pythias, a member and trustee of the Congregational church, president of the Clayton County Bar Association, member of the Executive Committee of the State Bar Association, organizer and president of the Strawberry Point State Bank, and promoter of the Cass Township Cemetery.

For many years he was engaged in the active practice of law with his brother, Charles Newberry, and the firm of Newberry Brothers was well known in northeast Iowa. Charles preceded him in death by a few years. Senator Newberry is survived by one brother, Dr. Frank J. Newberry of Los Angeles; two sisters, Kate G. Newberry and Mrs. Mary Kingsley of Strawberry Point; a nephew, Col. Paul N. Kingsley in the U. S. Army; a nephew, Claire Newberry, and a niece, Mrs. Marion Bacon of Los Angeles.

Senator Newberry lived a long, active, vigorous and useful life. His community and the state are much better for the service rendered by him, and his passing is a distinct loss. That his influence for good might continue after his death, he left much of his property to be used for public and charitable purposes.

Therefore Be It Resolved by the Senate of the Fifty-first General Assembly of Iowa, That in the passing of the Honorable Byron W. New-

berry, the state has lost a most valued citizen and public servant, and the Senate tenders its sincere sympathy to his surviving widow.

Be It Further Resolved, That a copy of this resolution be sent to Mrs. Byron W. Newberry, and that this resolution be spread upon the Journal of the Senate.

F. E. SHARP,
ARTHUR H. JACOBSON,
ROBERT C. REILLY,
ED VRBA,
IRVING D. LONG,

Committee.

The resolution was unanimously adopted.

OLAF MARTIN OLESON

MR. PRESIDENT: Your committee, appointed to prepare suitable resolutions commemorating the life, character and public service of the late Honorable Olaf Martin Oleson of Fort Dodge, Iowa, begs leave to submit the following:

Mr. Oleson was born in Norway, June 29, 1849, and came to the United States in his teenage. He arrived in Webster county with cash resources of less than one dollar, where he continued to make his home until his death, which occurred February 8, 1944. He remained a loyal citizen of Iowa to the end of his long and eventful life.

He served efficiently in the Twenty-fourth and Twenty-fifth General Assemblies, representing the Twenty-seventh Senatorial District.

Among the achievements of his life was a fellowship in the Iowa Academy of Science. Botany continued to be his hobby, and he spent much time in research. He prepared and printed a book on the flora of Webster county. In 1939 he gave Iowa State College his valuable collection of two hundred thirty volumes for its scientific library. This collection contained many books then out of print. To the same institution he gave his valuable herbarium, composed of thousands of specimens, which was considered the most complete of Iowa flora. It also contained herbaria of many foreign countries.

He was knighted a member of the Knights of St. Olaf by King Haakon of Norway in 1924. For many years he was honorary president of the Norwegian Singing Society of America. He was founder of the Grieg Mandskor of Fort Dodge. He personally directed the choir and composed many songs for it. In 1938, at the dedication of the band shell at Oleson Park in Fort Dodge, he directed the Grieg Mandskor, which he had organized, in a song which he had composed.

A wholesome philosophy of life was held by this friendly man. He believed in working hard, playing for health, and he always looked on the bright side of life and never harbored trouble. His interest in civic affairs were substantiated by the generous gifts to hospitals, schools, churches and musical organizations. Perhaps one of the largest of his many philanthropies was directed toward the Lutheran Hospital, Fort Dodge, which his generous gifts made possible. A man of many interests,

he was able to invest his love of botany and music, and also his civic and business interests, in a manner which was reflected in his character in an unselfish and friendly regard for his fellowmen.

He lived to witness a countryside transform from a pathless grassland to a populous city. A portion of virgin woodland he preserved in the form of a park of eighty acres, which bears his name, Oleson Park, located within the city limits. This is one of several park areas given by Mr. Oleson to Fort Dodge.

There is a finality about death that seems to respect the life that appears to be fully spent. If this were prepared as a eulogy instead of a simple biographical sketch designed to commemorate Mr. Oleson's services to Fort Dodge and to Iowa, there are many items that could be mentioned with propriety concerning him.

Be It Resolved by the Senate of the Fifty-first General Assembly, That in the passing of the Honorable Olaf Martin Oleson of Fort Dodge, Iowa, the state has lost a valuable and honorable citizen, and an honest statesman.

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 directed to forward an enrolled copy to the wife of the deceased.

C. V. FINDLAY,
A. J. SHAW,
G. R. HILL,
RALPH E. BENSON,
J. G. LUCAS,

Committee.

The resolution was unanimously adopted.

FRANK PELZER

MR. PRESIDENT: Your committee, appointed to prepare suitable resolutions commemorating the life, character and public service of the late Honorable Frank Pelzer of Marne, Iowa, begs leave to submit the following:

Frank Pelzer was the son of Henry and Sophia Wolenhaus Pelzer, and was born January 27, 1876, in Noble township, Cass county, near Griswold, Iowa, and grew to manhood in that vicinity. He was married there June 20, 1900, to Mary Louise Borth and the couple farmed in Noble township until 1909 when they purchased the home three miles north of Marne, at which place he died suddenly August 28, 1944, as the result of a heart attack. He is survived by his widow, six sons and one daughter.

Mr. Pelzer was a member of the Cass county board of supervisors for six years, and the board of education ten years; a member of the Methodist church and the Masonic Lodge. He was a farmer, stockman and breeder of purebred hogs for forty-two years, specializing in Shorthorn cattle and Spotted Poland China hogs.

Mr. Pelzer represented the eighteenth senatorial district, composed of Cass and Shelby counties, in the Forty-seventh, Forty-eighth, Forty-

ninth and Fiftieth General Assemblies. He was a capable, conscientious and honest citizen and his death is a great loss to the citizens of his state and his community. His unswerving loyalty to his country, his fidelity to duty, and his faithfulness to every public and private trust, was an inspiration to all with whom he came in contact.

Therefore Be It Resolved by the Senate of the Fifty-first General Assembly of Iowa, That in the passing of Senator Pelzer 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 resolution be spread upon the records of the Journal of the Senate of the Fifty-first General Assembly of Iowa, and that enrolled copies thereof be transmitted to the members of his family.

ED. S. WHITE,
DE VERE WATSON,
AI MILLER,
RALPH E. BENSON,
O. N. HULTMAN,

Committee.

The resolution was unanimously adopted.

CHESTER W. WHITMORE

MR. PRESIDENT: Your committee, appointed to prepare suitable resolutions commemorating the life, character and public service of the late Honorable Chester W. Whitmore of Ottumwa, begs leave to submit the following:

Chester W. Whitmore was born in Burlington, Iowa, January 11, 1869. He attended Lake Forest University in Illinois and the Chicago Law College, receiving a Bachelor of Law degree. He also was affiliated with the Phi Delta Phi Law Fraternity.

In 1896 he was admitted to the Illinois bar and practiced law in Chicago until 1900, when he was admitted to practice in Iowa and immediately established a law office in Ottumwa, Iowa. He also was admitted to practice before the U. S. Supreme Court in 1913.

In politics he was a Republican and took an active and responsible place in the party of his choice. He was elected Senator in 1914, representing Wapello county in the Thirty-sixth, Thirty-seventh, Thirty-eighth and Thirty-ninth General Assemblies of the State of Iowa. He also served for four years in Company G, 54th Regiment of the Iowa National Guard.

Senator Whitmore, shortly before his death, retired from the practice of law and sold his law office in Ottumwa, Iowa, preparatory to retiring in California. He died on December 4, 1943, in San Francisco, California, four days after his arrival there from his home in Ottumwa, Iowa.

He is survived by his widow; by two sons, Lt. Hobart Whitmore of the U. S. Army, and Kenneth Whitmore, and a step-son, Frank Hook, besides one sister and one brother.

Therefore Be It Resolved by the Senate of the Fifty-first General

Assembly of the State of Iowa, That in the passing of Senator Whitmore 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 Chester W. Whitmore 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.

ELMER K. BEKMAN,
ALDEN L. DOUD,
J. R. BARKLEY,
LUKE VITTETOE,
T. H. KLEIN,

Committee.

The resolution was unanimously adopted.

B. C. WHITEHILL

Senator B. C. Whitehill of the Twenty-eighth Senatorial District, passed away January 8, 1945, the opening day of the Fifty-first General Assembly, while in Des Moines in the performance of his duty as a legislator.

Senator Whitehill was a veteran lawmaker, having served many years in the Iowa Senate, and his colleagues in the Senate had shown their appreciation and esteem by selecting him as President Pro Tempore of the Senate, which office he would have filled but for his passing.

In his passing the state has lost a faithful and efficient servant and statesman and each member of the Senate has lost a valued and esteemed friend and co-worker.

Be It Therefore Resolved by the Senate of the Fifty-first General Assembly of the State of Iowa, That we extend to the widow and family of the deceased our heartfelt sympathy in their loss and bereavement, and

Be It Further Resolved, That this resolution be printed in the Journal of the Senate and that the Secretary of the Senate transmit to Mrs. B. C. Whitehill a copy of such Journal and a regularly engrossed copy of this resolution.

Be It Further Resolved, That the President of the Senate appoint a committee of three to represent the Senate at the funeral services, and,

Be It Further Resolved, That the President of the Senate appoint six members of the Senate to act as honorary pallbearers at the funeral of Senator Whitehill.

A. J. SHAW,
LEO ELTHON,
J. BERG,

Committee.

Following the introduction of the above resolution, Senator Hill, on behalf of the Senate, expressed the sympathy and regrets of the members in the sudden and untimely death of Senator Whitehill, which remarks were by unanimous consent printed in the Senate Journal:

MEMBERS OF THE SENATE: I arise at this time utterly lacking in words to fully express my feeling of the moment. Our hearts were all saddened by the sudden passing and taking from us of our beloved and esteemed friend, Senator B. C. Whitehill, known to all of us affectionately as "Ben".

I came to the Senate at the same time as did Senator Whitehill. It has always been a pleasure to work with him. He was always willing and anxious to perform any service which he believed right and for the best interest of his fellowman. He was courageous and determined, in any cause in which he believed. He was extremely fair and judicious in the performance of his duty. Those of us who knew him learned to love him.

"Ben", as we called him, lived a life of usefulness. Born in Iowa, he served his native state well and faithfully as a businessman, a public servant, as a soldier and above all as a loyal and upright citizen.

As an exemplification of his feeling of responsibility to his obligations, and as the soldier that he was, he responded to his call of duty to be present here at the opening of this legislature and gave his life in the line of that duty.

In addition to the regular duties as a member of this body Senator Whitehill rendered outstanding and distinguished service as a representative of this Senate, the legislature and the State of Iowa.

In 1939 as a member of a legislative committee from Iowa he journeyed to the State of Alabama bearing the flag of that state that had been taken by an Iowa regiment during the Civil War—thus binding the two commonwealths in everlasting friendship. He carried with him the greetings of Iowa to Alabama and returned bearing a message of good will to our people.

Then in 1943 as a member of a special committee of this Senate and the Fiftieth General Assembly of Iowa Senator Whitehill made an official trip to the Navy Yard in New York to represent the State of Iowa at the commissioning of the great battleship "Iowa".

Senator Whitehill on all occasions presented himself with dignity and understanding. He was deeply interested in the military activities of this state, serving on those committees in the legislature and for many years was the Commandant of the Soldiers Home at Marshalltown, Iowa.

Just before his passing he had received the unanimous endorsement of his Republican colleagues in the Senate as a candidate for the high office of President Pro Tempore of this body and within a few moments would have been elected to that office.

I always looked to Ben for guidance and counsel and I believe that his life could be appropriately adopted as a pattern for all of us.

As I was suddenly called to his side yesterday when he was stricken I tried to comfort him in my feeble way. He looked up and tried to smile as was his manner always. He said, "Hello Ray," and then went to sleep—a peaceful sleep. And now I say that which I wished to say yesterday but was unable to do so. "Goodbye, Ben, we are all better for having known you."

The resolution was unanimously adopted.

HISTORY OF SENATE BILLS IN SENATE

SENATE JOINT RESOLUTIONS AND FILES PASSED
AND APPROVED—133

J. R. 1, 5.

2, 3, 5, 6, 7, 9, 10, 15, 17, 19, 23, 25, 30, 31, 32, 33,
35, 37, 39, 45, 51, 52, 53, 54, 57, 62, 71, 74, 78, 79, 81, 82,
83, 84, 85, 90, 94, 96, 102, 103, 109, 113, 114, 122, 125, 126, 128, 129,
135, 139, 141, 146, 149, 151, 153, 154, 155, 156, 157, 158, 165, 166, 167, 168,
169, 172, 175, 177, 189, 192, 195, 197, 199, 203, 205, 218, 220, 222, 224, 229,
233, 248, 254, 255, 274, 289, 290, 291, 295, 309, 310, 311, 314, 323, 330, 335,
345, 347, 356, 360, 385, 388, 390, 394, 396, 397, 398, 400, 402, 405, 406, 412,
413, 414, 415, 416, 424, 426, 427, 428, 430, 431, 432, 433, 434, 435, 436, 442,
443, 444, 445.

Passed both Houses, vetoed by Governor—S. F. 326.

RECORD OF EACH SENATE BILL

S. J. R.	Page	S. J. R.	Page
1 By Judiciary 1. Providing for the appointment of a special assistant attorney general; making an appropriation for compensation.		7 By Public Lands and Buildings. Providing for appointment of a state building code council by the Governor.	
Introduced, referred	88	Introduced, passed on file	510
Recommended passage	107	Amendment filed	522
Amendment adopted	111	Sifting recommended calendar ..	666
Passed; ayes 38, nays 2	112	Referred	667
Reported enrolled	318	Returned without recommendation	672
Signed by President	318	Amendment filed	708
Sent to Governor	318	Amendments adopted	737
Signed by Governor	328	Passed; ayes 43, nays none	738
2 By Faul. Proposing a constitutional amendment to lower the legal voting age to eighteen.		8 By Special Tax Revision. Relating to creation of special committee to study taxation in Iowa; prescribing powers and authority; making appropriation for.	
Introduced, passed on file	109	Introduced, referred	567
Referred	129	9 By Cities and Towns. Establishing a commission to prepare a code of municipal laws and formulate uniform accounting system.	
3 By Berg and Faul. To designate the "Grand Army of the Republic Highway" and provide markers.		Introduced, referred	710
Introduced, passed on file	208	10 By Public Lands and Buildings. Relating to purchase, furnishing and maintenance of certain J. H. Cownie real estate to be used as Governor's residence.	
Referred	226	Introduced, referred	908
Recommended passage	478	Amendment filed	925
4 By Newsome. Relating to the term of office of the Governor.		11 By Committee of the Whole. Relating to making it unlawful for two or more insurance companies to enter into agreements relative to rates to be charged within the state; suspending section 9010, Code, 1939.	
Introduced, passed on file	274	Introduced	1070
Referred	296	Committee of the whole recommended passage	1070
Amendment filed	298	Vote records expunged	1071, 1072
5 By Public Lands and Buildings. Providing for exercise and acceptance of option to purchase by the state certain real estate from the International Harvester Co. in Des Moines.		S. F.	
Introduced, referred	367	1 By Shaw, Faul, Berg, Elthon, Dykhouse, Mowry, Dewel, Findlay, White and Lynes. Relating to tax exemption to soldiers, sailors, marines and nurses.	
Recommended passage	384	Introduced, passed on file	10
Passed; ayes 41, nays 1	394		
Reported enrolled	544		
Signed by President	544		
Sent to Governor	544		
Signed by Governor	564		
6 By Vrba. Relating to adoption of "Largo" movement (Antonin Dvorak) as official state instrumental music.			
Introduced, passed on file	433		
Referred	446		
Sifting recommended calendar ..	789		
Passed; ayes 48, nays none	823		

S. F.	Page
Referred	78
Amendments filed..118, 130, 151,	185
Returned without recommenda- tion	162
Committee report adopted.....	231
Amendment as amended adopt- ed	293
Passed; ayes 48, nays 1.....	284
Recalled from House.....	973

2 By Berg and Faul. Relat-
ing to relief for honorably
discharged men and women
of the military or naval
forces.

Introduced, passed on file.....	10
Referred	78
Amendments filed..89, 118, 284,	508
Recommended passage	268
Amendments adopted..502, 503,	512
Action deferred	503
Amendment withdrawn	512
Passed; ayes 50, nays none.....	512
Concurred	821
Passed; ayes 46, nays none.....	822
Reported enrolled	867
Signed by President.....	867
Sent to Governor.....	868
Signed by Governor.....	925

3 By Faul. Relating to ex-
emption from personal in-
come tax of members of the
armed forces.

Introduced, passed on file.....	10
Referred	78
Amendments filed	131, 229
Recommended passage	384
Sifting recommended calendar..	531
Amendment withdrawn	555
Amendments adopted	555, 556
Passed; ayes 46, nays none.....	556
Concurred	679
Passed; ayes 45, nays none.....	679
Reported enrolled	697
Signed by President.....	697
Sent to Governor.....	697
Signed by Governor.....	707

4 By Faul and Berg. Relat-
ing to interest and penalty on
delinquent taxes.

Introduced, passed on file.....	10
Referred	78
Recommended passage	180
Passed; ayes 46, nays none.....	136

5 By Faul and Berg. Relat-
ing to discrimination in the
matter of wearing of uni-
forms.

Introduced, passed on file.....	11
Referred	78
Recommended passage	149
Passed; ayes 42, nays none.....	170
Reported enrolled	402
Signed by President.....	402
Sent to Governor.....	403
Signed by Governor.....	424

6 By Faul and Berg. Relat-
ing to veteran's newsstand in
lobby of state capitol.

Introduced, passed on file.....	11
Referred	78
Recommended passage	227
Passed; ayes 46, nays none.....	309
Reported enrolled	563
Signed by President.....	564
Sent to Governor.....	564
Signed by Governor.....	564

S. F.	Page
7 By Berg and Faul. Relat- ing to veterans' newsstands in county courthouses.	
Introduced, passed on file.....	11
Referred	78
Recommended passage	227
Passed; ayes 46, nays none.....	310
Reported enrolled	563
Signed by President.....	564
Sent to Governor.....	564
Signed by Governor.....	564

8 By Berg and Faul. Relat-
ing to pardon of paroled pris-
oner in armed service or em-
ployed on public works.

Introduced, passed on file.....	11
Referred	78

9 By Berg and Faul. To ext-
end protection on wearing of
uniforms.

Introduced, passed on file.....	11
Referred	78
Recommended passage	150
Amendment filed	172
Amendment adopted	177
Passed; ayes 45, nays none.....	177
Reported enrolled	563
Signed by President.....	564
Sent to Governor.....	564
Signed by Governor.....	564

10 By Faul and Berg. Relat-
ing to preference in public
employment of honorably dis-
charged members of military
or naval forces.

Introduced, passed on file.....	11
Referred	78
Recommended passage	162
Passed; ayes 49, nays none.....	194
Concurred	571
Passed; ayes 45, nays none.....	571
Reported enrolled	607
Signed by President.....	607
Sent to Governor.....	608
Signed by Governor.....	643

11 By Faul and Berg. Relat-
ing to war orphans' educa-
tional aid fund.

Introduced, passed on file.....	12
Referred	78
Recommended passage	150
Passed; ayes 41, nays 2.....	178

12 By Faul and Berg. Relat-
ing to homestead exemption
for purchasers under G. I.
bill.

Introduced, passed on file.....	12
Referred	78

13 By Faul and Berg. Relat-
ing to protection of civil
service rights of members of
police, fire departments.

Introduced, passed on file.....	12
Withdrawn	39

14 By Mowry. To require no-
tice by tenant of intention to
vacate where damage may be
occasioned by freezing.

Introduced, passed on file.....	12
Referred	78
Amendment filed	298

15 By Clem, Bekman, Find-
lay, Hart, Byers, Cromwell.
Relating to and providing for
salaries of mayor and coun-
cilm en in certain cities.

Introduced, passed on file.....	13
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S. F.	Page
Referred	78
Recommended amendments with- out further rec.....	226
Amendment adopted	440
Passed; ayes 38, nays 3.....	441
Further amended	441
Concurred	572
Passed; ayes 46, nays none.....	572
Reported enrolled	607
Signed by President.....	607
Sent to Governor.....	608
Signed by Governor.....	643
16 By Berg. Relating to sal- ary and duties of deputy treasurers.	
Introduced, passed on file.....	13
Referred	78
Withdrawn	557
17 By Henningsen. Relating to filing of county attorney's true informations in munic- pal courts.	
Introduced, passed on file.....	13
Referred	78
Recommended passage	98
Passed; ayes 42, nays none.....	110
Reported enrolled	681
Signed by President.....	681
Sent to Governor.....	681
Signed by Governor.....	698
18 By Benson. Providing for a soldiers rehabilitation tax credit.	
Introduced, passed on file.....	14
Referred	78
Amendments filed 151, 905, 961, Returned without recommenda- tion	962
Motion to bring out of sifting..	199
	977
19 By Faul. Relating to wards of the veterans administra- tion; to make law uniform.	
Introduced, passed on file.....	14
Referred	78
Amendments filed	81, 89
Recommended passage	88
Amendments adopted	103
Passed; ayes 46, nays none.....	103
Concurred	376
Passed; ayes 50, nays none.....	376
Reported enrolled	424
Signed by President.....	424
Sent to Governor.....	424
Signed by Governor.....	446
20 By Berg. To provide a home for the Governor and to make an appropriation therefor.	
Introduced, passed on file.....	14
Referred	78
21 By Berg. Relating to the salary of the Governor of Iowa.	
Introduced, passed on file.....	14
Referred	79
Recommended passage	117
Passed; ayes 42, nays 4.....	127
22 By Faul. Relating to group accident and health in- surance.	
Introduced, passed on file.....	14
Referred	79
Recommended passage	199
Amendment filed	230
Deferred	330, 340
Amendment withdrawn	339
Returned to insurance.....	354

S. F.	Page
23 By Faul. Relating to no- tices to depart served on pos- sible county charges.	
Introduced, passed on file.....	14
Referred	79
Recommended passage	183
Passed; ayes 47, nays none.....	305
Reported enrolled	1001
Signed by President.....	1001
Sent to Governor.....	1001
Signed by Governor.....	1031
24 By Faul. Relating to con- veyances of real estate and creation of joint tenancies.	
Introduced, passed on file.....	14
Referred	79
Amendment filed	248
Recommended passage	282
Amendments filed	298, 546
Sifting recommended calendar..	520
Deferred	528
Amendments withdrawn	552, 553
Amendment adopted	553
Passed; ayes 42, nays none.....	553
25 By Faul, Byers, Berg, Clem and Bekman. To provide re- tirement system for em- ployees of municipally owned waterworks.	
Introduced, passed on file.....	15
Referred	79
Returned without recommenda- tion	226
Amendments filed 363, 364, 385, Amendment withdrawn	386
Sifting recommended calendar	478
Deferred	751
Amendment adopted	770
Passed; ayes 40, nays none.....	779
Concurred	779
Title amended	896
Passed; ayes 44, nays none.....	896
Reported enrolled	924
Signed by President.....	924
Sent to Governor.....	925
Signed by Governor.....	946
26 By Faul. To provide re- tirement system and group insurance for state em- ployees.	
Introduced, passed on file.....	15
Referred	79
Withdrawn from committee, re- ferred	327
27 By Faul. Relating to ac- tions of forcible entry and detention of real property; jurisdiction of municipal courts.	
Introduced, passed on file.....	15
Referred	79
Re-referred	156
Withdrawn	359
28 By Faul. Relating to al- lowance to institutions for care of neglected, delinquent children.	
Introduced, passed on file.....	15
Referred	79
29 By Faul. Relating to pen- alty for contributing to the delinquency of a minor; granting jurisdiction in ju- venile courts of such offenses.	
Introduced, passed on file.....	15
Referred	79
Recommended passage	98
Deferred	104, 176

S. F.	Page
Amendment filed	150, 186
Amendments adopted	218
Passed; ayes 38, nays 2	218
Title amended	219

30 By Long, Love and Clem.
To provide for a credit on
personal income tax for years
1945-1946.

Introduced, passed on file	16
Referred	79
Amendments filed	81, 118
Recommended amendment and passage	89
Amendments adopted	158
Amendment withdrawn	159
Passed; ayes 32, nays 17	160
Title amended	161
Concurred	247
Passed; ayes 44, nays 2	247
Reported enrolled	265
Signed by President	266
Sent to Governor	266
Signed by Governor	289

31 By Byers, Elthon, Love,
Martin, Henningsen and
Clem. To provide for licens-
ing and regulation of barber
shops and barber schools.

Introduced passed on file	35
Referred	79
Recommended passage	214
Amendments filed	215, 257
Amendments adopted	378
Passed; ayes 50, nays none	378
Concurred	1059
Passed; ayes 35, nays none	1059
Reported enrolled	1073
Signed by President	1073
Sent to Governor	1074
Signed by Governor	1077

32 By Mowry, Vittetoe, Love,
Doud and Clem. Relating to
compensation of county, mu-
nicipal and school examiners.

Introduced, passed on file	35
Referred	79
Recommended amendment and passage	129
Amendment adopted	136
Passed; ayes 47, nays none	137
Reported enrolled	328
Signed by President	328
Sent to Governor	346
Signed by Governor	371

33 By Schluter. Relating to
limitations for foreclosure of
ancient mortgages.

Introduced, passed on file	35
Referred	79
Recommended passage	99
Passed; ayes 44, nays none	111
Concurred	944
Passed; ayes 36, nays none	944
Reported enrolled	977
Signed by President	978
Sent to Governor	978
Signed by Governor	1001

34 By Faul. Relating to ex-
emption of household furni-
ture and equipment from tax-
ation.

Introduced, passed on file	38
Referred	79
Recommended passage	162
Amendment adopted	195
Passed; ayes 48, nays 1	195

S. F.	Page
35 By Faul. Relating to ex- emption from taxation of household furniture and equipment of persons in the armed forces.	

Introduced, passed on file	38
Referred	79
Recommended passage	162
Passed; ayes 49, nays none	196
Reported enrolled	833
Signed by President	834
Sent to Governor	834
Signed by Governor	925

36 By Mowry. To require bond
for opening of strip mines to
insure return of top soil.

Introduced, passed on file	38
Referred	79

37 By Watson. Relating to
the election of members of
board of supervisors.

Introduced, passed on file	73
Referred	86
Recommended passage	163
Passed; ayes 46, nays none	197
Reported enrolled	274
Signed by President	274
Sent to Governor	274
Signed by Governor	289

38 By Berg. Relating to ap-
propriations from the state
general revenue fund.

Introduced, passed on file	73
Referred	86

39 By Dykhouse, Knudson,
Watson, Augustine, Shaw and
Henningsen. Relating to the
orderly marketing of real es-
tate; licensing of brokers,
salesmen.

Introduced, passed on file	73
Referred	86
Amendment filed	89
Recommended passage	117
Amendments filed ...131, 151, 152, 230, 231, 232, 285	
Amendments adopted ...241, 242, 243, 244, 245, 262, 263, 264, 265, 291	
Passed; ayes 37, nays 4	291
Concurred	865
Passed; ayes 39, nays 4	865
Reported enrolled	903
Signed by President	903
Sent to Governor	903
Signed by Governor	925

40 By Leo. Relating to rever-
sion of abandoned cemetery
lots.

Introduced, passed on file	74
Referred	86

41 By Byers and Clem. Relat-
ing to salaries of city assess-
ors and their deputies.

Introduced, passed on file	74
Referred	86
Amendment filed	118
Returned as amended without recommendation	478

42 By Faul. Relating to ac-
quisition of real estate by the
federal government and jur-
isdiction thereof.

Introduced, passed on file	74
Referred	86
Amendment filed	99
Recommended passage	117

S. F.	Page
Amendment adopted	128
Failed; ayes 3, nays 38.....	129
43 By Faul. Relating to fees paid to petit jurors.	
Introduced, passed on file.....	74
Referred	86
Amendment filed	185
44 By Lynes and Zastrow. To require written notices to stockholders of corporations of amendments about to be adopted.	
Introduced, passed on file.....	74
Recommended passage	98
Amendment adopted	116
Deferred	116
Passed; ayes 42, nays 2.....	126
45 By Watson, Faul and Martin. Relating to benefits under retirement systems for policemen and firemen.	
Introduced, passed on file.....	74
Referred	86
Recommended passage	148
Amendment adopted	178
Passed; ayes 45, nays none.....	178
Concurred	716
Passed; ayes 42, nays none.....	716
Reported enrolled	750
Signed by President.....	750
Sent to Governor.....	750
Signed by Governor.....	757
46 By Faul. Authorizing a member of board of supervisors to be a member of the insanity commission; or other person designated by board.	
Introduced, passed on file.....	75
Referred	86
47 By Faul. Fixing the salaries of assistant county attorneys.	
Introduced, passed on file.....	75
Referred	86
48 By Faul. Fixing the salaries of county attorneys.	
Introduced, passed on file.....	75
Referred	86
49 By Byers, Hart, Martin, Hultman and Reilly. To create highway patrolmen's retirement fund.	
Introduced, passed on file.....	75
Referred	86
Withdrawn from committee, referred	327
Amendment adopted	471
Passed; ayes 45, nays 1.....	471
50 By Martin and Pine. Relating to boarding of prisoners.	
Introduced, passed on file.....	83
Referred	92
Withdrawn	304
51 By Bekman. To legalize action of supervisors of Wapello county.	
Introduced, passed on file.....	83
Referred	92
Recommended passage	99
Passed; ayes 46, nays none.....	104
Reported enrolled	274
Signed by President.....	274
Sent to Governor.....	274
Signed by Governor.....	318

S. F.	Page
52 By Elthon, Dykhouse, Zastrow, Mowry, Mercer, Hill, Reilly and Clem. Relating to watchmakers and watchmaking.	
Introduced, passed on file.....	84
Referred	92
Recommended passage	281
Amendments filed	346, 652
Sifting recommended calendar.....	630
Amendments adopted.....	669, 670
Passed; ayes 32, nays 7.....	670
Concurred	837
Passed; ayes 43, nays 5.....	838
Reported enrolled	883
Signed by President.....	884
Sent to Governor.....	884
Signed by Governor.....	978
53 By Berg, Zastrow and Sullivan. Relating to mechanic liens and increasing scope thereof.	
Introduced, passed on file.....	84
Referred	92
Recommended passage	183
Passed; ayes 46, nays none.....	329
Reported enrolled	841
Signed by President.....	841
Sent to Governor.....	841
Signed by Governor.....	868
54 By Schluter and Doud. To subject sales of tangible personal property by the federal government to the state use tax.	
Introduced, passed on file.....	84
Referred	92
Recommended passage	284
Amendments filed.....	298, 508, 532
Deferred	490
Sifting recommended calendar.....	520
Deferred	523
Amendment withdrawn	535
Amendments adopted	535
Passed; ayes 43, nays none.....	536
Reported enrolled	841
Signed by President.....	841
Sent to Governor.....	841
Signed by Governor.....	868
55 By Bekman, Long, Schluter, Sullivan and Zastrow. Relating to unprofessional conduct by certain licensees in professions affecting public health.	
Introduced, passed on file.....	87
Referred	92
56 By Bekman, Long, Schluter, Sullivan and Zastrow. To further define persons deemed engaged in practice of optometry.	
Introduced, passed on file.....	87
Referred	92
57 By Byers. Relating to loans and investments; operation of building, loan and savings associations.	
Introduced, passed on file.....	87
Referred	92
Recommended amendment and passage	269
Amendments filed	450, 451
Amendment adopted	495
Amendment withdrawn	496
Passed; ayes 49, nays none.....	496
Concurred	661
Passed; ayes 47, nays none.....	661
Reported enrolled	681

S. F.	Page
Signed by President.....	681
Sent to Governor.....	681
Signed by Governor.....	698
58 By Pine. To make an ap- propriation to Muscatine county, Iowa.	
Introduced, passed on file.....	87
Referred.....	92
59 By Judiciary 1. Relating to the appointment of a special assistant attorney general.	
Introduced, placed on calendar..	89
Failed; ayes 23, nays 23.....	127
60 By Mowry and Clem. Re- lating to the licensing of dogs.	
Introduced, passed on file.....	88
Referred.....	92
Amendments filed.....	163, 438
Recommended amendment and passage.....	228
Deferred.....	395
Amendments adopted.....	441
Passed; ayes 40, nays none.....	441
61 By Watson. Relating to profits of the state liquor commission.	
Introduced, passed on file.....	88
Referred.....	92
Recommended passage.....	448
62 By Martin. Legalizing re- newal of incorporation of Smith Bros. and Burdick Co.	
Introduced, passed on file.....	88
Referred.....	92
Recommended passage.....	149
Passed; ayes 43, nays none.....	179
Reported enrolled.....	544
Signed by President.....	544
Sent to Governor.....	544
Signed by Governor.....	564
63 By Bekman, Faul, Clem and Cromwell. Relative to transfer of shares of stock in corporations.	
Introduced, passed on file.....	90
Referred.....	106
Recommended passage.....	282
Sifting recommended calendar..	584
Passed; ayes 39, nays none.....	594
64 By Bekman. Relating to firing blasting shots in coal mines.	
Introduced, passed on file.....	90
Referred.....	106
Amendments filed.....	107, 320, 347
Recommended passage.....	269
H. F. 84 substituted.....	503
Withdrawn.....	515
65 By Byers, Hart, Pine, Hen- ningsen, Findlay, Zastrow and Knudson. Relative to appointment of police and fire chiefs from civil service list.	
Introduced, passed on file.....	90
Referred.....	106
Amendments filed.....	404, 405
66 By Faul. Relating to sal- aries of juvenile court proba- tion officers.	
Introduced, passed on file.....	90
Referred.....	106
Returned without recommenda- tion.....	282
Amendment filed.....	347

S. F.	Page
67 By Hill. Pertaining to time of granting administration in estates when decedent died out of the state.	
Introduced, passed on file.....	91
Referred.....	106
Recommended passage.....	149
Re-referred to judiciary 1.....	280
68 By Faul. Relating to lien of personal taxes.	
Introduced, passed on file.....	91
Referred.....	106
69 By Faul. Relating to levy- ing of executions on real es- tate; providing limitation on lien.	
Introduced, passed on file.....	91
Referred.....	106
70 By Faul. Relating to pen- sion funds in cities; to make applicable to certain deputy bailiffs of municipal courts.	
Introduced, passed on file.....	91
Referred.....	106
Amendment filed.....	118
Recommended for passage.....	434
71 By Jones. Relating to dis- continuance of municipal cor- porations.	
Introduced, passed on file.....	92
Referred.....	106
Recommended passage.....	183
Passed; ayes 45, nays none.....	305
Reported enrolled.....	841
Signed by President.....	841
Sent to Governor.....	841
Signed by Governor.....	868
72 By Cromwell. Relating to notice of appointment of ex- ecutors and administrators.	
Introduced, passed on file.....	92
Referred.....	106
Amendment filed.....	214
73 By Mercer, Zastrow, Aug- ustine, Vittetoe, Elthon, Clem and Berg. To provide retire- ment system for state em- ployees; to create board.	
Introduced, passed on file.....	93
Referred.....	106
Withdrawn from committee, re- ferred.....	327
74 By Doud, Foster, Long, Ritchie and Sjuuln. Relating to salaries of business man- agers of state institutions operating under board of con- trol.	
Introduced, passed on file.....	93
Referred.....	106
Recommended amendments and passage.....	227
Recommended passage.....	434
Amendment adopted.....	443
Passed; ayes 48, nays none.....	443
Reported enrolled.....	946
Signed by President.....	946
Sent to Governor.....	946
Signed by Governor.....	946
75 By Knudson. Relating to the publication of the state salary list, repealing chap. 15, sect. 215.	
Introduced, passed on file.....	100
Referred.....	116
Amendments filed.....	131, 132

S. F.	Page
76 By Cromwell. Relating to the publication of new editions of the Iowa code.	
Introduced, passed on file.....	100
Referred	116
Recommended passage	361
77 By Judiciary 1. Authorizing code editor to edit expression "and/or" in statutes and acts.	
Introduced, placed on calendar..	100
Referred	112
78 By Judiciary 1. Relating to joint municipal improvement of highways.	
Introduced, placed on calendar..	100
Passed; ayes 41, nays 2	113
Reported enrolled	424
Signed by President.....	424
Sent to Governor.....	424
Signed by Governor.....	446
79 By Judiciary 1. To authorize code editor with respect to publishing of annotations.	
Introduced, placed on calendar..	100
Passed; ayes 46, nays none.....	113
Reported enrolled	371
Signed by President.....	371
Sent to Governor.....	371
Signed by Governor.....	371
80 By Judiciary 1. To transfer certain code section relating to secondary road bonds.	
Introduced, placed on calendar..	101
Deferred	114
Amendment filed	118
Re-referred to Judiciary 1.....	125
81 By Judiciary 1. Relating to the form of bills to be presented to the general assembly.	
Introduced, placed on calendar..	101
Passed; ayes 43, nays none.....	114
Reported enrolled	371
Signed by President.....	371
Sent to Governor.....	371
Signed by Governor.....	371
82 By Judiciary 1. Relating to closed waters for seining fish in the Mississippi River.	
Introduced, placed on calendar..	101
Passed; ayes 45, nays none.....	115
Concurred	426
Passed; ayes 43, nays none.....	426
Reported enrolled	445
Signed by President.....	446
Sent to Governor.....	446
Signed by Governor.....	470
83 By Judiciary 1. Relating to special counsel for the employment security commission.	
Introduced, placed on calendar..	101
Passed; ayes 46, nays none.....	115
Reported enrolled	271
Signed by President.....	274
Sent to Governor.....	274
Signed by Governor.....	318
84 By Knudson and Cromwell. Authorizing municipalities to make additional levy for maintenance of airports.	
Introduced, passed on file.....	101
Referred	116
Recommended passage	199
Amendment filed	200

S. F.	Page
Deferred	330, 395
Amendment adopted	427
Passed; ayes 44, nays 1.....	428
Reported enrolled	725
Signed by President.....	725
Sent to Governor.....	725
Signed by Governor.....	750
85 By Hill. To authorize payments of claims for public deposits in closed national banks.	
Introduced, passed on file.....	101
Referred	116
Recommended passage	200
Amendment adopted	253
Passed; ayes 40, nays none....	254
Reported enrolled	607
Signed by President.....	607
Sent to Governor.....	608
Signed by Governor.....	643
86 By Paul. To make judgments for alimony and child support liens on real estate.	
Introduced, passed on file.....	101
Referred	116
87 By Mowry, Zastrow, Sjulin, Foster, Findlay and Elthon. Relating to sale of beer and malt liquors; local option.	
Introduced, passed on file.....	102
Referred	116
88 By Mowry, Zastrow, Sjulin, Foster, Findlay and Elthon. Relating to liquor control; local option.	
Introduced, passed on file.....	102
Referred	116
89 By Cromwell. Fixing period of limitations within which action may be begun with respect to wages.	
Introduced, passed on file.....	108
Referred	129
Amendment filed	232
90 By Reilly. To legalize proceedings of directors of the independent school district of Dubuque, in respect to establishment of employees' pension and annuity retirement system.	
Introduced, passed on file.....	108
Referred	129
Recommended passage	323
Passed; ayes 49, nays none.....	463
Reported enrolled	544
Signed by President.....	544
Sent to Governor.....	544
Signed by Governor.....	564
Proof of publication certified..	448
91 By Berg and Shaw. Relating to road poll tax and to repeal same.	
Introduced, passed on file.....	109
Referred	129
Recommended passage	255
Committee report adopted.....	311
Deferred	311
Failed; ayes 14, nays 23.....	444
92 By Paul. Relating to compensation of clerk of the grand jury.	
Introduced, passed on file.....	109
Referred	129
Recommended indefinite postponement	333

S. F.	Page	S. F.	Page
93 By Faul, Berg and Henningsen. Relating to salaries of the judges of the municipal court.		compensation and reducing waiting period.	
Introduced, passed on file.....	109	Introduced, passed on file.....	121
Referred.....	129	Referred.....	141
Recommended passage.....	282	Recommended passage.....	228
Amendments filed.....347, 348, 508,	520	Amendment filed.....410,	450
		H. F. 101 substituted.....	497
		Withdrawn.....	500
94 By Mowry and Hill. To repeal section on period of limitation for claims for pay arising from federal projects.		102 By Sharp, Sjulin, Hart, Doud, Paul, Pine, Cromwell, Mercer, Knudson, Keir, Long, and Hultman. To provide for a "second injury fund" under workmen's compensation.	
Introduced, passed on file.....	117	Introduced, passed on file.....	121
Referred.....	129	Referred.....	141
Recommended passage.....	213	Recommended passage.....	248
Amendment filed.....	269	Passed; ayes 47, nays none.....	502
Amendment adopted.....	380	Reported enrolled.....	681
Passed; ayes 50, nays none.....	380	Signed by President.....	681
Concurred.....	775	Sent to Governor.....	681
Passed; ayes 43, nays none.....	776	Signed by Governor.....	698
Reported enrolled.....	788		
Signed by President.....	788	103 By Sharp, Sjulin, Hart, Doud, Paul, Pine, Cromwell, Mercer, Knudson, Keir, Long and Hultman. Relating to unemployment compensation and the payment thereof.	
Sent to Governor.....	788	Introduced, passed on file.....	121
Signed by Governor.....	827	Referred.....	141
95 By Mowry. Providing for adjustment of cigarette license permits during emergency.		Recommended passage.....	228
Introduced, passed on file.....	119	Amendments filed.....	405, 406, 410, 480, 1002
Referred.....	141	Sifting recommended calendar.....	947
Sifting recommended calendar.....	652	Deferred.....	1011
Amendments filed.....673, 681,	682	Amendment withdrawn.....1021, 1023	
Amendments adopted.....	724	Amendments adopted.....	1021, 1022, 1023, 1024
Passed; ayes 38, nays 1.....	724	Passed; ayes 48, nays none.....	1024
96 By Compensation of Public Officers and Employees. Relating to salary of judges of the district court.		Reported enrolled.....	1073
Introduced, placed on calendar..	120	Signed by President.....	1073
Amendment filed.....	163	Sent to Governor.....	1074
Passed; ayes 41, nays 2.....	168	Signed by Governor.....	1077
Reported enrolled.....	626		
Signed by President.....	626	104 By Sharp, Sjulin, Hart, Doud, Paul, Pine, Cromwell, Mercer, Knudson, Keir, Long and Hultman. To provide for the transfer of employers' accounts to successor employers.	
Sent to Governor.....	626	Introduced, passed on file.....	122
Signed by Governor.....	643	Referred.....	141
97 By Martin. Relating to owners of certain riparian lands.		105 By Sharp, Sjulin, Hart, Doud, Paul, Pine, Cromwell, Mercer, Knudson, Keir, Long and Hultman. To permit voluntary payments to unemployment compensation contributions.	
Introduced, passed on file.....	120	Introduced, passed on file.....	122
Referred.....	141	Referred.....	141
Recommended passage.....	434		
Withdrawn.....	762	106 By Faul. To create lien of personal property tax on property which was the basis of such tax.	
98 By Judiciary 1. Fixing of judgment in first degree murder cases where guilty plea has been entered.		Introduced, passed on file.....	122
Introduced, placed on calendar..	120	Referred.....	141
Amendment filed.....	150	Recommended amendment and passage.....	298
Amendment adopted.....	137	H. F. 103 substituted.....	500
Passed; ayes 39, nays 8.....	138	Withdrawn.....	501
99 By Faul. Relating to unemployment compensation; to increase benefits thereunder.			
Introduced, passed on file.....	120	107 By Faul. Relating to duration of liens of judgments transcribed from municipal to district courts.	
Referred.....	141	Introduced, passed on file.....	123
100 By Faul. Relating to benefit eligibility condition of required waiting period under unemployment compensation.		Referred.....	141
Introduced, passed on file.....	121		
Referred.....	141		
101 By Sharp, Sjulin, Hart, Doud, Paul, Pine, Cromwell, Mercer, Knudson, Keir, Long and Hultman. Relating to workmen's compensation; fixing amount of weekly com-			

SENATE RECORD OF SENATE BILLS

1105

S. F.	Page
108 By Watson. Relating to dogs licensed by city, to eliminate county license.	
Introduced, passed on file.....	123
Referred	141
109 By Insurance. Relating to investments by insurance companies.	
Introduced, placed on calendar..	123
Amendment filed	163
Amendment adopted	277
Passed; ayes 47, nays none.....	277
Reported enrolled.....	671
Signed by President.....	671
Sent to Governor.....	671
Signed by Governor.....	698
110 By Insurance. Relating to standard policy provisions in fire insurance contracts.	
Introduced, placed on calendar..	123
Amendments filed...185, 200, 232, 270	
Amendments adopted...278, 279,	280
Passed; ayes 48, nays none.....	280
111 By Foster. Relating to transportation of school children.	
Introduced, passed on file.....	124
Referred	141
Amendment filed	406
Recommended amendment and passage	449
112 By Judiciary 2. Relating to itinerant licenses for cosmetologists.	
Introduced, placed on calendar..	124
Passed; ayes 43, nays none.....	138
113 By Judiciary 2 To clarify various amendments to statutes relating to old age assistance.	
Introduced, placed on calendar..	124
Amendment filed	151
Passed; ayes 42, nays none.....	168
Reported enrolled.....	946
Signed by President.....	946
Sent to Governor.....	946
Signed by Governor.....	1031
114 By Byers, Bekman and Clem. Authorizing industrial commissioner in appointment of deputies and matters of arbitration.	
Introduced, passed on file.....	124
Referred	141
Sifting recommended calendar..	546
Amendment filed	565
Amendments adopted.....575, 576	
Passed; ayes 45, nays none.....	576
Reported enrolled.....	1073
Signed by President.....	1073
Sent to Governor.....	1074
Signed by Governor.....	1077
115 By Lucas and Dewel. Relating to refund of motor vehicle fuel license fees.	
Introduced, passed on file.....	125
Referred	141
116 By Dewel, Shaw, Keir and Lucas. To make an appropriation for dredging, improving Five Island Lake in Palo Alto county.	
Introduced, passed on file.....	125
Referred	141
Recommended passage	449
Referred	520

S. F.	Page
117 By Schluter. To change gross figure at which state income tax return must be made.	
Introduced, passed on file.....	133
Referred	161
Recommended passage	227
Passed; ayes 44, nays none.....	336
Amendment filed	406
118 By Shaw, Sjulín, Elthon, Zastrow and Hill. Relating to termination of farm tenancies.	
Introduced, passed on file.....	134
Referred	161
Recommended passage	283
119 By Byers, Pine, Mowry, Watson, Bekman, Findlay and Mercer. Relating to wages on public works.	
Introduced, passed on file.....	134
Referred	161
Amendments filed	336
Recommended amendment and passage	506
120 By Mowry. Relating to tax levied for old age pension fund.	
Introduced, passed on file.....	134
Referred	161
121 By Reilly. To permit certain cities to increase levy for park purposes.	
Introduced, passed on file.....	134
Referred	161
Amendment filed	233
Recommended amendment and passage	333
Sifting recommended calendar..	884
Amendment adopted	921
Amendment withdrawn	921
Passed; ayes 32, nays none.....	921
122 By Banks, Building and Loan. To authorize certain banks to make installment loans.	
Introduced, placed on calendar..	134
Amendments filed	184, 185, 186, 187, 200,
Amendments adopted	208, 211
Passed; ayes 37, nays 11.....	211
Ordered engrossed	211
Concurred	252
Passed; ayes 35, nays 4.....	253
Reported enrolled	265
Signed by President.....	266
Sent to Governor.....	266
Signed by Governor.....	289
123 By Hawkins. Relating to termination of agricultural leases and tenancy.	
Introduced, passed on file.....	134
Referred	161
124 By Byers and Hart. Relating to the salary of judges of the superior court.	
Introduced, passed on file.....	135
Referred	161
Returned without recommendation	283
125 By Motor Vehicles. Relating to certain exemptions from the chauffeur's license requirements.	
Introduced, placed on calendar..	135
Action deferred	180
Amendments filed	185, 214

S. F.	Page	S. F.	Page
Amendments adopted.....	219, 220	Sent to Governor.....	608
Passed; ayes 44, nays none.....	220	Recalled from Governor.....	637, 642
Refused to concur.....	518	Signatures expunged.....	663
Conference committee appointed.....	543	Vote reconsidered.....	663
Conference report 588; adopted.....	589	Messaged to House.....	663
Passed; ayes 47, nays none.....	589		
Votes reconsidered.....	634, 635	132 By Watson. Relating to exemption from sales tax for governmental bodies of Iowa. Introduced, passed on file.....	155
Conference rec. amendment and passage.....	657, 658	Referred.....	172
Conference report withdrawn; adopted.....	685, 686	133 By Leo. To allow supervisors to appropriate for tiling across roadways. Introduced, passed on file.....	155
Passed; ayes 50, nays none.....	686	Referred.....	172
Reported enrolled.....	750	Recommended passage.....	319
Signed by President.....	750	Passed; ayes 44, nays none.....	399
Sent to Governor.....	750		
Signed by Governor.....	757	134 By Faul and Lucas. Pertaining to associations providing sick and funeral benefits only. Introduced, passed on file.....	155
126 By Sharp. To require vote of county on construction of county hospital costing more than \$10,000. Introduced, passed on file.....	153	Referred.....	172
Referred.....	172		
Recommended passage.....	319	135 By Judiciary 1. Relating to trade names and fees to be charged by county treasurer. Introduced, placed on calendar.....	155
Sifting recommended calendar.....	652	Passed; ayes 39, nays none.....	224
Amendments adopted.....	722, 736	Concurred.....	764
Deferred.....	722	Passed; ayes 35, nays none.....	788
Passed; ayes 44, nays none.....	736	Reported enrolled.....	788
Concurred.....	940	Signed by President.....	788
Passed; ayes 42, nays none.....	941	Sent to Governor.....	788
Reported enrolled.....	977	Signed by Governor.....	827
Signed by President.....	978		
Sent to Governor.....	978	136 By Schluter. Relating to provisions for publication, posting of financial statements of school districts. Introduced, passed on file.....	155
Signed by Governor.....	1074	Referred.....	172
127 By Hultman. Relating to exemptions from chain store tax; to clarify law. Introduced, passed on file.....	153	Amendment filed.....	284
Referred.....	172		
Recommended passage.....	282	137 By Zastrow, Lucas, Reilly and Henningsen. To provide for safety of traveling public and railroad employees. Introduced, passed on file.....	156
128 By Public Health. Relating to nonprofit corporations furnishing hospital service. Introduced, placed on calendar.....	154	Referred.....	172
Passed; ayes 44, nays none.....	223		
Reported enrolled.....	371	138 By Doud. Relating to construction of secondary roads with respect to mail and school bus routes. Introduced, passed on file.....	161
Signed by President.....	371	Referred.....	172
Sent to Governor.....	371		
Signed by Governor.....	402	139 By Byers. Relating to lease or sale of real estate owned by a county. Introduced, passed on file.....	161
129 By Shaw and Elthon. To exempt old age assistance recipients from requirements of hunting, fishing licenses. Introduced, passed on file.....	154	Referred.....	172
Referred.....	172	Sifting recommended calendar.....	630
Recommended passage.....	450	Passed; ayes 42, nays none.....	715
Passed; ayes 50, nays none.....	489	Reported enrolled.....	1001
Concurred.....	913	Signed by President.....	1001
Passed; ayes 43, nays none.....	913	Sent to Governor.....	1001
Reported enrolled.....	946	Signed by Governor.....	1031
Signed by President.....	946		
Sent to Governor.....	946	140 By Byers. To increase driver's and chauffeur's license fees. Introduced, passed on file.....	161
Signed by Governor.....	946	Referred.....	172
130 By Hultman. To provide for increases in compensation for certain public officers and employees. Introduced, passed on file.....	154	Recommended passage.....	268
Withdrawn.....	156	Amendments filed.....	520
131 By Military and Veterans Affairs. Relating to estates of missing personnel. Introduced, placed on calendar.....	154		
Deferred.....	224	141 By Hultman. Providing for free recording of certain documents issued to members of the armed forces. Introduced, passed on file.....	164
Amendment filed.....	256		
Amendments adopted.....	261		
Passed; ayes 49, nays none.....	262		
Reported enrolled.....	607		
Signed by President.....	607		

S. F.	Page
Referred	181
Recommended amendment and passage	404
Amendment filed	509
Sifting recommended calendar	520
Amendments adopted	525
Passed; ayes 43, nays none	525
Reported enrolled	924
Signed by President	924
Sent to Governor	925
Signed by Governor	946
142 By Findlay. Relating to the maintenance of secondary roads within certain cities and towns.	
Introduced, passed on file	165
Referred	181
143 By Henningsen. Relating to emergency fund levy; legalizing city of Clinton, Iowa.	
Introduced, passed on file	165
Referred	181
144 By Martin, Cromwell, Henningsen and Pine. Relating to issuance and payment of county secondary road bonds.	
Introduced, passed on file	165
Referred	181
145 By Henningsen and Pine. Relating to receipts issued by warehouseman; for further definition of "warehouseman."	
Introduced, passed on file	165
Referred	181
Amendments filed	583
Sifting recommended calendar	583
Amendments adopted	624
Passed; ayes 38, nays none	624
146 By Vbra. Relating to the construction of electric transmission lines.	
Introduced, passed on file	165
Referred	181
Recommended passage	284
Sifting recommended calendar	531
Passed; ayes 45, nays 4	558
Reported enrolled	977
Signed by President	978
Sent to Governor	978
Signed by Governor	1001
147 By Special School Code. To create a board of public instruction.	
Introduced, placed on calendar	174
Amendments filed	186, 214, 233, 256, 334
Amendments withdrawn	225, 343, 344
Committee of the whole	342
Amendments adopted	343, 344
Passed; ayes 44, nays 4	345
Title amended	345
Refused to concur	864
Conference appointed	876
148 By Special School Code. Relating to the minimum wages of teachers in the public schools.	
Introduced, placed on calendar	175
Amendments filed	233, 249
Sifting recommended calendar	520
H. F. 122 substituted	539
Withdrawn	641
149 By Special School Code. Relating to teachers' contracts, their continuation and termination.	
Introduced, placed on calendar	175

S. F.	Page
Passed; ayes 48, nays none	355
Concurred	454
Passed; ayes 44, nays 0	454
Reported enrolled	504
Signed by President	504
Sent to Governor	504
Signed by Governor	505
150 By Faul, Martin and Clem. Relating to pensions to survivors, dependents of firemen and policemen.	
Introduced, passed on file	175
Referred	197
Recommended passage	360
151 By Pine, Hill, Lynes, Faul, Martin, Lucas and Clem. Relating to motor vehicle dealer's license fee; to define "place of business."	
Introduced, passed on file	175
Referred	197
Recommended amendment and passage	268
Sifting recommended calendar	531
Amendments filed	547, 548, 565
Amendments adopted	546, 568
Amendments withdrawn	568
Passed; ayes 42, nays 1	668
Reported enrolled	725
Signed by President	725
Sent to Governor	725
Signed by Governor	750
152 By Sharp. To empower boards of supervisors with respect to unused buildings.	
Introduced, passed on file	176
Referred	197
Amendment filed	215
Recommended passage	319
153 By Agriculture. To require department of agriculture license for wholesale food establishment.	
Introduced, placed on calendar	189
Passed; ayes 47, nays none	331
Reported enrolled	903
Signed by President	903
Sent to Governor	903
Signed by Governor	925
154 By Watson. Relating to extension of time for levying tax for park improvement purposes.	
Introduced, passed on file	189
Referred	213
Recommended amendment and passage	435
Amendment adopted	464
Passed; ayes 48, nays none	465
Reported enrolled	977
Signed by President	978
Sent to Governor	978
Signed by Governor	1031
155 By Watson. Relating to extension of time for levying park tax for improvement of lakes.	
Introduced, passed on file	189
Referred	213
Recommended passage	360
Amendments filed	386, 387
Amendment adopted	466
Passed; ayes 46, nays none	466
Reported enrolled	977
Signed by President	978
Sent to Governor	978
Signed by Governor	1031

S. F.	Page	S. F.	Page
156 By Watson. To extend time for levying park improvement taxes for road grading, building construction.		165 By Claims. Making appropriations out of old-age assistance fund for funeral expenses of certain deceased recipients.	
Introduced, passed on file.....	190	Introduced, referred.....	191
Referred.....	213	Returned with amendment, without recommendation.....	267
Recommended amendment and passage.....	436	Amendment adopted.....	314
Amendment adopted.....	467	Passed; ayes 46, nays none.....	314
Passed.....	467	Reported enrolled.....	544
Reported enrolled.....	977	Signed by President.....	544
Signed by President.....	978	Sent to Governor.....	544
Sent to Governor.....	978	Signed by Governor.....	564
Signed by Governor.....	1031		
157 By Watson. To legalize issuance of storm sewer bonds for Council Bluffs, Iowa.		166 By Claims. To make appropriations to certain named persons to recover refunds on motor vehicle fees.	
Introduced, passed on file.....	190	Introduced, referred.....	192
Referred.....	213	Returned without recommendation.....	267
Amendment filed.....	215	Passed; ayes 45, nays none.....	315
Recommended amendments and passage.....	255, 256	Reported enrolled.....	544
Amendment adopted.....	312	Signed by President.....	544
Amendment withdrawn.....	312	Sent to Governor.....	544
Passed; ayes 45, nays none.....	312	Signed by Governor.....	564
Reported enrolled.....	371		
Signed by President.....	371	167 By Claims. To make appropriations to certain named persons in settlement of claims for highway accidents.	
Sent to Governor.....	371	Introduced, referred.....	192
Signed by Governor.....	402	Returned without recommendation.....	267
158 By Judiciary 2. Relating to liability insurance imposed upon certificated motor vehicle carriers.		Passed; ayes 45, nays none.....	316
Introduced, placed on calendar..	190	Concurred.....	518
Passed; ayes 48, nays none.....	355	Passed; ayes 47, nays none.....	518
Reported enrolled.....	563	Reported enrolled.....	544
Signed by President.....	564	Signed by President.....	544
Sent to Governor.....	564	Sent to Governor.....	544
Signed by Governor.....	564	Signed by Governor.....	564
159 By Judiciary 2. Relating to funds awarded in divorce or separate maintenance actions.		168 By Claims. To make appropriations for state aid to three county fairs.	
Introduced, placed on calendar..	190	Introduced, referred.....	192
Amendments adopted.....	356, 357	Returned without recommendation.....	267
Passed; ayes 45, nays 2.....	357	Passed; ayes 45, nays none.....	313
160 By Private Corporations. Relating to exemptions from taxation of shares of capital stock of certain corporations.		Reported enrolled.....	544
Introduced, placed on calendar..	191	Signed by President.....	544
Amendment filed.....	364	Sent to Governor.....	544
Amendments adopted.....	372, 375	Signed by Governor.....	564
Deferred.....	372		
Passed; ayes 32, nays 13.....	375	169 By Claims. Making appropriations to certain named persons in payment for supplies and settlement of claims against the State of Iowa.	
161 By Vrba. Relating to non-resident auctioneers.		Introduced, referred.....	192
Introduced, passed on file.....	191	Returned without recommendation.....	267
Referred.....	213	Passed; ayes 45, nays none.....	326
162 By Paul. Relating to notice of commitment of persons alleged to be insane.		Reported enrolled.....	544
Introduced, passed on file.....	191	Signed by President.....	544
Referred.....	213	Sent to Governor.....	544
163 By Paul. Relating to certificates of compliance with state housing law.		Signed by Governor.....	564
Introduced, passed on file.....	191		
Referred.....	213	170 By Mowry. To provide for additional courses of study and training at Iowa State Teachers College.	
164 By Bekman and Clem. Relating to attorney fees in certain appeals in workmen's compensation cases.		Introduced, passed on file.....	202
Introduced, passed on file.....	191	Referred.....	226
Referred.....	213	171 By Paul. Relating to appraisal of intestate estates of decedents without issue.	
		Introduced, passed on file.....	203
		Referred.....	226
		Recommended amendment and passage.....	475
		Amendment filed.....	480

S. F.	Page
172 By Clem. To legalize action of board of supervisors of Woodbury county.	
Introduced, passed on file.....	203
Referred	226
Recommended passage	283
Passed; ayes 45, nays none.....	397
Reported enrolled	681
Signed by President.....	681
Sent to Governor.....	681
Signed by Governor.....	698
173 By Bekman, Martin and Reilly. To provide for care of tuberculosis patients.	
Introduced, passed on file.....	203
Referred	226
Sifting recommended calendar..	583
Amendment filed	600
Amendment to title filed	653
Amendments adopted	667, 668
Amendment withdrawn	668
Passed; ayes 47, nays none.....	668
174 By Cromwell. Relating to limitation of actions brought to set aside a will.	
Introduced, passed on file.....	203
Referred	226
175 By Lynes and Berg. To legalize certain stock dividend issues of capital stock of Iowa corporations.	
Introduced, passed on file.....	203
Referred	226
Amendments filed	298, 348
Recommended amendment and passage	361
Amendment adopted	468
Passed; ayes 42, nays none.....	468
Reported enrolled	681
Signed by President.....	681
Sent to Governor.....	681
Signed by Governor.....	698
176 By Knudson. To restrict issuance of beer permits to "business district."	
Introduced, passed on file.....	203
Referred	226
177 By Byers. Relating to time of holding election of directors of certain insurance companies.	
Introduced, passed on file.....	204
Referred	226
Recommended passage	346
Passed; ayes 50, nays none.....	488
Reported enrolled	757
Signed by President.....	757
Sent to Governor.....	757
Signed by Governor.....	827
178 By Watson. Relating to tax levies by park commissioners.	
Introduced, passed on file.....	216
Referred	248
179 By Cromwell and Long. Providing for interlocutory decree in divorce actions.	
Introduced, passed on file.....	216
Referred	248
Returned without recommendation	332
180 By Lynes and Leo. To create a dairy commission.	
Introduced, passed on file.....	216
Referred	248

S. F.	Page
181 By Long, Zastrow, Elthon, Cromwell, Kirketeg, Klein, Doud and Faul. Fixing the salaries of judges of the supreme court.	
Introduced, passed on file.....	217
Referred	248
Recommended amendment and passage	332
Amendment filed	925
182 By Lynes, Vrba and Harvey. Relating to standards for ice cream and other food products.	
Introduced, passed on file.....	217
Referred	248
Amendment filed	270
Recommended amendment and passage	333
183 By Lynes. Relating to cream grading.	
Introduced, passed on file.....	217
Referred	248
Recommended passage	283
184 By Aeronautics. Creating a state aeronautics commission.	
Introduced, placed on calendar..	217
185 By Faul. Relating to aid to the needy blind.	
Introduced, passed on file.....	235
Referred	254
Recommended passage	361
186 By Faul. To establish zoning and fire protection regulations in areas outside cities and towns.	
Introduced, passed on file.....	235
Referred	254
Recommended passage	333
Amendment filed	600
187 By Faul. Relating to compensation of municipal court reporters.	
Introduced, passed on file.....	236
Referred	254
188 By Clem. Relating to probation officers and regulating their salaries.	
Introduced, passed on file.....	236
Referred	254
Recommended passage	434
189 By Clem. Relating to salaries, expenses of officers, employees of the juvenile court.	
Introduced, passed on file.....	236
Referred	254
Recommended passage	362
Amendment adopted	471
Passed; ayes 47, nays none.....	471
Reported enrolled	626
Signed by President.....	626
Sent to Governor.....	626
Signed by Governor.....	643
190 By National Defense and Postwar. To create an Iowa development commission.	
Introduced, placed on calendar..	236
H. F. 278 substituted	442
191 By Reilly. To authorize public dock boards with respect to leasing of wharves and piers.	
Introduced, passed on file.....	236
Referred	254

S. F.	Page	S. F.	Page
192 By Ways and Means. Dis- tribution of proceeds of motor vehicle fuel license fees and penalties.		and Dykhouse. To continue Iowa war ballot law until af- ter the war.	
Introduced, placed on calendar.	236	Introduced, passed on file.	238
Deferred.	444	Referred.	254
Passed; ayes 44, nays none.	462	Recommended amendment and passage.	362
Reported enrolled.	946	Amendment adopted.	493
Signed by President.	946	Passed; ayes 48, nays none.	493
Sent to Governor.	946	Reported enrolled.	697
Signed by Governor.	978	Signed by President.	697
193 By Pine, Foster and Elthon. Relating to collection of mullet tax against places holding United States liquor licenses.		Sent to Governor.	697
Introduced, passed on file.	237	Signed by Governor.	707
Referred.	254	200 By Sharp, Keir, Leo and Benson. To establish mar- keting news service in de- partment of agriculture.	
Amendment filed.	257	Introduced, passed on file.	250
194 By Benson, Shaw, Harvey, Clem, Leo, and Foster. Re- lating to dates for holding the primary election and state and county political conventions.		Referred.	266
Introduced, passed on file.	237	Recommended passage.	437
Referred.	254	Sifting rec. calendar, ref. ap- propriations.	531
195 By Kirketeg. Relating to funeral expenses of old age assistance recipients.		Referred.	531
Introduced, passed on file.	237	Recommended for passage.	586
Referred.	254	H. F. 239 substituted.	627
Recommended passage.	361	Withdrawn.	637
Sifting recommended calendar.	564	201 By Lucas, Ritchie, Leo, El- thon, Dewel and Mowry. To build bridge over Squaw Creek between Ames, Iowa, and Iowa State College.	
Passed; ayes 45, nays none.	593	Introduced, passed on file.	251
Concurred.	1049	Referred.	266
Passed; ayes 42, nays none.	1050	202 By Vrba, Berg, Reilly and Hultman. Authorizing suffi- cient funds in 1945, 1946 to maintain information centers for service men and women.	
Reported enrolled.	1073	Introduced, passed on file.	251
Signed by President.	1073	Referred.	266
Sent to Governor.	1074	Amendments filed.	285, 566
Signed by Governor.	1077	203 By Leo. To provide for payment by the state of bene- fits for dependent Indian children.	
196 By Bekman. Relating to levy of taxation for gas, elec- tricity, heat and power funds.		Introduced, passed on file.	251
Introduced, passed on file.	237	Referred.	266
Referred.	254	Recommended passage.	332
Amendment filed.	270	Amendment filed.	387
Recommended amendment and passage.	436	Sifting recommended calendar.	520
Sifting recommended calendar.	583	Amendment adopted.	527
H. F. 231 substituted.	638	Passed; ayes 42, nays none.	527
Withdrawn.	638	Reported enrolled.	697
197 By Leo, Foster, Benson and Lynes. Relating to commer- cial feeds.		Signed by President.	697
Introduced, passed on file.	237	Sent to Governor.	697
Referred.	254	Signed by Governor.	707
Recommended passage.	283	204 By Foster and Miller. To require licenses for wool dealers; to provide penalties.	
Sifting recommended calendar.	546	Introduced, passed on file.	251
Amendment adopted.	592	Referred.	266
Passed; ayes 48, nays none.	592	205 By Love. Relating to the stoppage of payments on un- redeemed state warrants.	
Concurred.	662	Introduced, passed on file.	251
Passed; ayes 48, nays none.	662	Referred.	266
Reported enrolled.	681	Sifting recommended calendar.	666
Signed by President.	681	Passed; ayes 42, nays none.	749
Sent to Governor.	681	Reported enrolled.	977
Signed by Governor.	698	Signed by President.	978
198 By Faul. To preserve bene- fit rights of unemployment compensation for members of armed forces.		Sent to Governor.	978
Introduced, passed on file.	238	Signed by Governor.	1001
Referred.	254	206 By Faul. To increase fee or tax to be paid by street passenger carriers.	
Recommended passage.	361	Introduced, passed on file.	251
199 By Hill, Hultman, Stullin, Lynes, Zastrow, Faul, Shaw, Byers, Berg, Elthon, Rock- hill, Mercer, Sharp, Knudson		Referred.	266
		Recommended passage.	361

S. F.	Page
207 By Faul, by request. Relating to penalty for first degree murder and kidnaping for ransom.	
Introduced, passed on file.....	258
Referred	281
Amendments filed	521, 758
208 By Faul. Relating to compensation of state officers, employees for use of own motor vehicles.	
Introduced, passed on file.....	258
Referred	281
Withdrawn	857
209 By Martin. To permit municipalities to levy tax to maintain institutions received by gift.	
Introduced, passed on file.....	259
Referred	281
210 By Martin and Kirketeg. Authorizing peace officers in the matter of arrests.	
Introduced, passed on file.....	259
Referred	281
Recommended passage	332
211 By Henningsen, Benson and Faul. Relating to the license fee of coin-operated personal weighing scales.	
Introduced, passed on file.....	259
Referred	281
212 By Zastrow and Pine. Relating to practice of dentistry; artificial restorations for natural teeth; employment of unlicensed workers in laboratories.	
Introduced, passed on file.....	259
Referred	281
Recommended passage	474
213 By Vrba, Lucas, Henningsen and Leo. To provide for the creation of a county conservation board.	
Introduced, passed on file.....	259
Referred	281
Recommended passage	450
214 By Berg. Relating to motor vehicles used in state business.	
Introduced, passed on file.....	259
Referred	281
Amendment filed	438
Withdrawn	856
215 By Shaw. Relating to insurance other than life; to permit ceding and receiving of reinsurance.	
Introduced, passed on file.....	259
Referred	281
216 By Doud. Relating to vocational education; matching federal aid fund.	
Introduced, passed on file.....	260
Referred	281
Passed; ayes 47, nays none.....	538
217 By Martin and Kirketeg. Making it a criminal offense to conceal or harbor fugitives.	
Introduced, passed on file.....	271
Referred	296
Amendment filed	349
Recommended passage	476

S. F.	Page
218 By Byers. Relating to embezzlement and the penalty therefor.	
Introduced, passed on file.....	272
Referred	296
Recommended passage	363
Sifting recommended calendar.....	564
Amendment filed	583
Amendment adopted	595
Passed; ayes 43, nays 1.....	595
Reported enrolled	1001
Signed by President.....	1001
Sent to Governor.....	1001
Signed by Governor.....	1031
219 By Doud. Relating to tuition of school age child when in a boarding home.	
Introduced, passed on file.....	272
Referred	296
Amendment filed	521
Sifting recommended calendar.....	652
Amendment adopted	717
Passed; ayes 46, nays none.....	717
220 By Sharp and Pine. To provide that an employer may use predecessor's payroll to determine his liability.	
Introduced, passed on file.....	272
Referred	296
Recommended amendment and passage	477
Amendments filed.....	480, 509, 547
Sifting recommended calendar.....	546
Amendments adopted	617, 618
Passed; ayes 39, nays 1.....	618
Reported enrolled	924
Signed by President.....	924
Sent to Governor.....	925
Signed by Governor.....	1001
221 By Ways and Means. Relating to exemption from taxation of goods manufactured for sale.	
Introduced, placed on calendar..	272
222 By Social Security. To provide for continuation of unemployment compensation merit rating in case of sale or reorganization.	
Introduced, placed on calendar..	272
Amendment filed	521
Sifting recommended calendar.....	546
Amendment filed	566
Amendments adopted	590
Passed; ayes 47, nays none.....	590
Reported enrolled	697
Signed by President.....	697
Sent to Governor.....	697
Signed by Governor.....	707
223 By Sharp and Harvey. To provide for unemployment compensation for maritime workers.	
Introduced, passed on file.....	273
Referred	296
Recommended passage	477
224 By Social Security. To authorize commission for the blind to accept federal aid for rehabilitation of the blind.	
Introduced, placed on calendar.....	273
Amendment adopted	490
Passed; ayes 48, nays none.....	490
Reported enrolled	977
Signed by President.....	978
Sent to Governor.....	978
Signed by Governor.....	1031

S. F.	Page	S. F.	Page
225 By Barkley. Relating to the tax imposed on cigarettes.		Amendment adopted	398
Introduced, passed on file.....	273	Passed; ayes 44, nays none.....	398
Referred	296	Reported enrolled	544
Amendment filed	925	Signed by President.....	544
226 By Barkley. Relating to the barrel tax on beer.		Sent to Governor.....	544
Introduced, passed on file.....	273	Signed by Governor.....	564
Referred	296		
Amendment filed	926	234 By Keir, Knudson and Zastrow. Relating to number of fruit trees per acre in a fruit reservation.	
227 Enlarging the scope of the sales tax to include rentals.		Introduced, passed on file.....	287
Introduced, passed on file.....	274	Referred	319
Referred	296	Recommended passage	403
Amendments filed	349, 350		
228 By Motor Vehicles and Transportation. Relating to issuance of chauffeur's license for delivery trucks.		235 By Dewel and Shaw. To provide for reversion and sale of abandoned portions of cemetery lots.	
Introduced, placed on calendar.	286	Introduced, passed on file.....	287
Re-referred to sifting.....	1019	Referred	319
229 By Lucas and Mowry. Relating to secondary roads and optional maintenance levies; increase of motor vehicle fuel tax.		236 By Cities and Towns. Providing for the sale or delivery of special assessment bonds.	
Introduced, passed on file.....	286	Introduced, placed on calendar..	288
Referred	319	237 By Cities and Towns. To eliminate certain requirements in estimating benefits from sewer improvements.	
Recommended passage	507	Introduced, placed on calendar..	288
Sifting recommended calendar..	531		
Amendment adopted	542	238 By Cities and Towns. To provide for creation of local improvement guaranty fund.	
Passed; ayes 43, nays none.....	543	Introduced, placed on calendar..	288
Amendments filed	728	Sifting recommended calendar..	583
Deferred	713	Amendment filed	584
Concurred in Colburn Amendment; title amended; ayes 39, nays 8	733	Deferred	622, 637
Amendments withdrawn	734	Amendment adopted	714
Passed; ayes 41, nays 8.....	735	Failed; ayes 6, nays 34.....	714
Reported enrolled	757		
Signed by President.....	757	239 By Keir and Vrba. Relating to the practice of embalming.	
Sent to Governor.....	757	Introduced, passed on file.....	288
Signed by Governor.....	813	Referred	319
230 By Berg. Relating to assignments of life insurance policies as collateral.		Amendment filed	652
Introduced, passed on file.....	287		
Referred	319	240 By Lynes. Providing for payment of premiums on official bonds from county funds.	
Amendments filed	547	Introduced, passed on file.....	288
Recommended passage	334, 475	Referred	319
Sifting recommended calendar..	520	Passed; ayes 45, nays none.....	723
Amendments adopted	528, 554		
Deferred	528	241 By Pine, Foster, Elthon and Knudson. To levy mulct tax against places holding U. S. slot machine licenses.	
Passed; ayes 38, nays 2.....	554	Introduced, passed on file.....	289
231 By Martin, Henningsen, Cromwell, Mowry, Faul, Lucas and Reilly. To provide for creation, operation of retirement system for employees of local governmental districts.		Referred	331
Introduced, passed on file.....	287		
Referred	319	242 By Sharp, Mercer, Lucas and Doud. Relating to levy by supervisors for secondary road maintenance.	
232 By Public Utilities. Relating to a franchise to construct transmission line for distribution, sale of electric current.		Introduced, passed on file.....	289
Introduced, placed on calendar.	287	Referred	331
233 By Special Tax Revision. To extend provision of state income tax law to taxpayers making returns on fiscal year basis.		Recommended passage	478
Introduced, placed on calendar.	287		
Amendment filed	349	243 By Sharp, Mercer, Lucas and Doud. Relating to levy by supervisors for secondary road construction.	
		Introduced, passed on file.....	289
		Referred	331
		Recommended passage	478
		244 By Watson. Relating to conditional sale contracts or lease of utility equipment.	
		Introduced, passed on file.....	299

S. F.	Page
Referred	331
Sifting recommended calendar	583
Passed; ayes 44, nays none	623
245 By Jones, Vittetoe and Lynes. Providing for a tem- porary milk fat standard for ice cream.	
Introduced, passed on file	299
Referred	331
Recommended passage	404
246 By Cromwell and Kirketeg. To provide for appointment of district probation officers.	
Introduced, passed on file	300
Referred	331
247 By Watson, Long and Zas- trow. Relating to invest- ment, management of prop- erty held by fiduciaries.	
Introduced, passed on file	300
Referred	331
Recommended passage	475
Sifting recommended calendar	531
Amendments adopted	554, 705, 706
Deferred	554
Amendments filed	682, 698
Deferred	690
Amendments withdrawn	706
Passed; ayes 30, nays 16	706
Title corrected	707
248 By Kirketeg and Sharp. Providing for collection of unemployment compensation contributions; rate of inter- est on delinquent contribu- tions.	
Introduced, passed on file	300
Referred	331
Recommended passage	434
Sifting recommended calendar	531
Passed; ayes 47, nays none	559
Reported enrolled	867
Signed by President	867
Sent to Governor	868
Signed by Governor	884
249 By Jones. Relating to the amount of real estate that a school district may acquire for recreational purposes.	
Introduced, passed on file	300
Referred	331
Amendment filed	438
Recommended passage	449
250 By Vittetoe. To provide for the spearing of rough fish in overflow waters.	
Introduced, passed on file	301
Referred	331
251 By Faul. To extend scope of hotelkeeper's lien.	
Introduced, passed on file	301
Referred	332
Recommended passage	475
252 By Clem, by request. Re- lating to roping and throw- ing of calves and other ani- mals; wild cow milking.	
Introduced, passed on file	301
Referred	332
253 By Faul. Relating to group insurance on any one group of debtors of any one finan- cial institution.	
Introduced, passed on file	301
Referred	332

S. F.	Page
254 By Martin. To provide for closer supervision of the plat- ting of additions in cities and towns.	
Introduced, passed on file	301
Referred	332
Recommended passage	437
Sifting recommended calendar	584
Amendment adopted	954
Passed; ayes 34, nays none	954
Concurred	1060
Passed; ayes 35, nays none	1060
Reported enrolled	1073
Signed by President	1073
Sent to Governor	1073
Signed by Governor	1077
255 By Reilly. Relating to powers and duties of dock boards.	
Introduced, passed on file	301
Referred	332
Recommended passage	437
Proof of publication certified	519
Sifting recommended calendar	520
Amendment adopted	524
Passed; ayes 42, nays none	524
Concurred	718
Passed; ayes 38, nays none	718
Reported enrolled	750
Signed by President	750
Sent to Governor	750
Signed by Governor	757
256 By Faul. Relating to in- terest on delinquent taxes; to provide that no appeal or pending litigation shall ex- tend time.	
Introduced, passed on file	321
Referred	346
Recommended passage	449
257 By Shaw, Miller, Keir and Augustine. Relating to the licensing and regulation of community sale barns.	
Introduced, passed on file	322
Referred	346
Amendments filed	406, 407, 408, 409, 410
258 By Foster and Shaw. Re- lating to corporate existence and renewal of cooperatives.	
Introduced, passed on file	322
Referred	346
Sifting recommended calendar	564
Passed; ayes 45, nays none	596
259 By Clem, Schluter, Ritchie and Vittetoe. Relating to tax levies for garbage dispo- sal and street cleaning funds.	
Introduced, passed on file	332
Referred	346
Recommended passage	437
260 By Barkley. Relating to state commission; to proceedings to vacate orders of the commission.	
Introduced, passed on file	322
Referred	346
261 By Jones and Newsome. Re- lating to bounty on wolves.	
Introduced, passed on file	322
Referred	346
262 By Newsome and Jones. Re- lating to payment of boun- ties on wild animals.	
Introduced, passed on file	335
Referred	360

S. F.	Page
263 By Dewel, Harvey and Keir. Relating to standards of pure food; to require enrichment of breads, flour.	
Introduced, passed on file.....	335
Referred	360
Recommended passage	437
264 By Faul. Relating to assessments for streets and sewers.	
Introduced, passed on file.....	335
Referred	360
Recommended passage	478
265 By Faul. Relating to period for permanent registration of voters.	
Introduced, passed on file.....	336
Referred	360
266 By Rockhill. Relating to county and district fairs and tax aid therefor.	
Introduced, passed on file.....	337
Referred	360
Amendments filed.....	364, 926, 960
Sifting recommended calendar..	925
H. F. 168 substituted.....	996
Withdrawn	996
267 By Mowry. Relating to effects of deceased inmates of county homes.	
Introduced, passed on file.....	337
Referred	360
Recommended passage	506
268 By Elthon and Clem. Providing for certain maximum weights and loads applicable to motor trucks and combinations.	
Introduced, passed on file.....	337
Referred	360
Amendment filed	532, 533
Withdrawn	636
269 By Rockhill and Faul. Relating to assignment of accounts receivable.	
Introduced, passed on file.....	337
Referred	360
Amendment filed	364
270 By Hawkins. Relating to powers of supreme court and to prescribe rules of pleading, practice and procedure.	
Introduced, passed on file.....	337
Referred	360
271 By Watson. Relating to issuance of restricted licenses to minors.	
Introduced, passed on file.....	338
Referred	360
272 By Watson, Lucas, Dykhouse and Berg. To authorize a commission for the purpose of making a revision and codification of laws relating to cities and towns.	
Introduced, passed on file.....	338
Referred	360
273 By Rockhill. Relating to liens on real estate for inheritance taxes.	
Introduced, passed on file.....	338
Referred	360
Withdrawn	401
274 By Rockhill. Relating to inheritance tax and avoidance of administration.	

S. F.	Page
Introduced, passed on file.....	338
Referred	360
Recommended amendment and passage	475
Sifting recommended calendar..	520
Passed; ayes 42, nays 1.....	537
Concurred	972
Passed; ayes 44, nays none.....	972
Reported enrolled	1001
Signed by President.....	1001
Sent to Governor.....	1001
Signed by Governor.....	1031
275 By Vittetoe. To authorize county supervisors to lease county road machinery for improving private driveways.	
Introduced, passed on file.....	338
Referred	360
Recommended passage	479
276 By Faul. Prescribing manner of serving notices to terminate non-farm tenancies.	
Introduced, passed on file.....	338
Referred	360
277 By Compensation of Public Officers and Employees. To increase salaries of county officials and employees and authorizing levy for payment thereof.	
Introduced, placed on calendar..	339
Amendment filed	410, 583
278 By Ways and Means. Relating to dog license fees.	
Introduced, placed on calendar..	351
Re-referred	442
279 By Ways and Means. Relating to gross premium taxes to be paid by insurance companies.	
Introduced, placed on calendar..	351
Re-referred	395
Amendment filed	410
Sifting recommended calendar..	751
Made special order.....	762
Amendment filed	770
H. F. 395 substituted.....	777
Withdrawn	786
280 By Reilly. Relating to the profession of chiropractic; providing for clarification of scope of practice.	
Introduced, passed on file.....	352
Referred	383
Withdrawn	1056
281 By Insurance. To provide for regulation of certain insurance rates; creation of rating bureaus.	
Introduced, placed on calendar..	352
Returned to insurance.....	359
Amendments filed	842-847
282 By Bekman. Relating to municipal comfort stations.	
Introduced, passed on file.....	352
Referred	383
283 By Faul. To prohibit bringing of action upon certain judgments.	
Introduced, passed on file.....	352
Referred	383
284 By White, Keir, Watson, Dykhouse, Vrba and Mercer. Relating to trolling for fish from a motor or sailboat.	
Introduced, passed on file.....	352
Referred	383

S. F.	Page
285 By Mowry. To provide for the sealing of abandoned mines by a mine inspector.	
Introduced, passed on file.....	353
Referred	353
286 By Bekman, Hart and Clem. Relating to amount to be levied in cities and towns for police department, maintenance fund.	
Introduced, passed on file.....	365
Referred	403
287 By Banks, Building and Loan. Relating to salaries of deputy superintendents of banking and bank examiners.	
Introduced, placed on calendar..	365
Amendments filed	521
288 By Banks, Building and Loan. Relating to limitations upon amount that may be loaned by banks and trust companies.	
Introduced, placed on calendar..	366
Sifting recommended calendar..	611
Amendment filed	870
289 By Judiciary 1. Authorizing conveyance of the Iowa Great Lakes Sewage Disposal System.	
Introduced, placed on calendar..	366
Sifting recommended calendar..	751
Amendment filed	770
Passed; ayes 37, nays none	767
Reported enrolled	1031
Signed by President	1031
Sent to Governor	1031
Signed by Governor	1054
290 By Judiciary 1. Iowa Great Lakes Sewage Disposal System; prescribing powers, duties of conservation commission.	
Introduced, placed on calendar..	366
Sifting recommended calendar..	751
Amendment filed	770
Passed; ayes 38, nays none	768
Reported enrolled	1031
Signed by President	1031
Sent to Governor	1031
Signed by Governor	1054
291 By Judiciary 1. To create sanitary districts; providing for operation, financing of such districts.	
Introduced, placed on calendar..	366
Sifting recommended calendar..	751
Amendments filed	771
Deferred	781
Amendments filed	791
Amendments adopted	800, 801
Passed; ayes 46, nays none	801
Reported enrolled	1031
Signed by President	1031
Sent to Governor	1031
Signed by Governor	1074
292 By Highways. To increase motor fuel tax; to allot to secondary road construction and to cities and towns.	
Introduced, placed on calendar..	366
293 By Public Health. Relating to practice of professions licensed under department of health.	
Introduced, placed on calendar..	366
Re-referred	422
Amendment filed	480

S. F.	Page
294 By Public Health. Relating to renewal of licenses issued by the department of health.	
Introduced, placed on calendar..	367
Re-referred	422
295 By Faul. Relating to apportionment of revenue derived from tax on money and credits.	
Introduced, passed on file.....	367
Referred	403
Sifting recommended calendar..	789
Amendment adopted	825
Passed; ayes 42, nays 1	826
Reported enrolled	977
Signed by President	978
Sent to Governor	978
Signed by Governor	1031
296 By Judiciary 1. Relating to public health and pollution of water; to prevent discharge of sewerage into state owned waters.	
Introduced, placed on calendar..	367
Amendment filed	682
297 By Lucas. To make an appropriation to Fort Dodge, Des Moines and Southern Railway Company.	
Introduced, passed on file.....	367
Referred	403
298 By Elthon, Hawkins, Zastrow, Mowry, Sjulin, Augustine, Shaw, Love, Rockhill, Long, Klein, Foster, Jones, Pine, Findlay, Barkley, Harvey, Miller, Vittetoe, Doud, Keir, Bekman, Benson, Jacobson, Sharp, Lucas, Ritchie, Newsome, Dewel, Lynes, Clem, Knudson and Schluter. To prohibit sale of food where beer is sold.	
Introduced, passed on file.....	368
Referred	403
Amendment filed	480
Place on calendar requested..	376, 888, 889
299 By Zastrow. To provide reasonable regulations regarding electric fences.	
Introduced, passed on file.....	368
Referred	403
300 By Shaw. Relating to preservation of records on homestead tax credits.	
Introduced, passed on file.....	368
Referred	403
Recommended passage	507
301 By Pine, Dykhouse, Martin, Bekman, Shaw, Hart and Clem. To provide for exemption from taxation of certain moneys and credits.	
Introduced, passed on file.....	368
Referred	403
302 By Sjulin. Relating to publication of budgets in rural independent school districts and certain municipalities.	
Introduced, passed on file.....	368
Referred	403
303 By Sjulin. Relating to pension fund of firemen and policemen.	
Introduced, passed on file.....	369
Referred	403

S. F.	Page	S. F.	Page
304 By Rockhill. Relating to limitation of liens for inheritance taxes.		Referred	426
Introduced, passed on file.....	369	Recommended passage	477
Referred	403		
Recommended passage	476	314 By Clem. Relating to tax for art museum fund.	
305 By Love. Relating to gross income and to provide for funeral expenses as allowable deduction.		Introduced, passed on file.....	390
Introduced, passed on file.....	369	Referred	426
Referred	403	Sifting recommended calendar.....	564
Amendment filed	673	Passed; ayes 43, nays none.....	619
306 By Martin. Relating to streets and public grounds in cities and towns.		Concurred	663
Introduced, passed on file.....	388	Passed; ayes 44, nays none.....	663
Referred	425	Reported enrolled	681
307 By Martin. To provide for purchase and maintenance of law libraries by boards of supervisors.		Signed by President.....	681
Introduced, passed on file.....	388	Sent to Governor	681
Referred	425	Signed by Governor.....	698
Withdrawn	840		
308 By Martin and Clem. To provide for adequate lighting facilities for cabooses.		315 By Clem, Love and Long. Relating to election of commerce commissioners.	
Introduced, passed on file.....	389	Introduced, passed on file.....	390
Referred	426	Referred	426
309 By Insurance. To extend workmen's compensation benefits to minors.		316 By Klein. To provide for time limit on telephone calls.	
Introduced, placed on calendar.....	389	Introduced, passed on file.....	390
Amendments filed	480, 565	Referred	426
Sifting recommended calendar.....	546		
Amendments adopted in part.....	576	317 By Hart and Doud. Relating to the membership of the state conservation commission.	
Passed; ayes 46, nays none.....	577	Introduced, passed on file.....	390
Reported enrolled	903	Referred	426
Signed by President.....	903		
Sent to Governor.....	903	318 By Watson, Shaw, Bekman and Sjulin. Providing method and procedure for making repairs and improvements in certain drainage districts.	
Signed by Governor.....	925	Introduced, passed on file.....	390
310 By Insurance. Relating to failure to file reports required in workmen's compensation matters.		Referred	426
Introduced, placed on calendar.....	389	Recommended passage	477
Sifting recommended calendar.....	546		
Amendments adopted	578	319 By Knudson and White. Relating to descent of property to surviving spouse.	
Passed; ayes 47, nays none.....	578	Introduced, passed on file.....	391
Reported enrolled	924	Referred	426
Signed by President.....	924		
Sent to Governor.....	925	320 By Long and Jacobson. Relating to appointment of civil service commissioners in certain cities.	
Signed by Governor.....	946	Introduced, passed on file.....	391
311 By Insurance. To require insurance carrier or employer to file memorandum of agreement under workmen's compensation.		Referred	426
Introduced, placed on calendar.....	389		
Sifting recommended calendar.....	546	321 By Dewel. Relating to costs of official publications.	
Amendment filed	565	Introduced, passed on file.....	391
Amendment adopted	580	Referred	426
Passed; ayes 43, nays none.....	580	Recommended passage	506
Reported enrolled	946	Amendment filed	547
Signed by President.....	946		
Sent to Governor.....	946	322 By White and Shaw. Relating to appointment of notaries public.	
Signed by Governor.....	946	Introduced, passed on file.....	391
312 By Clem. To set minimum old age assistance payment.		Referred	426
Introduced, passed on file.....	389		
Referred	426	323 By Dewel. Relating to publication of proceedings of boards of supervisors.	
313 By Clem. Relating to the clean-out of an outlet drainage district ditch.		Introduced, passed on file.....	391
Introduced, passed on file.....	390	Referred	426
		Recommended passage	506
		Sifting recommended calendar.....	751
		Passed; ayes 47, nays none.....	783
		Reported enrolled	841
		Signed by President.....	841
		Sent to Governor.....	841
		Signed by Governor.....	868
		324 By Leo. Pertaining to homestead tax credit for members of armed forces.	
		Introduced, passed on file.....	391
		Referred	426

S. F.	Page
325 By Shaw. Relating to gross income tax exemptions for members of armed forces.	
Introduced, passed on file.....	392
Referred	426
Withdrawn	537
326 By Faul. Relating to employment of minors.	
Introduced, passed on file.....	412
Referred	446
Sifting recommended calendar..	947
Passed; ayes 34, nays 9.....	977
Concurred	1058
Passed; ayes 36, nays 1.....	1059
Reported enrolled.....	1073
Signed by President.....	1073
Sent to Governor.....	1074
Vetoed by Governor.....	1077
327 By Kirketeg. Relating to commitment to state psychopathic hospital; authorizing insanity commission.	
Introduced, passed on file.....	412
Referred	446
328 By Barkley. Relating to abandonment of certain properties by railroads.	
Introduced, passed on file.....	412
Referred	446
Amendment filed	547
329 By Special School Code. Relating to selection of county school board of education and county superintendent.	
Introduced, placed on calendar..	413
Sifting recommended calendar..	520
Amendments filed.....	547, 584, 600
Amendments adopted.....	604, 605, 606
Passed; ayes 45, nays none.....	607
330 By Special School Code. Relating to reorganization of school districts.	
Introduced, placed on calendar..	413
Sifting rec. calendar.....	520
Passed; ayes 44, nays 2.....	582
Concurred	1013
Passed; ayes 46, nays none.....	1013
Reported enrolled.....	1053
Signed by President.....	1053
Sent to Governor.....	1054
Signed by Governor.....	1074
331 By Special School Code. Providing for establishment, operation of retirement system for public school employees.	
Introduced; referred.....	413
332 By Special School Code. Creating agricultural land credit fund out of appropriation and providing procedure for said credits.	
Introduced, referred	413
Sifting recommended calendar, ref. appropriations	751
Re-referred	751
Recommended amendment and passage	790
Amendment filed	814
H. F. 127 substituted	814
Withdrawn	917
333 By Special School Code. Relating to establishment of schoolhouse fund for future construction.	
Introduced, placed on calendar..	414
Sifting recommended calendar..	652

S. F.	Page
Amendment filed	673
Amendment adopted	722
Passed; ayes 44, nays none.....	723
334 By Lynes. Regulating creamery operations, creating board of examiners, providing for licensing.	
Introduced, placed on file.....	414
Referred	446
335 By Henningsen and Reilly. Authorizing state highway commission to accept as gift and operate any bridge and approaches, free of tolls.	
Introduced, passed on file.....	414
Referred	446
Sifting recommended calendar..	827
Passed; ayes 40, nays none.....	881
Concurred	988
Amendment adopted	988
Passed; ayes 42, nays none.....	989
Reported enrolled.....	1053
Signed by President.....	1053
Sent to Governor.....	1054
Signed by Governor.....	1074
336 By Martin and Faul. Providing certain additional compensation for county auditors and county treasurers.	
Introduced, passed on file.....	414
Referred	446
337 By Martin, Berg and Faul. Authorizing certain cities to acquire, operate public coliseum, issue bonds, levy taxes therewith.	
Introduced, passed on file.....	415
Referred	446
Sifting recommended calendar..	531
Amendment adopted	562
Passed; ayes 45, nays none.....	563
338 By Lynes. Relating to establishment of secondary road fund, transference and use of certain funds.	
Introduced, passed on file.....	415
Referred	446
339 By Doud, Lynes and Ritchie. Relating to general powers of state superintendent of public instruction.	
Introduced, passed on file.....	415
Referred	446
340 By Lucas. Relating to publishing of notices by any municipal governing body.	
Introduced, passed on file.....	415
Referred	446
Recommended passage	506
341 By Faul. Relating to marriage license of a minor.	
Introduced, passed on file.....	415
Referred	446
342 By Faul. Relating to insurance rating methods and supervision.	
Introduced, passed on file.....	415
Referred	446
343 By Faul. Relating to sewer rental charges and collection thereof.	
Introduced, passed on file.....	416
Referred	446

S. F.	Page	S. F.	Page
344 By Faul. To provide for opening and construction of roadway through state capitol grounds; appropriating funds therefor.		Introduced, passed on file.....	418
Introduced, passed on file.....	416	Referred	447
Referred	446		
345 By Bekman. Relating to group insurance; authorizing incorporated nonprofit industrial associations.		353 By Foster and Shaw (By Request). Providing for collection of sums advanced for support of poor persons; creating lien on real estate.	
Introduced, passed on file.....	416	Introduced, passed on file.....	418
Referred	447	Referred	447
Recommended passage.....	505		
Sifting recommended calendar..	652	354 By Foster and Shaw (By Request). Creating a lien upon real estate for care of poor persons in county homes.	
Amendment filed	682	Introduced, passed on file.....	418
Amendment adopted	721	Referred	447
Passed; ayes 43, nays none.....	721		
Reported enrolled	841	355 By White. Relating to the payment of tuition of children from boarding homes; defining "public charge."	
Signed by President.....	841	Introduced, passed on file.....	418
Sent to Governor.....	841	Referred	447
Signed by Governor.....	868		
346 By Klein. Relating to admission of foreign associations and payment of fees.		356 By Jacobson. To legalize proceedings authorizing issuance of hospital bonds by Waukon, Iowa.	
Introduced, passed on file.....	416	Introduced, passed on file.....	419
Referred	447	Referred	447
347 By Hill. To legalize proceedings providing for issuance of airport bonds for Webster City, Iowa.		Sifting recommended calendar..	611
Introduced, passed on file.....	416	Proof of publication certified.....	630
Referred	447	Passed; ayes 45, nays none.....	641
Sifting recommended calendar.....	531	Reported enrolled	977
Passed; ayes 46, nays none.....	542	Signed by President.....	978
Reported enrolled	681	Sent to Governor.....	978
Signed by President.....	681	Signed by Governor.....	1001
Sent to Governor.....	681		
Signed by Governor.....	698	357 By Henningsen. Relating to reciprocal or interinsurance contracts.	
348 By Hultman. Dykhouse, Shaw, Vrba and Watson. Relating to salary adjustments of employees of conservation commission.		Introduced, passed on file.....	419
Introduced, passed on file.....	416	Referred	447
Referred	447		
349 By Aeronautics. Creating a state aeronautics commission; registration of persons engaged in aeronautics.		358 By Jacobson. Relating to appeals from justice of the peace courts and forcible entry and detainer actions.	
Introduced, placed on calendar..	417	Introduced, passed on file.....	419
Referred	505	Referred	447
350 By Aeronautics. Relating to airports; creation of commissions and exemption from taxation.			
Introduced, placed on calendar..	417	359 By Reilly. To extend teacher pension system in certain school districts to all employees.	
Sifting recommended calendar.....	652	Introduced, passed on file.....	419
Amendments filed	674, 700	Referred	447
Made special order	716		
Deferred	716, 761, 778	360 By Faul. Relating to investments by fraternal beneficiary associations; to provide for supervision of insurance commissioner.	
H. F. 365 substituted.....	797	Introduced, passed on file.....	419
Withdrawn	800	Referred	447
351 By Aeronautics. To empower municipalities to enforce airport zoning regulations.		Sifting recommended calendar..	564
Introduced, placed on calendar..	417	Passed; ayes 48, nays none.....	593
Sifting recommended calendar.....	652	Reported enrolled	1073
Amendment filed	674	Signed by President.....	1073
Made special order	716	Sent to Governor.....	1074
Deferred	716, 761, 778	Signed by Governor.....	1077
H. F. 366 substituted	799		
Withdrawn	800	361 By Faul. Authorizing procurement of group insurance for certain employees paid from public funds.	
352 By Vitteetoe. Relating to tax levy by board of supervisors for secondary road construction.		Introduced, passed on file.....	419
		Referred	447
		Recommended passage	505
		Amendment filed	683
		362 By Faul. Relating to court bailiffs.	
		Introduced, passed on file.....	420
		Referred	447

SENATE RECORD OF SENATE BILLS

1119

S. F.	Page
363 By Knudson and Berg. Relating to soldiers, sailors and marines.	
Introduced, passed on file.....	420
Referred	447
364 By Henningsen. Relating to uniting independent school districts.	
Introduced, passed on file.....	429
Referred	447
365 By Byers, Elthon, Berg, Knudson, Mercer and Long. Relating to arrest, commitment, support of insane.	
Introduced, passed on file.....	429
Referred	447
Sifting recommended calendar..	611
Amendment adopted	665
Passed; ayes 50, nays none.....	665
366 By Hart. Relating to definition and powers of credit unions.	
Introduced, passed on file.....	429
Referred	447
367 By Byers. Relating to voluntary appointment of guardian.	
Introduced, passed on file.....	480
Referred	447
368 By Sjuln and Hawkins. Relating to tax levy for secondary road maintenance.	
Introduced, passed on file.....	430
Referred	447
Recommended passage	507
369 By Schluter, Zastrow, Pine, Klein, Clem, Leo, Foster, Lynes, Elthon, Jones, Ritchie, Henningsen, Shaw, Long, Vittetoe and Sjuln. Relating to powers, duties of public safety department.	
Introduced, passed on file.....	430
Referred	447
370 By Clem and Doud. Relating to retirement and pensions for members of fire and police departments.	
Introduced, passed on file.....	430
Referred	447
371 By Barkley. Relating to compensation of county welfare board.	
Introduced, passed on file.....	430
Referred	447
372 By Rockhill. Relating to street improvements and sewers in certain cities.	
Introduced, passed on file.....	430
Referred	447
373 By Faul. Authorizing employment of attorneys to represent officials in certain tax assessment cases.	
Introduced, passed on file.....	431
Referred	447
374 By Mowry. Relating to tax levy for poor.	
Introduced, passed on file.....	431
Referred	447
375 By Faul. Authorizing county board of supervisors to purchase or remodel buildings for care of poor.	
Introduced, passed on file.....	431
Referred	447

S. F.	Page
376 By Faul. Relating to streets and sewers in commission governed cities.	
Introduced, passed on file.....	431
Referred	447
377 By Hawkins. Relating to maintenance of secondary road and bridge systems; providing for assessment.	
Introduced, placed on file.....	431
Referred	447
Recommended passage	507
378 By Sjuln, White, Kirketeg, Jones, Love, Vittetoe, Henningsen, Miller, Harvey, Dewel, Cromwell, Knudson, Benson, Leo, Sharp, Barkley, Foster, Hawkins, Clem, Augustine, Watson, Klein, Schluter, Doud, Lucas, Newsome, Keir, Bekman, Mercer, Vrba, Mowry, Zastrow, Hultman, Long and Reilly. Providing additional funds for construction of primary and secondary roads.	
Introduced, passed on file.....	432
Referred	447
Recommended passage	479
379 By Sjuln, Rockhill, Doud, Schluter and Hawkins. Relating to weighing and inspection of motor vehicles.	
Introduced, passed on file.....	432
Referred	447
Recommended passage	479
380 By Bekman. Relating to adoptions; fixing penalties for law violation.	
Introduced, passed on file.....	432
Referred	447
381 By Clem. Relating to amount of tax levied for general fund of cities and towns.	
Introduced, passed on file.....	432
Referred	447
382 By Public Libraries. To provide establishment and maintenance of free public rural libraries.	
Introduced, placed on calendar..	433
Sifting recommended calendar..	884
Amendment filed	947
Amendment adopted	955
Passed; ayes 34, nays none.....	955
383 By Bekman and Clem. Defining occupational diseases; providing workmen's compensation benefits.	
Introduced, passed on file.....	433
Referred	447
Amendments filed	847, 848, 849
Sifting recommended calendar..	947
Amendment adopted	997, 999
Passed; ayes 42, nays 1.....	999
384 By Kirketeg. Relating to general fund levy of cities and towns.	
Introduced, passed on file.....	433
Referred	447
385 By Schluter, Sjuln and Kirketeg. Relating to keeping of suspended tax list; entries therein.	
Introduced, passed on file.....	433
Referred	447
Sifting recommended calendar..	789

S. F.	Page	S. F.	Page
Passed; ayes 45, nays none.....	824	Signed by President.....	1073
Reported enrolled	946	Sent to Governor	1074
Signed by President.....	946	Signed by Governor.....	1077
Sent to Governor.....	946		
Signed by Governor.....	978	395 By Social Security. To ex-	
386 By Kirketeg. Providing for		tend compensatory provi-	
additional tax levy for mu-		sions of workmen's compen-	
nicipal waterworks.		sation act to employees in	
Introduced, passed on file.....	433	agriculture.	
Referred	447	Introduced, placed on calendar..	483
387 By Kirketeg. Relating to		396 By Agriculture. Relating	
limitations of claims for per-		to agricultural lime.	
sonal injury.		Introduced, placed on calendar..	483
Introduced, passed on file.....	433	Sifting recommended calendar..	583
Referred	447	Amendment filed	612
388 By Special School Code. To		Amendments adopted	620
provide use of state funds to		Passed; ayes 44, nays none.....	620
supplement funds of school		Concurred	822
districts and provide an ap-		Passed; ayes 48, nays none.....	823
propriation for such aid and		Reported enrolled	867
administration.		Signed by President.....	867
Introduced, placed on calendar..	452	Sent to Governor.....	868
Sifting recommended calendar..	611	Signed by Governor.....	884
Amendments filed	612, 630, 699, 700, 814, 870, 926,		
927		397 By Special School Code. Rel-	
Referred	630	ating to board of education-	
Recommended amendment and		al examiners, certification of	
passage	790	teachers, high school normal	
Amendments withdrawn	918, 923	training courses.	
Deferred	924	Introduced, placed on calendar..	483
Amendments adopted	932, 933	Sifting recommended calendar..	520
Passed; ayes 44, nays none.....	933	Passed; ayes 48, nays none.....	539
Concurred	1052	Concurred	838
Passed; ayes 41, nays none.....	1052	Passed; ayes 41, nays none.....	839
Reported enrolled	1073	Reported enrolled	883
Signed by President.....	1073	Signed by President.....	884
Sent to Governor.....	1074	Sent to Governor.....	884
Signed by Governor.....	1077	Signed by Governor.....	925
389 By Motor Vehicles. Relat-		398 By Public Lands and Build-	
ing to registration of con-		ings. Relating to an appro-	
verted motor vehicles.		priation for additional funds	
Introduced, placed on calendar..	453	for an office building on state	
390 By Ways and Means. Relat-		capitol grounds.	
ing to extension of time		Introduced, referred	549
for making annual state-		Sifting rec. calendar, ref. ap-	
ments and payment of pre-		propriations	583
mium taxes by insurance		Referred	583
companies.		Recommended passage	586
Introduced, placed on calendar..	453	Passed; ayes 39, nays none.....	628
Amendments adopted	457	Reported enrolled	725
Passed; ayes 48, nays none.....	457	Signed by President.....	725
Reported enrolled	519	Sent to Governor.....	725
Signed by President.....	519	Signed by Governor.....	757
Sent to Governor.....	519		
Signed by Governor.....	531	399 By Public Health. Relating	
391 By Public Health. Relat-		to form of orders for obtain-	
ing to boards of health, pro-		ing narcotics.	
viding county boards.		Introduced, referred	559
Introduced, placed on calendar..	482	400 By Judiciary 1. Relating	
Sifting recommended calendar..	546	to bonds of state officers; pro-	
Passed; ayes 42, nays 1.....	573	viding payment by state.	
392 By Motor Vehicles. Relat-		Introduced, referred	567
ing to issuance of restricted		Sifting recommended calendar..	583
licenses to minors under age		Amendments filed	584, 600
of 16 years.		Amendments adopted	621, 622
Introduced, placed on calendar..	482	Passed; ayes 44, nays none.....	622
393 By Motor Vehicles. Relat-		Reported enrolled	1001
ing to operation of special		Signed by President.....	1001
types of motor vehicles.		Sent to Governor.....	1001
Introduced, placed on calendar..	483	Signed by Governor.....	1032
394 By Motor Vehicles. Relat-		401 By Judiciary 1. Relating	
ing to chauffeurs over age of		to renewal of licenses of cos-	
16 years and under 18 years.		metology schools.	
Introduced, placed on calendar..	483	Introduced, referred	567
Sifting recommended calendar..	884	Amendment filed	584
Passed; ayes 33, nays none.....	952	402 By Compensation of Public	
Reported enrolled	1073	Officers and Employees. Rel-	
		ating to salary of supervisor	
		of building and loan associa-	
		tions.	

S. F.	Page	S. F.	Page
Introduced, referred	585	411 By Manufacturing, Commerce and Trade. Relating to exemptions and exclusions from use tax.	
Sifting recommended calendar ..	751	Introduced, referred	685
Amendment adopted	780	Amendment filed	815
Passed; ayes 45, nays none	780		
Concurred	941	412 By Judiciary 1. Legalizing act for election held in Sibley, Iowa, on annexation to school district of certain unplatted real estate outside city limits.	
Passed; ayes 44, nays none	942	Introduced, referred	710
Reported enrolled	977	Sifting recommended calendar ..	751
Signed by President	978	Passed; ayes 39, nays none	763
Sent to Governor	978	Reported correctly enrolled	977
Signed by Governor	1001	Signed by President	978
		Sent to Governor	978
403 By Printing. Relating to duties of printing board.		Recalled from Governor	1020
Introduced, referred	601	Concurred	1040
		Passed; ayes 45, nays none	1041
404 By Printing. Relating to cost of publishing laws of General Assembly.		Reported enrolled	1073
Introduced, referred	602	Signed by President	1073
		Sent to Governor	1074
405 By Appropriations. Appropriating from general fund of State of Iowa funds for various departments.		Signed by Governor	1077
Introduced, referred	614		
Sifting recommended calendar ..	630	413 By Claims. Relating to appropriations to certain named persons in settlement of claims against Iowa State Highway Commission.	
Amendments filed .. 652, 653, 674, 682	682	Introduced, referred	710
Amendments adopted	690	Sifting recommended calendar, ref. appropriations	751
Amendment withdrawn	690, 691, 692, 693	Referred to appropriations	751
Passed; ayes 50, nays none	693	Returned without recommendation	790
Refused to concur	777	Passed; ayes 42, nays none	836
Conference committee appointed ..	795	Reported enrolled	946
Conference recommended amendment	893	Signed by President	946
Conference report adopted	896	Sent to Governor	946
Passed; ayes 44, nays none	897	Signed by Governor	946
Reported enrolled	1001		
Signed by President	1001	414 By Claims. An act to make appropriations to certain funeral homes for burial of old-age assistance recipients.	
Sent to Governor	1001	Introduced, referred	710
Signed by Governor	1032	Sifting recommended calendar, ref. appropriations	751
		Referred to appropriations	751
406 By Claims. Relating to appropriations to certain county fairs.		Returned without recommendation	790
Introduced, referred	657	Passed; ayes 43, nays none	837
Sifting rec. passage, ref. appropriations	666	Reported enrolled	946
Referred	667	Signed by President	946
Returned without recommendation	672	Sent to Governor	946
Passed; ayes 46, nays none	738	Signed by Governor	947
Reported enrolled	841		
Signed by President	841	415 By Judiciary 2. Relating to salaries of mayor and councilmen of commissioned cities; amending S. F. 15.	
Sent to Governor	841	Introduced, referred	731
Signed by Governor	868	Sifting recommended calendar ..	751
		Amendment adopted	765
407 By Mines and Mining. Relating to duties of certain employees in coal mines.		Passed; ayes 38, nays none	765
Introduced, referred	676	Reported enrolled	788
		Signed by President	788
408 By Ways and Means. Providing for joint ownership and acquisition of property by two or more cities and towns.		Sent to Governor	788
Introduced, referred to sifting ..	676	Signed by Governor	813
409 By Judiciary 1. Relating to commitment of incompetent veterans to Veterans Administration or other U. S. government agency.		416 By Claims. An act making appropriations in settlement of certain claims.	
Introduced, referred	676	Introduced, referred	731
Sifting recommended calendar ..	827	Sifting recommended calendar, ref. appropriations	751
Passed; ayes 42, nays none	882	Referred	751
		Returned without recommendation	790
410 By Manufacturing, Commerce and Trade. Relating to exemptions and exclusions from sales tax.		Amendment filed	870
Introduced, referred to sifting ..	685	Amendment withdrawn	937
Amendment filed	815		

S. F.	Page
Passed; ayes 39, nays none.....	937
Reported enrolled	1031
Signed by President	1031
Sent to Governor.....	1031
Signed by Governor.....	1054
417 By Social Security. Relating to unemployment compensation and collection of contributions of employers; amending S. F. 222.	
Introduced, referred to sifting..	754
418 By Judiciary 1. Relating to optional levies by board of supervisors.	
Introduced, referred to sifting.....	754
419 By Judiciary 1. A substitute act to provide for transfer of insane from a state hospital.	
Introduced, referred	754
Sifting recommended calendar ..	884
Passed; ayes 33, nays none.....	952
420 By Insurance. Relating to group insurance; defining classes and authorizing writing of such insurance under certain restrictions.	
Introduced, referred to sifting..	754
421 By Insurance. Permitting qualified insurance companies to write certain insurance for individual members of organized groups.	
Introduced, referred	754
Amendment filed	884
Sifting recommended calendar.....	1016
Amendment adopted	1029
Passed; ayes 47, nays none.....	1030
422 By Military and Veterans' Affairs. Creating an Iowa Department of Veterans' Affairs.	
Introduced, referred	760
423 By Military and Veterans' Affairs. Providing for administration of retraining and education of veterans of World War II in agreement with provisions made by Congress.	
Introduced, referred to sifting..	760
424 By Judiciary 2. An act legalizing ownership and operation of toll bridge by city of Keokuk, Iowa.	
Introduced, referred	774
Sifting recommended calendar.....	827
Deferred	883
Proof of publication certified....	934
Passed; ayes 38, nays none.....	945
Reported enrolled	1031
Signed by President	1031
Sent to Governor.....	1031
Signed by Governor.....	1074
425 By Judiciary 1. An act legalizing ownership and operation of toll bridge by city of Muscatine, Iowa.	
Introduced, referred	774
Sifting recommended calendar.....	827
Made special order.....	947
Deferred	981
Withdrawn	1010

S. F.	Page
426 By Appropriations. Relating to general expenses of Fifty-first General Assembly filed after adjournment or incurred in interim.	
Introduced, referred	774
Sifting recommended calendar.....	827
Passed; ayes 41, nays none.....	859
Reported enrolled	924
Signed by President	924
Sent to Governor.....	925
Signed by Governor.....	947
427 By Claims. Relating to settlement of claims made by certain named persons.	
Introduced, referred	793
Sifting recommended calendar; ref. appropriations	827
Referred	827
Amendments filed	841, 885
Returned without recommendation	868
Amendment adopted	939
Passed; ayes 38, nays none.....	940
Reported enrolled	1031
Signed by President	1031
Sent to Governor.....	1031
Signed by Governor.....	1074
428 By Claims. Relating to settlement of claims made by certain named persons for injuries and damages on primary roads.	
Introduced, referred	793
Amendment filed	828
Sifting recommended calendar; ref. appropriations.....	827
Referred	827
Returned without recommendation	868
Amendment adopted	914
Passed; ayes 45, nays 1.....	914
Reported correctly enrolled.....	977
Signed by President	978
Sent to Governor.....	978
Title corrected	1030
Signed by Governor.....	1074
429 By Appropriations. Relating to an appropriation to the Iowa State College for the Iowa Vegetable Growers Association.	
Introduced, referred to sifting..	793
430 By Appropriations. Relating to an appropriation for improvements of state capitol buildings and grounds.	
Introduced, referred	793
Sifting recommended calendar.....	827
Passed; ayes 43, nays none.....	860
Reported enrolled	924
Signed by President	924
Sent to Governor.....	925
Signed by Governor.....	947
431 By Appropriations. Relating to settlement of claims for salary due to certain named persons.	
Introduced, referred	793
Sifting recommended calendar.....	827
Passed; ayes 41, nays none.....	861
Reported enrolled	924
Signed by President	924
Sent to Governor.....	925
Signed by Governor.....	927
432 By Appropriations. Relating to approval of compensation of a certain group of employees of the State.	

S. F.	Page
Introduced, referred	794
Sifting recommended calendar ..	827
Passed; ayes 42, nays none	862
Reported enrolled	924
Signed by President	924
Sent to Governor	925
Signed by Governor	947
433 By Appropriations. Providing for disposition of balance in Iowa emergency relief fund.	
Introduced, referred	794
Sifting recommended calendar ..	827
Amendments adopted	862, 863
Passed; ayes 44, nays none	863
Reported enrolled	924
Signed by President	924
Sent to Governor	925
Signed by Governor	947
434 By Judiciary 1. An act to make permanent a certain temporary transfer of funds of Crawford county, Iowa.	
Introduced, referred	794
Sifting recommended calendar ..	827
Proof of publication certified ..	911
Passed; ayes 38, nays none	920
Reported enrolled	977
Signed by President	978
Sent to Governor	978
Signed by Governor	1001
435 By Claims. Relating to an appropriation to Drainage Ditch Assessment No. 40, Cerro Gordo county.	
Introduced, referred	794
Sifting recommended calendar; ref. appropriations	827
Referred	827
Returned without recommendation ..	868
Passed; ayes 44, nays none	915
Reported enrolled	977
Signed by President	978
Sent to Governor	978
Signed by Governor	1002
436 By Special Public Employees Retirement Plan. Relating to establishing an old age and survivor system for public employees; providing for administration by employment security commission.	
Introduced, referred	817
Sifting recommended calendar; ref. appropriations	827
Referred	827
Returned without recommendation ..	869
Amendments filed. 906, 961, 962, 963	
Committee of the whole	945
Deferred	946
Amendments adopted	971, 972, 974, 975
Amendment withdrawn	974
Passed; ayes 45, nays 3	975
Explanation of vote	976
Concurred	1039
Passed; ayes 45, nays 2	1040
Reported enrolled	1073
Signed by President	1073
Sent to Governor	1074
Signed by Governor	1077
437 By Schools and Educational Institutions. Relating to pension systems for teachers in certain cities.	
Introduced, referred	830

S. F.	Page
Amendment filed	841
Sifting recommended calendar ..	884
Deferred	953, 976, 981
Withdrawn	1056
438 By Appropriations. Relating to an appropriation for repairs to state capitol building and grounds.	
Introduced, referred	874
439 By Judiciary 1. Relating to allowable levy increase for memorial halls and monuments for soldiers, sailors and marines.	
Introduced, referred	887
Amendment filed	906
Sifting recommended calendar ..	925
Amendment filed	947
Amendment withdrawn	957
Amendments adopted	957
Passed; ayes 33, nays 1	957
440 By Agriculture 1. Relating to agricultural lime.	
Introduced, referred	908
441 By Claims. Relating to expense claims by certain named members of State Office Building Legislative committee.	
Introduced, referred	948
442 By Judiciary 1. To legalize appointments of certain public officials by Governor of Iowa which have been confirmed by Senate.	
Introduced, referred	980
Sifting recommended calendar ..	1002
Amendment adopted	1025
Passed; ayes 42, nays none	1025
Reported enrolled	1073
Signed by President	1073
Sent to Governor	1074
Signed by Governor	1077
443 By Claims. Relating to settlement of claims for services rendered by certain members of state office building legislative committee.	
Introduced, referred	980
Referred	1016
Placed on calendar	1017
Passed; ayes 43, nays none	1017
Reported enrolled	1073
Signed by President	1073
Sent to Governor	1074
Signed by Governor	1077
444 By Claims. Relating to settlement of claims by certain members of the commission appointed to study school laws.	
Introduced, referred	980
Referred	1016
Placed on calendar	1017
Amendment adopted	1018
Passed; ayes 48, nays none	1018
Reported enrolled	1073
Signed by President	1073
Sent to Governor	1074
Signed by Governor	1077
445 By Claims. Relating to settlement of claim for shipment of commodities for department of social welfare.	
Introduced, referred	981
Referred	1016
Placed on calendar	1017

S. F.	Page	S. F.	Page
Passed; ayes 47, nays none.....	1018	446 By Aeronautics. Relating	
Reported enrolled	1073	to levy of taxes for airports,	
Signed by President.....	1073	correcting title to S. F. 350.	
Sent to Governor.....	1074	Introduced, referred	1015
Signed by Governor.....	1077	Withdrawn	1047

HISTORY OF HOUSE BILLS IN SENATE

HOUSE JOINT RESOLUTIONS AND HOUSE FILES
PASSED AND APPROVED—126

J. R. 1, 2, 4, 7, 8.

1, 2, 3, 4, 5, 9, 10, 11, 12, 15, 16, 17, 19, 20, 21, 22,
24, 25, 28, 34, 37, 39, 40, 43, 44, 46, 50, 54, 62, 68, 82, 84,
87, 88, 92, 101, 103, 106, 107, 109, 118, 122, 125, 127, 130, 132, 138, 142,
144, 161, 164, 168, 169, 170, 178, 183, 184, 187, 193, 198, 200, 208, 211, 212,
213, 214, 215, 216, 217, 218, 219, 220, 225, 228, 231, 239, 240, 243, 247, 250,
256, 268, 279, 280, 292, 295, 296, 297, 304, 306, 315, 326, 327, 328, 329, 358,
362, 365, 366, 374, 379, 392, 393, 395, 416, 420, 444, 445, 446, 447, 448, 451,
452, 456, 458, 459, 462, 464, 471, 476, 478.

Passed both Houses, vetoed by Governor—H. F. 460.

RECORD OF EACH HOUSE BILL IN SENATE

H. J. R.	Page	H. F.	Page
1 By Martin. Fixing compensation of officers and employees of the 51st General Assembly.		Referred	751
Committee of the whole.....	18	Amendment filed	771
Recommended passage	18	Recommended passage	789
Amendment adopted	18	Amendments adopted	857, 866
Passed: ayes 44, nays 1.....	19	Deferred	858
Concurred	43	Amendment withdrawn	865
Passed: ayes 41, nays none....	43	Passed: ayes 44, nays 1.....	866
Signed by President.....	44	Signed by President.....	903
2 By General Legislative Committee. Establishing rights of Des Moines county, Iowa, in money judgment rendered May 17, 1944.		1 By General Legislative Committee. To provide for authorization of appropriation of funds for War Bond drives.	
Received, passed on file.....	358	Received, passed on file.....	42
Referred	383	Passed: ayes 45, nays none....	80
Recommended passage	434	Signed by President.....	98
Passed: ayes 47, nays none....	486	2 By General Legislative Committee. Providing for payment of refunds to persons who have overpaid chain store taxes.	
Signed by President.....	544	Received, passed on file.....	42
4 By Latchaw and Hicklin. To provide for survey of Drainage District No. 13 in Muscatine county; conversion into wildlife preserve.		Referred	79
Received, passed on file.....	486	Recommended passage	130
Amendments filed	507	Passed: ayes 43, nays none....	139
Sifting recommended calendar..	666	Signed by President.....	171
Amendment adopted	802	3 By General Legislative Committee. Providing for the issuance of temporary permits to persons engaged temporarily in business of retail sales.	
Amendment withdrawn	802	Received, passed on file.....	42
Passed: ayes 44, nays none....	802	Referred	79
Signed by President.....	844	Recommended passage	266
7 By Te Paske, Datsman, Walter of Pottawattamie, Blatti, Sloane, Burkman, Pritchard, Van Eaton, Wormley, Heffner, Hedin, Watson, Less, Whitehead, Lane, and Gardner of Bremer. Extending time of Iowa Centennial.		Passed: ayes 43, nays none....	396
Received, referred	810	Signed by President.....	446
Sifting recommended calendar..	884	4 By General Legislative Committee. To repeal state tax exemptions on soldiers' bonus bonds.	
Passed: ayes 33, nays none....	951	Received, passed on file.....	42
Signed by President.....	1001	Referred	79
8 By Ways and Means. Creating special committee to make study of entire structure of state, county, city and school tax revenue systems; make recommendations to Governor and General Assembly.		Recommended passage	130
Received, referred	704	Passed: ayes 43, nays none....	140
Sifting recommended calendar; ref. appropriations	751	Signed by President.....	171
		5 By General Legislative Committee. To repeal power to levy taxes to pay off world war bonus bonds.	
		Received, passed on file.....	42
		Referred	79
		Recommended passage	162
		Passed: ayes 46, nays none....	304
		Signed by President.....	345

H. F.	Page
6 By General Legislative Committee. To eliminate secondary notice of due sales and use tax.	
Received, passed on file.....	42
Referred	79
7 By General Legislative Committee. To subject tangible personal property purchased from federal government to provisions of the state use tax law.	
Received, passed on file.....	42
Referred	79
9 By General Legislative Committee. Relating to notice of an appeal of homestead tax credit refusal.	
Received, passed on file.....	80
Referred	86
Recommended amendment and passage	183
Amendment adopted	306
Passed; ayes 46, nays none.....	306
Signed by President	402
10 By General Legislative Committee. To provide that compensation due a minor or incompetent may be paid to a trustee.	
Received, passed on file.....	80
Referred	86
Recommended passage	213
Passed; ayes 48, nays none.....	309
Signed by President	345
11 By General Legislative Committee. Relating to small legacies in estates payable to minors and incompetents.	
Received, passed on file.....	80
Referred	86
Recommended passage	149
Passed; ayes 47, nays none.....	193
Signed by President	225
12 By General Legislative Committee. Relating to the termination of guardianships under certain conditions.	
Received, passed on file.....	80
Referred	86
Recommended passage	182
Passed; ayes 45, nays none.....	307
Signed by President.....	345
15 By General Legislative Committee. To place Isonipeaine under control of the state narcotics act.	
Received, passed on file.....	81
Referred	86
Recommended passage	214
Passed; ayes 45, nays none.....	381
Signed by President.....	424
16 By General Legislative Committee. Assignment of trade marks and forms of advertising; filing thereof and fees to be paid.	
Received, passed on file.....	81
Referred	86
Amendment filed	186
Recommended passage	214
Amendments filed	256
Amendment adopted	382
Passed; ayes 43, nays none.....	382
Signed by President	446
17 By General Legislative Committee. Relating to insurance on aircraft.	

H. F.	Page
Received, passed on file.....	81
Referred	86
Recommended passage	189
Passed; ayes 48, nays none.....	308
Signed by President	345
18 By General Legislative Committee. To provide for filing names of recipients of old age assistance that have been stricken from list.	
Received, passed on file.....	94
Referred	106
Recommended passage	284
Deferred	317
Referred to social security.....	354
19 By General Legislative Committee. Providing garnishment in the collection of freight line, equipment car taxes.	
Received, passed on file.....	81
Referred	87
Recommended passage	200
Passed; ayes 47, nays none.....	373
Signed by President	424
20 By General Legislative Committee. Permitting garnishment in collection of taxes upon freight line and equipment car companies.	
Received, passed on file.....	81
Referred	87
Recommended passage	266
Amendment filed	298
Amendment adopted	373
Passed; ayes 48, nays none.....	373
Signed by President	446
21 By General Legislative Committee. Relating to actions of forcible entry and detention of real property.	
Received, passed on file.....	95
Referred	107
Recommended passage	149
Passed; ayes 47, nays none.....	193
Signed by President	225
22 By General Legislative Committee. Relating to computing reimbursement of school districts for tax loss on public lands.	
Received, passed on file.....	95
Referred	107
Recommended passage	200
Deferred	330
Passed; ayes 47, nays none.....	374
Signed by President.....	424
24 By McFarlane and Davis of Black Hawk. Relating to salaries, duties of deputy treasurers.	
Received, passed on file.....	170
Referred	181
Amendment filed	270
Recommended passage	320
Amendment adopted	400
Passed; ayes 43, nays none.....	400
Signed by President.....	446
25 By McFarlane, Long and McEleney. Authorizing park commissioners to lease parks for professional games.	
Received, passed on file.....	170
Referred	181
Recommended passage	256
Amendment filed	479
Amendment adopted	487
Passed; ayes 50, nays none.....	487
Signed by President.....	544

H. F. Page

28 By Swaner, Dodds, Donohue, Klemesrud, Whitehead, Hicklin, Morrissey, Poston and Tatum. Relating to compensation of judges and clerks of elections.	
Received, passed on file	318
Referred	332
Sifting recommended calendar ..	1044
Passed: ayes 40, nays none.....	1051
Signed by President.....	1073

33 By Walter of Pottawatamie and Nielsen. To exempt local governmental bodies from use, sales tax.	
Received, referred to sifting....	557

34 By Martin. Authorizing increased levy for cemetery fund in towns.	
Received, passed on file.....	295
Referred	319
Sifting recommended calendar..	546
Amendments filed	565
Amendments adopted	574
Passed: ayes 43, nays none.....	574
Signed by President.....	607

37 By General Legislative Committee. Providing for notices by county board of review when valuations are increased.	
Received, passed on file.....	95
Referred	107
Recommended passage	228
Amendment adopted	311
Passed: ayes 47, nays none.....	311
Signed by President.....	359

38 By General Legislative Committee. To substitute factory for motor numbers in motor vehicle department records.	
Received, passed on file.....	95
Referred	107
Recommended passage	476
Sifting recommended calendar..	520
Re-referred to sifting	538

39 By General Legislative Committee. To repeal obsolete sections in World War I bonus bond law.	
Received, passed on file.....	95
Referred	107
Recommended passage	404
Sifting recommended calendar..	520
Passed: ayes 42, nays none.....	526
Signed by President.....	564

40 By General Legislative Committee. To limit time for filing of tax refund claims with tax commission.	
Received, passed on file.....	96
Referred	107
Amendments filed	248
Recommended passage	384
Amendment adopted	491
Passed: ayes 50, nays none.....	491
Signed by President.....	544

43 By General Legislative Committee. Relating to fees to be paid on increase of capital by foreign corporations.	
Received, referred	530
Sifting recommended calendar..	611
Passed: ayes 46, nays none.....	664
Signed by President.....	697

H. F. Page

44 By General Legislative Committee. To charge uniform motor vehicle fee for well-drilling apparatus mounted on trailer.	
Received, passed on file.....	96
Referred	107
Recommended passage	200
Passed: ayes 50, nays none.....	377
Signed by President.....	424

45 By General Legislative Committee. Relating to refunds on holders of beer permits.	
Received, passed on file.....	96
Referred	107

46 By General Legislative Committee. Modifying the penalties for failure to secure sales tax permits.	
Received, passed on file.....	96
Referred	107
Recommended passage	129
Passed: ayes 48, nays none.....	140
Signed by President.....	171

47 By General Legislative Committee. To repeal chain store tax act held unconstitutional.	
Received, passed on file.....	96
Referred	107
Recommended passage	130
Passed: ayes 43, nays none.....	169
Signed by President.....	197
Reconsidered	212
Referred to judiciary 1.....	213

49 By General Legislative Committee. Relating to motor vehicle license fee on hearses.	
Received, passed on file.....	96
Referred	107
Recommended amendment and passage	184
Amendment adopted	330
Deferred	330
Amendment adopted	472
Passed: ayes 45, nays 1.....	472
Insisted	543
Conference committee appointed	543

50 By Sloane and McFarlane (co-sponsors Klemesrud and Good). Relating to exemption from property taxation of persons in the armed forces and their families.	
Received, passed on file.....	205
Referred	213
Sifting recommended calendar..	884
Amendments filed	903, 904, 905
Amendments adopted	989, 994
Passed: ayes 48, nays none.....	994
Insisted	1027
Conference appointed	1027
Second conference appointed..	1070
Conference report	1071
Conference report adopted.....	1072
Passed: ayes 40, nays none.....	1072
Signed by President.....	1073

51 By Hall and Bass. Relating to use of public equipment for soil conservation purposes.	
Received, referred to sifting....	530

52 By Bass. Relating to per diem fees of conservation commissioners.	
Received, referred to sifting....	633

H. F.	Page
54 By Olson, Blatti, Krueger, Kuester, Heffner, Walter of Pottawattamie, Welchman, Robb, Watson, Huston, Blewett, Kruse, Good and Anderson. Authorizing boards of supervisors to cut weeds on county roads.	
Received, passed on file.....	422
Referred	447
Sifting recommended calendar..	751
Amendment adopted	807
Passed; ayes 43, nays none.....	807
Signed by President.....	884
56 By Sloane and Burkman. Relating to fees paid to members of the grand jury.	
Received, referred to sifting...	703
62 By Poston, Martin, Dodds, Kuester, Van Eaton, Shepard, Fimmen, Morrissey, Saylor, Edwards and Tatum. To increase bounty on wolves.	
Received, passed on file.....	422
Referred	447
Sifting recommended calendar..	583
Amendment adopted	624
Passed; ayes 43, nays none.....	624
Signed by President.....	671
63 By Miller, Hoeness, Good, Parrish, Siefkas, Steinberg, Kilpatrick, Simonsen, Palmer, Huston, Smith of Dickinson, Fletcher, Datisman, TePaske, Heffner, Nelson, Kuester, Mills, Saylor, Stevens, Visser, Watson, Peterson and Robb. Relating to liquor control; local option.	
Received, passed on file.....	225
Referred	248
Made special order.....	888
Request withdrawn	889
65 By Whitehead, Lane and Hall. Relating to salary of township clerk.	
Received, passed on file.....	327
Referred	346
66 By Whitehead, Lane and Hall. Relating to salaries of township trustees.	
Received, passed on file.....	327
Referred	346
68 By Olson. To permit reinvestment of funds by Mitchell county board of supervisors.	
Received, referred	531
Sifting recommended calendar..	611
Amendment adopted	639
Passed; ayes 46, nays none.....	640
Signed by President.....	697
69 By Sloane and Burkman. To extend rights of policemen's pension system to certain deputy bailiffs.	
Received, referred to sifting....	825
70 By Burkman and Sloane. Relating in part to salaries of bailiffs of the municipal courts.	
Received, passed on file.....	328
Referred	346
Recommended passage	434
Amendment filed	438

H. F.	Page
73 By Walter of Marshall, Steinberg, McFarlane, Sloane, Burkman and Putney. Relating to allowance to institutions for care of children.	
Received, referred to sifting....	919
74 By Walter of Marshall, Steinberg, McFarlane, Burkman and Sloane. Relating to salary of municipal court clerks.	
Received, passed on file.....	328
Referred	346
Recommended passage	434
Amendment filed	438
75 By Wormley. Relating to profits of the state liquor commission.	
Received, referred to sifting....	835
81 By Wormley, Bryson, Heffner, Less, Long and Sloane. To further define classes of persons deemed engaged in practice of optometry.	
Received, referred to sifting....	835
82 By Nielsen and Walter of Pottawattamie. Relating to state aid where there are two farm aid associations in the county.	
Received, passed on file.....	518
Sifting recommended calendar..	531
Passed; ayes 46, nays none.....	541
Signed by President.....	564
84 By Burkman. Relating to the firing of blast shots in coal mines.	
Received, passed on file.....	401
Referred	426
Amendments filed	441, 450
Returned for consideration....	474
Substituted for S. F. 64.....	503
Amendments adopted	513
Passed; ayes 39, nays 8.....	515
Signed by President.....	564
86 By Hedlin, Schwengel, Walter of Pottawattamie, Gardner of Linn, Carlson and Dodds. Relating to the arrangement and printing of names of certain candidates.	
Received, passed on file.....	156
Referred	172
87 By Fimmen, Kuester, McFarlane, Farmer, Sloane, Whitehead, Lane and Wormley. Relating to the compensation of shorthand reporters.	
Received, passed on file.....	341
Referred	360
Recommended passage	435
Sifting recommended calendar..	652
Amendment filed	683
Amendments adopted	744
Passed; ayes 45, nays none.....	744
Signed by President.....	788
88 By Appropriations. To make an appropriation for miscellaneous expense of the general assembly.	
Received, referred	125
Recommended amendment and passage	263
Amendment adopted	316
Passed; ayes 43, nays none.....	317
Signed by President.....	359

H. F.	Page	H. F.	Page
92 By Lane. Relating to notice of hearing on municipal budgets and publication thereof.		118 By Steinberg, by request. To provide for reimbursement of pupil transportation costs to school districts.	
Received, passed on file.....	170	Received, referred.....	630
Referred.....	181	Sifting rec. calendar; ref. appropriations.....	630
Recommended passage.....	297	Referred.....	630
Passed; ayes 42, nays none.....	399	Recommended amendment and passage.....	789
Signed by President.....	446	Amendments filed..815, 827, 842, 871	871
95 By Sloane and Burkman. To make judgments for alimony and child support liens on real estate.		Amendment withdrawn.....	835
Received, passed on file.....	422	Amendments adopted.....901,	902
Referred.....	447	Passed; ayes 46, nays none.....	902
101 By Reed, Hicklin, McFarlane, Fimmen, Prentis, Krueger, Kuester, Dodds and Tyrell. Relating to workmen's compensation; fixing maximum weekly compensation.		Insisted.....	973
Received, passed on file.....	422	Conference appointed.....	973
Referred.....	448	Conference report adopted.....	1037
Amendments filed.....	479	Passed; ayes 43, nays none.....	1037
Substituted for S. F. 101.....	497	Signed by President.....	1073
Amendments adopted.....498,	499	122 By Steinberg, by request. Relating to the minimum wages of teachers in the public schools.	
Passed; ayes 50, nays none.....	500	Received, passed on file.....	469
Insisted; ayes 21, nays 25.....	545	Referred.....	505
Conference committee appointed.....	545	Amendments filed.....	509
Conference report adopted.....	615	Substituted for S. F. 148.....	539
Passed; ayes 40, nays none.....	615	Amendments adopted.....539,	540
Signed by President.....	642	Passed; ayes 47, nays none.....	540
103 By Reed, Hicklin, McFarlane, Fimmen, Prentis, Krueger, Kuester, Dodds and Tyrell. Relating to unemployment compensation; to permit voluntary payments.		Insisted.....	839
Received, passed on file.....	423	Conference committee appointed.....	839
Referred.....	448	Conference report 910; adopted.....	912
Substituted for S. F. 105.....	500	Passed; ayes 43, nays none.....	912
Passed; ayes 47, nays none.....	501	Signed by President.....	1001
Signed by President.....	544	125 By Steinberg, by request. To provide for the special education of handicapped children.	
106 By Sloane and Burkman. Fixing the salaries of county attorneys.		Received, referred.....	810
Received, referred.....	633	Sifting recommended calendar; ref. appropriations.....	827
Sifting recommended calendar.....	666	Referred.....	827
Passed; ayes 46, nays none.....	746	Recommended passage.....	869
Signed by President.....	788	Amendments filed.....885,	927
107 By Sloane and Burkman. Fixing the salaries of assistant county attorneys.		Amendments adopted.....986,	987
Received, referred.....	633	Passed; ayes 44, nays none.....	987
Sifting recommended calendar.....	666	Signed by President.....	1053
Passed; ayes 46, nays none.....	746	126 By Steinberg, by request. Relating to vocational education.	
Signed by President.....	788	Received, referred to sifting... 596	
109 By Welchman, Sloane, Jensen, Fimmen and Duffield. Relating to necessary living expenses of court reporters; authorizing increased allowance.		Amendment filed.....	600
Received, passed on file.....	341	127 By Steinberg, by request. To create a fund to be known as the agricultural land credit fund.	
Referred.....	360	Received, referred.....	854
Recommended passage.....	435	Substituted for S. F. 332.....	914
Sifting recommended calendar.....	666	Deferred.....	914
Passed; ayes 44, nays none.....	747	Amendment adopted.....	916
Signed by President.....	788	Passed; ayes 44, nays 1.....	916
111 By Whitehead and Long. Relating to the placing of tax stamps on cigarette papers.		Signed by President.....	1001
Received, passed on file.....	423	130 By Steinberg, by request. To permit school districts to discontinue facilities and contract with other districts.	
Referred.....	448	Received, passed on file.....	470
Sifting recommended calendar.....	564	Referred.....	505
Amendment filed.....	611	Sifting recommended calendar.....	630
Referred to sifting.....	619	Passed; ayes 50, nays none.....	671
		Signed by President.....	750
		131 By Steinberg, by request. Relative to making provision for vocational instruction for high school pupils.	
		Received, passed on file.....	519

H. F.	Page
132 By Steinberg, by request. Relating to tuition rates for pupils in the public schools.	
Received, passed on file.....	470
Referred	505
Sifting recommended calendar..	546
Amendment adopted	559
Passed; ayes 47, nays none.....	560
Concurred	616
Passed; ayes 46, nays none.....	616
Signed by President.....	642
133 By Steinberg, by request. Relating to kindergartens.	
Received, passed on file.....	470
Referred	505
138 By Sloane and Burkman. Relating to salaries of judges of the municipal court.	
Received, referred	596
Amendment filed	630
Sifting recommended calendar..	751
Amendment adopted	766
Passed; ayes 39, nays none.....	787
Signed by President.....	841
142 By Hedin and Schwengel. Relating to rights of owners of certain riparian lands.	
Received, referred	655
Sifting recommended calendar..	666
Passed; ayes 38, nays none.....	762
Signed by President.....	841
144 By Appropriations. To ap- propriate to comptroller from motor vehicle fuel tax fund.	
Received, passed on file.....	171
Referred	181
Recommended passage	384
Passed; ayes 46, nays none.....	458
Signed by President.....	504
145 By Van Eaton and Carlson. To provide for establish- ment of a municipal museum.	
Received, passed on file.....	423
Referred	448
150 By Dairy and Food. Relat- ing to standard bottles used for sale of milk and cream.	
Received, passed on file.....	180
Referred	197
153 By Sloane and Burkman. Relating to compensation of Clerk of the grand jury.	
Received, referred to sifting....	597
161 By Gardner of Bremer, Burkman and Sloane. Relat- ing to aid to needy blind; to raise ceiling thereon.	
Received, referred	678
Sifting recommended calendar..	827
Passed; ayes 39, nays none.....	855
Signed by President.....	903
162 By Saylor. Relating to pay- ment of suspended county real estate taxes from old age as- sistance fund.	
Received, referred to sifting....	936
163 By Dairy and Food. Relat- ing to the sale of adulterated food products.	
Received, passed on file.....	261
Referred	281
164 By Dairy and Food. Relat- ing to cream grading.	
Received, passed on file.....	295

H. F.	Page
Referred	319
Recommended passage	438
Sifting recommended calendar..	827
Passed; ayes 39, nays 5.....	985
Signed by President.....	1053
168 By Walter of Marshall. Pro- viding for election on ques- tion of additional levy for completion of buildings on county fairgrounds.	
Received, referred	969
Amendment filed	978
Substituted for S. F. 266.....	996
Amendment adopted	996
Passed; ayes 44, nays none.....	996
Signed by President.....	1053
169 By Compensation of Public Officers and Employees. Relat- ing to boarding of prison- ers.	
Received, passed on file.....	206
Referred	213
Recommended passage	228
Passed; ayes 48, nays none.....	303
Signed by President.....	345
170 By Dairy and Food. To promote Iowa dairy products; to create commission.	
Received, passed on file.....	295
Referred	319
Amendment filed	348
Recommended passage	403
Sifting recommended calendar..	546
Amendment adopted	560
Passed; ayes 42, nays 3.....	562
Signed by President.....	607
172 By Burkman and Kruse. Relating to practice of den- tistry and the definition of dentistry.	
Received, referred to sifting....	726
174 By Sloane and Burkman. Relating to compensation of municipal court reporters.	
Received, referred to sifting....	597
177 By Steinberg. To appro- priate funds to build bridge over Squaw Creek in Ames, Iowa.	
Received, referred to sifting....	811
178 By Latchaw. To make an appropriation to Muscatine, Iowa.	
Received, passed on file.....	485
Sifting rec. calendar; ref. ap- propriations	652
Referred	652
Returned without recommenda- tion	789
Passed; ayes 44, nays none.....	803
Signed by President.....	884
182 By Fish and Game. Relat- ing to closed waters for sea- ning fish in the Mississippi riv- er.	
Received, passed on file.....	317
Referred	332
183 By Fish and Game. Relat- ing to fire protection for state parks, forest and wildlife lands.	
Received, passed on file.....	317
Referred	332
Recommended passage	450
Sifting recommended calendar..	751
Passed; ayes 45, nays none.....	807
Signed by President.....	884

H. F.	Page
184 By Heffner. To legalize action of supervisors of Hamilton county, Iowa.	
Proof of publication certified...	607
Received, referred	666
Sifting recommended calendar..	751
Deferred	765
Passed; ayes 39, nays none.....	766
Signed by President.....	841
185 By Heffner. Relating to county public hospital benefits.	
Received, referred to sifting...	984
187 By Fish and Game. Relating to non-resident fish and game licenses.	
Received, passed on file.....	341
Referred	360
Sifting recommended calendar..	666
Passed; ayes 42, nays none.....	748
Signed by President.....	788
189 By Fish and Game. Relating to duck and quail hunting.	
Received, passed on file.....	341
Referred	360
Amendment filed	652
193 By Hicklin. Relating to compensation for peace officers disabled or killed.	
Received, referred	665
Sifting recommended calendar..	827
Amendments filed	872, 927
Amendments adopted; title amended.....	942, 943
Passed; ayes 41, nays none.....	943
Signed by President.....	1001
196 By Sloane and Burkman. Relating to certificates of compliance with state housing law.	
Received, referred to sifting...	743
198 By Long and McEleney. To legalize an emergency fund levy for cities having population between 26,000 and 27,000.	
Received, passed on file.....	445
Referred	474
Amendments filed.....	752, 842, 927
Sifting recommended calendar..	884
Amendment withdrawn	938
Amendments adopted	938
Passed; ayes 43, nays none.....	939
Title amended	939
Signed by President.....	1001
199 By Dairy and Food. Relating to the production and sale of dairy products.	
Received, passed on file.....	357
Referred	383
200 By Child Welfare. Relating to aid to dependent children.	
Received, passed on file.....	401
Referred	426
Sifting recommended calendar..	884
Passed; ayes 45, nays none.....	995
Signed by President.....	1053
201 By Animal Industry. To require licenses for wool dealers.	
Received, passed on file.....	358
Referred	383
Recommended passage	438

H. F.	Page
203 By Insurance. Relating to liability insurance imposed upon certificated motor vehicle carriers.	
Received, passed on file.....	358
Referred	383
Recommended passage	384
Re-referred	403
208 By National Defense. Creating an Iowa development commission.	
Received, passed on file.....	358
Referred	383
Substituted for S. F. 190.....	442
Passed; ayes 48, nays none.....	442
Reconsidered; ayes 46, nays none	455
Amendments adopted	456
Passed; ayes 46, nays none.....	456
Signed by President.....	530
211 By Appropriations. To make an appropriation from liquor control fund to the industrial commissioner.	
Received, passed on file.....	296
Referred	319
Sifting recommended calendar; ref. appropriations	611
Referred	611
Recommended passage	672
Passed; ayes 45, nays none.....	739
Signed by President.....	788
212 By Appropriations. Authorizing expenditures by the state highway commission from the primary road fund.	
Received, passed on file.....	296
Referred	319
Recommended passage	384
Passed; ayes 46, nays none.....	458
Signed by President.....	504
213 By Appropriations. Making an appropriation to defray expenses of the inaugural ceremonies.	
Received, passed on file.....	296
Referred	319
Recommended passage	385
Passed; ayes 48, nays none.....	459
Signed by President.....	504
214 By Appropriations. To appropriate funds from the primary road fund to the industrial commissioner.	
Received, passed on file.....	296
Referred	319
Recommended passage	385
Passed; ayes 48, nays none.....	460
Signed by President.....	504
215 By Farmer. Relating to the salary of judges of the superior court.	
Received, referred	597
Sifting recommended calendar..	611
Passed; ayes 37, nays 3.....	639
Signed by President.....	697
216 By Military and Veterans Affairs. Relating to powers of attorney granted by persons in the armed forces.	
Received, passed on file.....	423
Referred	448
Recommended passage	476
Sifting recommended calendar..	520
Passed; ayes 47, nays none.....	538
Signed by President.....	564

H. F.	Page
217 By Military and Veterans Affairs. Relating to evidence of presumed death of persons missing in action.	
Received, passed on file.....	423
Referred	448
Recommended passage	476
Sifting recommended calendar..	546
Passed; ayes 46, nays none.....	591
Signed by President.....	607
218 By Avery. Registration of vital statistics as relating to adoptions or annulments.	
Received, referred	919
Sifting recommended calendar..	978
Passed; ayes 44, nays none.....	1011
Signed by President.....	1053
219 By Ways and Means. Providing for taxation of limited partnerships under the state income law.	
Received, referred	579
Sifting recommended calendar..	751
Passed; ayes 45, nays none.....	782
Signed by President.....	841
220 By Social Security. To provide unemployment compensation for maritime workers.	
Received, referred	557
Sifting recommended calendar..	827
Passed; ayes 43, nays none.....	883
Signed by President.....	903
222 By Sloane and Burkman. Relating to salaries of juvenile court probation officers.	
Received, referred to sifting....	665
Amendment filed	815
225 By Cox. To legalize action of the independent school district of Fort Dodge, Iowa.	
Received, referred	597
Sifting recommended calendar..	611
Passed; ayes 43, nays none.....	640
Signed by President.....	697
226 By Welchman. Relating to penalties for the violation of the motor vehicle fuel tax law.	
Received, referred to sifting....	666
228 By Sloane and Burkman. Relating to trackless trolleys, fees and taxes.	
Received, referred	579
Amendment filed	815
Sifting recommended calendar..	1016
Amendment withdrawn	1042
Passed; ayes 46, nays none.....	1042
Signed by President.....	1073
231 By Nielsen, Long and Davis of Fayette. Relating to levy of taxation for gas, electricity, heat or power funds.	
Received, referred	633
Substituted for S. F. 196.....	638
Passed; ayes 37, nays 7.....	638
Signed by President.....	697
239 By Agriculture 1. Establishing of a marketing news service division in the department of agriculture.	
Received, referred	597
Substituted for S. F. 200.....	627
Passed; ayes 39, nays 1.....	627
Signed by President.....	671

H. F.	Page
240 By Military and Veterans Affairs. Relating to proof of wills of members of armed forces.	
Received, referred	557
Sifting recommended calendar..	652
Passed; ayes 45, nays none.....	723
Signed by President.....	750
243 By Motor Vehicles and Transportation. Providing for certain maximum weights applicable to all motor trucks.	
Received, referred	558
Sifting recommended calendar..	583
Deferred	622
Passed; ayes 46, nays 1.....	636
Signed by President.....	697
247 By Nielsen and Walter of Pottawattamie. Relating to compensation of assessors of certain cities.	
Received, referred	678
Sifting recommended calendar..	1016
Passed; ayes 39, nays none.....	1053
Signed by President.....	1073
250 By Klemesrud and Donohue. Relating to compensation for use of automobile by state officers and employees.	
Received, referred	678
Sifting recommended calendar..	827
Passed; ayes 41, nays none.....	856
Signed by President.....	903
256 By Whitehead. Relating to memorial buildings and to provide tax levy for maintenance.	
Received, referred	984
Sifting recommended calendar..	1016
Passed; ayes 45, nays none.....	1049
Signed by President.....	1073
268 By Dairy and Food. Relating to the fee for testing seed samples.	
Received, referred	726
Sifting recommended calendar..	827
Passed; ayes 44, nays none.....	880
Signed by President.....	903
272 By Bryson. Relating to drainage districts in two or more counties; specifying duties of supervisors.	
Received, referred to sifting....	936
274 By Social Security. Providing for collection of unemployment compensation contributions; rate of interest on delinquent contributions.	
Received, referred	726
Returned to House by request..	810
279 By Schwengel. To provide for the purchase and maintaining of law libraries by county supervisors.	
Received, referred	825
Sifting recommended calendar..	827
Passed; ayes 40, nays none.....	840
Signed by President.....	884
280 By Dairy and Food. Relating to standards for ice cream and other food products.	
Received, referred	726
Sifting recommended calendar..	751
Passed; ayes 43, nays none.....	806
Signed by President.....	884

H. F.	Page	H. F.	Page
292 By Dairy and Food. To protect public against milk borne disease; to provide for dairy specialists and bacteriologists.		313 By Banks and Banking. Relating to salaries of deputy superintendent of banking and bank examiners.	
Received, passed on file.....	519	Received, referred to sifting....	633
Sifting recommended calendar; ref. appropriations	611	315 By Compensation of Public Officers and Employees. To provide for increases in compensation for county officers and employees; to authorize levy to provide funds.	
Referred	611	Received, referred	579
Recommended passage	672	Amendments filed	584, 611
Passed; ayes 40, nays 3	743	Sifting recommended calendar..	611
Signed by President.....	788	Amendments adopted	628, 629
293 By Gardner of Linn, Reed, Prentiss and Jessen. Relating to contributing to own support in soldiers' home.		Passed; ayes 45, nays none.....	629
Received, referred to sifting...	825	Signed by President.....	697
294 By Gardner of Linn, Reed, Prentiss and Jessen. Relating to soldiers' home and to widows of veterans.		316 By Van Eaton and Carlson. Relating to certifying of school budgets.	
Received, referred to sifting....	743	Received, referred to sifting....	933
295 By Agriculture 1. Relating to management of and state aid to county and district fairs.		317 By Sloane and Burkman. Relating to bailiffs of the district court.	
Received, referred	727	Received, referred to sifting....	727
Sifting recommended calendar..	827	318 By Fulk. Relating to publication of budgets of rural independent school districts and municipalities.	
Passed; ayes 44, nays 1.....	867	Received, referred to sifting...	950
Signed by President.....	903	326 By Appropriations. To provide for disposition of unexpended funds allocated to fund for aid of blind.	
296 By Appropriations. To make an appropriation to board of control for support of state institutions.		Received, passed on file.....	485
Received, referred	401	Amendment filed	947
Recommended passage	448	Sifting recommended calendar..	947
Amendment adopted	461	Amendment adopted	958
Passed; ayes 47, nays none.....	461	Passed; ayes 35, nays none.....	958
Signed by President.....	544	Signed by President.....	1001
297 By Appropriations. To make an appropriation to the board of education for support of state institutions.		327 By Appropriations. To provide for disposition of unexpended funds allocated to fund for aid to dependent children.	
Received, referred	402	Received, passed on file.....	486
Recommended passage	448	Amendment filed	947
Passed; ayes 49, nays none.....	461	Sifting recommended calendar..	947
Signed by President.....	504	Amendment adopted	959
302 By Meyer, Long and Carlson. Relating to tax levies by cities and towns for garbage disposal and street cleaning funds.		Passed; ayes 35, nays none.....	959
Received, referred to sifting....	743	Signed by President.....	1001
304 By Fimmen, Shepard, Whitehead and Latchaw. To increase strength of highway patrol.		328 By Appropriations. Relating to the allocation of revenue for old-age assistance.	
Received, referred	854	Received, passed on file.....	486
Sifting recommended calendar..	925	Sifting recommended calendar; ref. appropriations.....	611
Passed; ayes 34, nays none.....	956	Referred	611
Signed by President.....	1001	Recommended passage	673
306 By Appropriations. To allocate revenue from corporation, income and sales tax to tax commission.		Passed; ayes 45, nays none.....	741
Received, referred	402	Signed by President.....	788
Sifting recommended calendar; ref. appropriations	611	329 By Appropriations. To make an appropriation for payment of the cost of printing for the Fifty-first General Assembly.	
Referred	611	Received, passed on file.....	486
Recommended passage	672	Passed; ayes 49, nays none.....	494
Passed; ayes 44, nays none.....	740	Signed by President.....	530
Signed by President.....	788	336 By Van Eaton and Carlson. Relating to leasing of school properties in certain cities.	
311 By Public Health. Relating to public health and pollution of water; to prevent discharge of sewerage into state owned waters.		Received, referred to sifting....	892
Received, referred to sifting....	835	Amendment filed	1002

H. F.	Page	H. F.	Page
358 By Aeronautics. Creating a state aeronautics commission, prescribing powers, penalties.		Sifting recommended calendar..	666
Received, referred	597	Passed; ayes 44, nays none.....	747
Sifting recommended calendar..	652	Signed by President.....	788
Referred	652		
Amendments filed	611, 654, 791	393 By Social Security. Extending compensatory provisions of workmen's compensation act.	
Recommended passage	673	Received, referred	727
Made special order	716	Sifting recommended calendar..	751
Deferred	716, 761, 778	Passed; ayes 47, nays none.....	804
Amendments adopted.....	795, 796	Signed by President.....	844
Passed; ayes 46, nays none.....	796		
Signed by President.....	884	395 By Ways and Means. Relating to gross premium taxes of insurance companies.	
362 By Appropriations. Authorizing purchase of certain farm land adjoining state sanatorium.		Received, referred	775
Received, referred	598	Substituted for S. F. 279.....	777
Sifting recommended calendar; ref. appropriations	611	Made special order	778
Referred	611	Amendment adopted	785
Recommended passage	673	Passed; ayes 47, nays none.....	785
Passed; ayes 42, nays none.....	742	Concurred	819
Signed by President.....	788	Passed; ayes 48, nays none.....	819
365 By Aeronautics. Relating to airports and airport approaches; creation of airport commissions.		Signed by President.....	826
Received, referred	756	415 By Wormley, Reed, Aubrey, McReynolds and Morrissey. Relating to private trade schools.	
Amendment filed	770	Received, referred	679
Substituted for S. F. 350.....	797	Amendment filed	770
Amendment adopted	798		
Passed; ayes 47, nays none.....	798	416 By Poston. Authorizing purchase and payment of certain real estate in Wayne county.	
Signed by President.....	884	Received, referred	933
366 By Aeronautics. Empowering municipalities to promulgate, enforce, airport zoning regulations.		Sifting recommended calendar..	1016
Received, referred	756	Passed; ayes 43, nays none.....	1048
Substituted for S. F. 351.....	799	Signed by President.....	1073
Passed; ayes 47, nays none.....	799		
Signed by President.....	884	419 By Child Welfare. Relating to adoptions and fixing penalties for violations.	
369 By Carlson, Meyer, Tatum and Cox. Relating to retirement and pensions for firemen and policemen.		Received, referred to sifting....	937
Received, referred to sifting....	727		
374 By Appropriations. To authorize purchase of certain farm land adjoining state sanatorium.		420 By Welchman. Relating to school busses.	
Received, referred	598	Received, referred	666
Sifting recommended calendar; ref. appropriations	611	Sifting recommended calendar..	884
Referred	611	Passed; ayes 36, nays none.....	956
Recommended passage	673	Signed by President.....	1001
Passed; ayes 43, nays none.....	741		
Signed by President.....	788	426 By Fimmen and Wormley. Relating to examination expense of moneys and credits under taxation.	
379 By Hedlin and Schwengel. Relating to compensation of aldermen and mayor of certain cities.		Received, referred to sifting....	892
Received, referred	678		
Sifting recommended calendar..	884	431 By Wormley. Relating to reversion of abandoned cemetery lots and portions thereof.	
Passed; ayes 31, nays none.....	950	Received, referred to sifting....	703
Signed by President.....	1001	435 By Bockwoldt. Relating to secondary roads and sale of gravel to private parties.	
386 By Farmer. Relating to endorsement on letters testamentary or of administration.		Received, referred to sifting....	919
Received, referred to sifting....	937	439 By Judiciary 1. Relating to liability for damage to highways and highway structures.	
392 By Compensation of Public Officials and Employees. Relating to salary adjustments of employees of state conservation commission.		Received, referred to sifting....	950
Received, referred	634	440 By Board of Control. Relating to employment of prisoners of state penitentiary and men's reformatory.	
		Received, referred to sifting....	969
		442 By Postwar Development. Providing for purchase of equipment and other property from Government of United States.	
		Received, referred to sifting....	919

H. F.	Page
444 By Postwar Development. Relating to creation of State War Surplus Commodities board, making appropriation as revolving fund.	
Received, referred	704
Sifting rec. calendar, ref. appropriations	751
Referred to appropriations	751
Recommended passage	789
Passed: ayes 43, nays none	858
Signed by President	903
445 By Social Security. Relating to workmen's compensation for volunteer firemen.	
Received, referred	743
Sifting recommended calendar	947
Passed: ayes 36, nays none	960
Signed by President	1001
446 By Judiciary 1. Relating to expenditure of funds in waterworks system of Atkins, Iowa.	
Received, referred	679
Sifting recommended calendar	789
Deferred	809
Passed: ayes 38, nays none	855
Signed by President	903
447 By Appropriations. Relating to special funds for certain improvements in institutions under board of control.	
Received, referred	688
Sifting recommended calendar; ref. appropriations	751
Referred	751
Recommended amendment and passage	869
Amendments filed	885, 886
Amendments adopted	898, 899, 900
Passed: ayes 45, nays none	900
Insisted	922
Conference appointed	922
Conference report, amendments adopted	1009
Passed: ayes 44, nays none	1009
Signed by President	1053
448 By Appropriations. Relating to special funds for certain improvements in institutions under board of education.	
Received, referred	688
Sifting recommended calendar; ref. appropriations	751
Referred	751
Recommended amendment and passage	869
Amendment filed	872
Amendments adopted	895
Passed: ayes 44, nays none	895
Insisted	923
Conference appointed	923
Two resignations on conf. com. filed	1041
Conference discharged, second committee appointed	1048
Conference report adopted	1067
Passed: ayes 44, nays none	1067
Signed by President	1073
451 By Appropriations. Relating to salaries of superintendents of state hospitals under board of control.	
Received, referred	689
Amendment filed	978
Sifting recommended calendar	1016

H. F.	Page
Amendment adopted	1027
Passed: ayes 49, nays none	1028
Insisted; conference appointed	1045
Conference report adopted	1068
Passed: ayes 43, nays none	1068
Signed by President	1073
452 By Appropriations. Relating to salaries at state penitentiary and men's reformatory.	
Received, referred	689
Amendment filed	707
Sifting recommended calendar	789
Amendments adopted	809, 810
Passed: ayes 43, nays none	810
Signed by President	844
453 By Board of Control. Authorizing board of control to parole epileptic patients from hospital.	
Received, referred to sifting	969
454 By Board of Control. Relating to medical and surgical treatment of minors and incompetent persons.	
Received, referred to sifting	969
455 By Motor Vehicles and Transportation. Relating to issuance of special permits for movement of certain size vehicles.	
Received, referred to sifting	920
456 By Roads and Highways. Relating to use of county's allotment of motor vehicle fuel license fees on farm-to-market road projects.	
Received, referred	950
Sifting recommended calendar	978
Passed: ayes 44, nays none	1016
Signed by President	1053
458 By Ways and Means. Relating to withdrawal by state treasurer of state funds in any county treasury.	
Received, referred	727
Sifting recommended calendar	827
Passed: ayes 37, nays none	880
Signed by President	903
459 By Cities and Towns. An act granting to certain cities title to certain lands on Mississippi River.	
Received, referred	727
Sifting recommended calendar	751
Amendment filed	791
Amendment adopted	808
Passed: ayes 40, nays none	808
Signed by President	844
460 By Departmental Affairs. Relating to officers and employees of General Assembly prior to assembly.	
Received, referred	770
Sifting recommended calendar	827
Re-referred to sifting	937
Sifting recommended calendar	978
Amendments filed	979, 1003
Amendments adopted	1014
Passed: ayes 46, nays none	1014
Insisted	1038
Conference appointed	1038
Conference report	1057
Adopted	1061
Passed: ayes 35, nays none	1061
Signed by President	1073

H. F.	Page	H. F.	Page
461 By Board of Control. Providing for parole of feeble-minded inmates from state institutions.		469 By Military and Veterans' Affairs. Creating an Iowa Department of Veterans' Affairs.	
Received, referred to sifting....	969	Received, referred to sifting....	911
462 By Appropriations. Relating to cost of legislative printing.		471 By Appropriations. Relating to salaries of superintendents of institutions and state schools under board of control.	
Received, referred	704	Received, referred	920
Sifting recommended calendar; ref. appropriations	751	Sifting recommended calendar....	1016
Referred to appropriations.....	751	Passed; ayes 48, nays none.....	1028
Recommended passage	789	Signed by President.....	1073
Passed; ayes 44, nays none.....	859		
Signed by President.....	903	475 By Judiciary 1. Relating to police radio broadcasting system installation in department of public safety.	
464 By Commerce and Trade. Prohibiting use of misleading designations of places of business relating to designation as agency or activity of U. S. government.		Received, referred to sifting....	950
Received, referred	920	476 By Appropriations. Relating to an appropriation for payment to certain persons for services during Fifty-first General Assembly.	
Sifting recommended calendar..	947	Received, referred	1043
Passed; ayes 43, nays none.....	1011	Sifting recommended calendar; ref. appropriations	1044
Signed by President.....	1053	Amendments adopted	1046
465 By Judiciary 2. Relating to renewal of cosmetology school licenses; providing notice and hearing.		Passed; ayes 46, nays none.....	1046
Received, referred to sifting....	892	Signed by President.....	1073
468 By Appropriations. Authorizing purchase of certain farm land adjoining Iowa State School for Boys; providing appropriation therefor.		478 By Aeronautics. Relating to levy of taxes for airports; correcting title of H. F. 365.	
Received, referred to sifting....	811	Received, referred	1043
		Sifting recommended calendar....	1044
		Passed; ayes 42, nays none.....	1047
		Signed by President.....	1073

CONCURRENT RESOLUTIONS

ACTION ON SENATE CONCURRENT RESOLUTIONS

1—Providing for appointment of joint committee to arrange for inaugural	7
2—Providing for distribution of Codes and Journals to members of Fiftieth G. A. and to certain members of the press.....	7
3—Instructing Superintendent of Printing to mail to county auditors copies of Senate and House Journals, bills and binders.....	19
4—Relating to appropriations and allocations from general revenue fund	75
5—Requesting Congress to return the United States to standard time	166, 241
6—Relating to compensation of certain employees of the Senate.....	176, 302
7—Relating to opening of Palestine for free and unrestricted colonization by the Jews.....	182
8—Relating to invitation to Drue Leyton Tartiere to address joint convention	205, 255
9—Relating to special recess on Good Friday afternoon.....	252, 255
10—Relating to adoption of joint rules.....	260, 275
11—Approving payment of certain legislative bills	382, 393
12—Relating to invitation to Perry Brown, chairman national defense committee of the American Legion, to address joint session.....	393
13—Memorializing Congress to establish procedure to balance Federal spending and Federal income.....	421, 484
14—Recording highest tribute in commending Major Robert Lapham of Davenport and his brave Rangers for courage and heroism in carrying out rescue missions in the Philippines.....	473, 483, 528
15—Requesting the Governor to return S. F. 131 for reconsideration.....	637, 642
16—Relating to adjournment sine die of Fifty-first General Assembly on Tuesday, April tenth, at 5:00 p. m.	784, 820
Amended to read "April twelfth"	985
17—Relating to formation of Missouri Valley Authority.....	811, 874, 876

ACTION ON HOUSE CONCURRENT RESOLUTIONS

1—Arranging for joint convention to hear former Governor Bourke B. Hickenlooper and to canvass the vote.....	7
2—Providing for appointment of joint committee to nominate additional employees	17, 18
3—Relating to preparation of daily clip sheet.....	18
4—(Withdrawn in House Jan. 8)	
5—Relating to adjournment for a short recess.....	87
6—Relating to payment of certain legislative expenses.....	105
7—(Failed to pass House)	
8—Authorizing printing of committee books and rule books.....	135
9—Memorializing Congress in expressing opposition to constitutional limitation on taxing power of Congress; rescinding action of Forty-ninth G. A.	511, 602, 635
10—Requesting the Governor to return House File 47 for reconsideration	209
11—Relating to justice of peace courts.....	275, 473
12—Relating to preparation of bills presented to committees for introduction	290, 302
13—Authorizing Superintendent of Printing to contract for photographing members of Fifty-first General Assembly.....	339
14—Relating to adjournment for spring recess.....	354, 377
15—Memorializing Congress in regard to deferment of farm boys....	551
16—Relating to payment of certain legislative bills.....	552, 586, 587
17—Authorizing revision and reprinting of Iowa Manual of Legislative Procedure	660, 702
18—Requesting Congress and President of U. S. to provide for qualified representatives of young men and women in military forces of World War II to serve in Peace Table delegation.....	687, 712

19—Relating to distribution of booklet of sketches and portraits of all who have served on Supreme Court of Iowa.....	731
20—Relating to work of Chief Clerk of the House and Secretary of the Senate, following adjournment.....	966
21—Relating to gifts of chairs to Speaker of House and President of Senate	967
22—Relating to making an Iowa Centennial commemorative stamp....	928
23—Relating to payment of certain legislative expenses.....	929
24—(Similar to No. 18. No entry in Senate Journal.)	
25—Relating to survey of judicial districts—Amended and adopted....	1034
26—Relating to payment of certain legislative bills.....	1046, 1055
27—Relating to resolutions commemorating life and public service of the late President F. D. Roosevelt.....	1057, 1062

SENATE RESOLUTIONS

1—Relating to appointment of clerks.....	6
2—Providing for Senate Standing Committee on Interstate Cooperation	726, 760
3—Relating to proclamation by Governor urging prayers at cessation of present world tragedy	812, 820
4—Authorizing bill room of Senate remain intact and unused. Also cloak room and office of Senate Secretary.....	1000, 1033

MEMORIAL RESOLUTIONS

Caldwell, Warren A.	788, 878, 1082
Clarkson, John T.	787, 877, 1083
Darting, H. A.	787, 877, 1084
Ellison, Frederick O.	787, 878, 1085
Fralley, Joseph R.	813, 878, 1085
Jackson, John H.	787, 877, 1086
Kirketeg, O. J.	757, 1087
Malone, Charles Edward	813, 879, 1088
Moore, Morris	970, 1089
Newberry, Byron W.	787, 877, 1090
Oleson, Olaf M.	787, 878, 1092
Pelzer, Frank	788, 879, 1093
Whitehill, B. C.	20, 77, 1095
Whitmore, Chester W.	787, 877, 1094

TOPICAL INDEX TO SENATE BILLS

ADMINISTRATORS—

Of estates, relating to notice of appointment of. 72, Cromwell.

ADOPTIONS—

Violation of law pertaining to. 380, Bekman.

AERONAUTICS—

Development, regulation thereof; state commission of, to create. 184, aeronautics. 349, aeronautics.

AGRICULTURE—

Agricultural leases and tenancies, termination of. 123, Hawkins.
Hotels, restaurants, wholesale stores to require to be licensed by department of. 153, agriculture.
Commercial feed law, use of fees collected for enforcement of. 197, Leo, Foster, Benson, Lynes.
Fruit tree reservation, relating to number of trees per acre. 234, Keir, Knudson, Zastrow.
Marketing news service in department of, to establish, make appropriation therefor. 200, Sharp, Keir, Leo, Benson.
Sale barns, community licensing, regulation of. 257, Shaw, Miller, Keir, Augustine.
Pure food, relating to standards of; to require the enrichment of breads, flour. 263, Dewel, Harvey, Keir.
Fairs, county, district, to provide for an additional tax levy in certain counties. 266, Rockhill.
Workmen's compensation act extended to agricultural employees. 395, social security.
Agricultural lime, substitute act relating to. 396, agriculture; 440, agriculture.
Bonds of certain employees in department of agriculture, payment of, providing for. 400, judiciary 1.

AIRPORTS—

Authorizing additional tax levy by cities and towns for maintenance of. 84, Knudson.
Acquiring, maintaining of, to broaden powers of political subdivisions thereto; issuance of revenue bonds for improvements. 350, aeronautics; 446, aeronautics.
Airport zoning regulations, to empower municipalities to enforce. 351, aeronautics.
Bonds for, legalizing issuance of. 347, Hill.
Joint ownership of property by cities and towns; establishing airports provided for. 408, ways and means.

AMES, IOWA—

Squaw Creek, to make appropriation to bridge. 201, Lucas, Ritchie, Leo, Elthon, Dewel, Mowry.

ANIMALS—

Bounties thereon, relating to. 262, Newsome, Jones.

APPROPRIATIONS—

Governor's home, to make appropriation for purchase of. 20, Berg.
General revenue, relating to appropriations therefrom. 38, Berg.
Muscatine county, Iowa, to make appropriation to. 58, Pine.
Special attorney general, appropriation for compensation of. J. R. 1, judiciary 1.
Five Island Lake, Palo Alto county, to make appropriation for dredging, improving of. 116, Dewel, et al.

Squaw Creek, Ames, Iowa, to make an appropriation to bridge. 201, Lucas, et al.

M. D. Munshower, et al., to make appropriation to. 165, claims.

Certain named persons, to make appropriations to, to recover refunds. 166, claims.

Certain named persons, to make appropriations to in settlement of damages in highway accidents. 167, claims.

State aid to three county fairs, to make appropriations therefor. 168, claims.

Iowa Photographic Supply Company, et al., to make appropriations to. 169, claims.

Marketing news service, to make an appropriation therefor. 200, Sharp, Keir, Leo, Benson.

Fort Dodge, Des Moines and Southern Railway Company, to make an appropriation to. 297, Lucas.

State building code council, appointment, scope of work, appropriation providing therefor. J. R. 7, TePaske, et al.

Office building on state capitol grounds, to appropriate additional funds therefor. 398, public lands and buildings.

Special committee to study tax structure, appropriation therefor. J. R. 8, special tax revision.

Appropriations to certain county fairs for claims. 406, claims.

Department funds, providing appropriations to. 405, appropriations.

Creation of commission to make study of salaries of public officers and employees, providing for J. R. 9, compensation of public officers and employees.

Municipal laws code commission, appropriation provided therefor. J. R. 9, cities and towns.

Iowa department of veterans' affairs, creating of and providing appropriation therefor. 422, military and veterans' affairs.

Expenses of Fifty-first General Assembly after adjournment, providing appropriation for. 426, appropriations.

Iowa State college for Iowa State Vegetable Growers Association, relating to an appropriation thereto. 429, appropriations.

State Capitol buildings, grounds, relating to an appropriation therefor. 430, appropriations; 438, appropriations.

Claims for salary due certain named persons, relating to settlement thereof. 431, appropriations.

Governor's home, relating to option on certain J. H. Cownie real estate for use as; appropriations. J. R. 10, public lands and buildings.

State office building legislative committee members, relating to an appropriation in payment of claims for services. 441, claims; 443, claims.

School laws study commission, relating to an appropriation in payment of claims for services rendered by certain members thereof. 444, claims.

ARRESTS—

Authorizing peace officers with respect to. 210, Martin, Kirketeg.

ASSESSORS—

City assessors, deputies in certain cities, compensation of. 41, Byers, Clem.

ASSIGNMENTS—

Accounts receivable without impairment, relating to. 269, Rockhill, Faul.

ATTORNEY GENERAL—

Special assistant to, authorizing appointment of. 59, judiciary 1; J. R. 1, judiciary 1.

ATTORNEYS—

County, filing of true informations by. 17, Henningsen.

County, fixing salaries of. 48, Faul.

Assistant county, fixing salaries of. 47, Faul.

Employed in special tax assessment cases; compensation of. 373, Faul.

AUCTIONEERS—

Non-resident, to permit to cry sales in Iowa. 161, Vrba.

BAILIFFS—

District court bailiffs, to clarify language thereon. 362, Faul.

BANKS AND BANKING—

Public deposits in closed national banks, to authorize payment of claims therefor. 85, Hill.

Installment loans subject to certain limitations, to make available to national banks. 122, banks and banking.

Life insurance policies assigned as collateral, relating to. 230, Berg.

Deputy superintendent of banking, examiners, to raise salaries of. 287, banks, building and loan.

Loans made by, relating to limitations on amount. 288, banks, building and loan.

BARBER SHOPS—

Barber shops, schools, to provide for licensing, control of. 31, Byers, Elthon, Love, Martin, Henningsen, Clem.

BEER—

Sale of, providing for petitions, elections; local option. 87, Mowry, et al.

Retail beer permits, to restrict issuance of to "business districts." 176, Knudson.

Beer, to increase barrel tax thereon. 226, Barkley.

Food, to prohibit sale of where beer is sold. 298, Elthon et al.

BLIND—

State aid to needy blind, to remove ceiling thereon. 185, Faul.

Needy blind, authorizing commission to accept federal aid for rehabilitation of. 224, social security.

BOARD OF CONTROL—

Contingent fund, relating to creation of from Iowa emergency relief fund, for institutions thereunder. 433, appropriations.

BOARDS OF SUPERVISORS—

See Supervisors, Boards of

BONDS—

Secondary road bonds, to transfer code section thereon. 80, judiciary 1.

County secondary road bonds, issuance, payment of. 144, Martin, Cromwell, Henningsen, Pine.

Special assessment bonds, providing for sale or delivery of. 236, cities and towns.

Special improvement bonds, to provide for creation of local guaranty fund by cities and towns. 238, cities and towns.

Official, of county officers, to provide for payment of premiums thereon. 240, Lynes.

Payment of for certain state officers, relating thereto. 400, judiciary 1.

Issuance of for airports jointly owned by cities and towns, providing for. 408, ways and means.

Issuance of, for toll bridge at Keokuk, Iowa, legalizing thereof. 424, judiciary 2.

Issuance of, for toll bridge at Muscatine, Iowa, legalizing thereof. 425, judiciary 1.

BOWLING ALLEYS—

Employment of minors therein. 326, Faul.

BRIDGES—

Bridges, approaches thereto, authorizing highway commission to accept as gift. 335, Henningsen, Reilly.

Bridge system of county, providing for maintaining. 377, Hawkins.

Toll bridge at Muscatine, legalizing ownership, operation thereof. 425, judiciary 1.

Toll bridge at Keokuk, legalizing ownership, operation thereof. 424, judiciary 2.

BUDGETS—

Municipalities of less than 200, rural independent school districts, posting of budget estimates. 302, Pine, et al.

BUILDING AND LOAN—

Loans, investments, relating to; associations, supervision of. 57, Byers.

Supervisor of associations thereof, relating to salary of. 402, compensation of public officers and employees.

Compensation of public officials. 402, compensation of public officers and employees.

BUTTER—

Butter-makers, licensing of; to regulate, improve creamery operations. 334, Lynes.

CABOOSES—

Adequate lighting facilities therefor, to provide. 308, Martin, Clem.

CEMETERIES—

Abandoned lots, divisions thereof, relating to reversion of. 40, Leo.

Abandoned portions less than full or half lot, to provide for reversion, sale thereof. 235, Dewel, Shaw.

CENTENNIAL—

Dvorak's "Largo," to declare as official instrumental music of state of Iowa; a centennial feature. J. R. 6, Vrba.

CERRO GORDO COUNTY—

Drainage district assessment No. 40 in, relating to settlement of claims therefor. 435, claims.

CHAIN STORES—

Tax, to clarify law relative to certain exemptions. 127, Hultman.

CHILDREN—

Neglected, delinquent, relating to allowance to institutions for care of. 28, Faul.

School transportation of. 111, Foster.

Dependent Indian children, relating to aid to. 203, Leo.

Child of school age in boarding home, to provide tuition for. 219, Doud.

Dependent, neglected, appointment of probation officers to assist in care, rehabilitation of. 246, Cromwell, Kirketeg.

In boarding homes, payment of tuition of. 355, White.

CHILD WELFARE—

Neglected, delinquent children, relating to allowance to institutions for care of. 28, Faul.

Dependent Indian children, relating to aid to. 203, Leo.

Child of school age in boarding home, to provide tuition for. 219, Doud.

Probation officers for rehabilitation of dependent, neglected children, to provide for appointment of. 246, Cromwell, Kirketeg.

Children in boarding homes, payment of tuition of. 355, White.

CHIROPRACTIC—

Profession of, clarification of scope of practice. 280, Reilly.

CIGARETTES—

Cigarette license permits, providing for adjustment of. 95, Mowry.
Cigarettes, to increase tax rate thereon. 225, Barkley.

CITIES AND TOWNS—

Mayors, councilmen of commission cities, salaries of. 15, Clem, Bekman, Findlay, Hart, Byers, Cromwell; 415, judiciary 2.
Municipal waterworks employees, to provide retirement system for. 25, Faul, Byers, Berg, Clem, Bekman.
Assessors, deputies in certain cities, compensation of. 41, Byers, Clem.
Airports, authorizing additional tax levy by cities and towns for maintenance of. 84, Knudson.
Levy for park purposes, to permit certain cities to increase. 121, Reilly.
Secondary roads within, maintenance of; to include additional streets. 142, Findlay.
Park levies, to authorize boards to consolidate. 178, Watson.
Employees of, to provide for creation, operation of retirement system for. 231, Martin, et al.
Special assessment bonds, providing for sale, delivery of. 236, cities and towns.
Sewer improvements to eliminate certain requirements. 237, cities and towns.
Local improvement guaranty fund, to provide for creation of by cities and towns. 238, cities and towns.
Commission to revise, recodify all laws pertaining to. 272, Watson, Lucas, Dykhouse, Berg.
Additions to, to require closer supervision of platting of. 254, Martin.
Defective streets, public grounds, to free cities of liability. 306, Martin.
Levies by for police department maintenance fund. 286, Bekman, Hart, Clem.
Motor vehicle fuel tax, to increase; to allot portion of revenue to cities and towns. 292, highways.
Civil Service commissioners in certain cities, appointment of. 320, Long, Jacobson.
Coliseum, public, authorizing cities to acquire, operate. 337, Martin, Berg, Faul.
Street improvements, sewers. 372, Rockhill.
Tax levy, general fund of. 381, Clem; 384, Kirketeg.
Personal injury claims, liabilities for accidents on streets. 387, Kirketeg.
Coliseum commission, creation of. 337, Martin, Berg, Faul.
City tax system, study of by special committee, relating to. J. R. 8, special tax revision.
Joint ownership of property by two or more cities and towns, providing for. 408, ways and means.
Commission to prepare code of municipal laws, formulate uniform system of accounting, relating to establishment of. J. R. 9, cities and towns.
Veterans' information and service centers, authorizing establishment of, providing expenses thereof. 422, military and veterans' affairs.

CIVIL SERVICE—

Members of fire, police departments in armed forces, relating to civil service rights of. 13, Faul, Berg.
Chief of police, fire departments, to place under civil service. 65, Byers, Hart, Pine, Henningsen, Findlay, Zastrow, Knudson.
Commissioners, appointment of in certain cities. 320, Long, Jacobson.

CLAIMS—

M. D. Munshower, et al., to make appropriations to. 165, claims.
Certain named persons, to make appropriations to, to recover refunds. 166, claims.
Certain named persons, to make appropriations to in settlement of damages in highway accidents. 167, claims.

State aid to three county fairs, to make appropriations therefor. 168, claims.

Iowa Photographic Supply Company, et al, to make appropriations to. 169, claims.

County fairs, certain thereof, to make appropriations in payment of claims. 406, claims.

Accidents on primary roads, providing for settlement of claims therefor. 413, claims.

Funeral expenses of certain recipients of old age assistance, relating to claims therefor. 414, claims.

Various claims, to make appropriations in settlement of. 416, claims.

Certain named persons, to make appropriations to in settlement of claims for damages, injuries. 427, claims; 428, claims.

Salary due claims, relating to settlement of. 431, appropriations.

Drainage district assessment in Cerro Gordo county, relating to claims by. 435, claims.

State office building legislative committee, relating to claims for services by certain named members thereof. 441, claims; 443, claims.

Commission to study school laws, relating to payment of claims for service rendered by certain members thereof. 444, claims.

Otis Truck Line, Forest City, relating to payment of claim thereto. 445, claims.

CLINTON, IOWA—

Emergency fund, to allow levy therefor. 143, Henningsen.

CODE—

Publication of new edition of. 76, Cromwell.

CODE EDITOR—

Authorizing of with respect to expression "and/or". 77, judiciary 1.

Annotations, to authorize code editor to publish. 79, judiciary 1.

COLISEUM—

Public, to acquire, operate, authorizing cities; to issue bonds, levy taxes therewith. 337, Martin, Berg, Faul.

COMFORT STATIONS—

Municipal, relating to requirements therefor. 282, Bekman.

COMMERCE COMMISSION—

Proceedings to vacate orders of, relating to. 260, Barkley.

Electric fences, empowering commission to make rules with respect to. 299, Zastrow.

Members, organization of, relating to; to make office of appointive. 315, Clem, Love, Long.

COMMISSIONS—

Real estate, to create; licensing, regulation of brokers, salesmen. Dykhouse, Knudson, Watson, Augustine, Shaw, Henningsen.

Liquor control, relating to distribution of profits of. 61, Watson.

Employment security, to correct certain section with regard to name of. 83, judiciary 1.

Commerce, empowering of with respect to warning signs. 137, Zastrow, Lucas, Reilly, Henningsen.

Commerce commission, liability insurance, certificate to be filed with by certified carriers, to correct law. 158, judiciary 2.

Aeronautics commission, state, to create. 184, aeronautics.

Iowa development commission to create, make an appropriation therefor. 190, national defense and postwar.

Cities and towns, to provide for commission to revise, recodify all laws pertaining to. 272, Watson, Lucas, Dykhouse, Berg.

Commerce, relating to; proceedings to vacate orders of. 260, Barkley.

Commerce, empowering of with respect to electric fences. 299, Zastrow.
 Commerce, to make office of commissioner appointive. 315, Clem, Love, Long.
 Conservation, relating to membership thereof. 317, Hart, Doud.
 Coliseum commission, providing for creation of. 337, Martin, Berg, Faul.
 Blind, Iowa commission, authorized to accept federal aid for rehabilitation 224, social security.
 Conservation, salary adjustment of employees of. 348, Hultman, et al.
 Code of municipal laws preparation of by commission, relating to appointment of. J. R. 9, cities and towns.

COMPENSATION—

Deputy treasurers of counties, salaries of. 16, Berg.
 Governor of Iowa, relating to annual salary of. 21, Berg.
 County, municipal, school examiners, compensation of. 32, Mowry, Vittetoe, Love, Doud, Clem.
 City assessors, deputies in certain cities, salaries of. 41, Byers, Clem.
 Attorneys, assistant county, fixing salaries of. 47, Faul.
 Special attorney general, to fix compensation of. J. R. 31, judiciary 1.
 Juvenile court probation officers in certain counties, salaries of. 66, Faul; 188, Clem.
 Business managers of state institutions, salaries of. 74, Doud, Foster, Long, Ritchie, Sjulín.
 Grand jury, compensation of clerk of. 92, Faul.
 Municipal court, compensation of judges of. 93, Faul, Berg, Henningsen.
 Unemployment compensation, transfer of employers' accounts to successor employers, to provide for. 104, Sharp, et al.
 Workmen's, to reduce waiting time, increase weekly benefit. 101, Sharp, et al.
 Workmen's, to create "second injury fund" thereunder. 102, Sharp, et al.
 Unemployment compensation contributions, to permit voluntary payments thereto by employers. 105, Sharp, et al.
 Unemployment compensation, to increase maximum benefits thereunder. 99, Faul.
 Unemployment compensation benefit, eligibility condition of required waiting period. 100, Faul.
 Superior court, salary of judges of. 124, Byers, Hart.
 Certain public officers in counties, to authorize increase in salary of; levy therefor. 130, Hultman.
 Court reporters, municipal, compensation of. 187, Faul.
 Workmen's compensation cases, allowance of attorney fees in certain appeals. 164, Bekman, Clem.
 Judges of supreme court, fixing salaries of. 181, Long, et al.
 Juvenile court, salaries, expenses of officers, employees of. 189, Clem.
 Unemployment, to preserve benefits of for members of armed forces. 198, Faul.
 Private automobile, compensation to state officers, employees for use of. 208, Faul; 214, Berg.
 Maritime workers, to provide unemployment compensation for. 223, Sharp, Harvey.
 State officers, employees, compensation of for use of own motor vehicles. 208, Faul; 214, Berg.
 Unemployment, contributions by employers whose pay rolls have increased 100 per cent. 220, Sharp, Pine.
 Merit rating in unemployment compensation, to provide for continuation of in case of sale, reorganization. 222, social security; 417, social security.
 Unemployment compensation contributions, delinquent, relating to interest rate thereon. 248, Kirketeg, Sharp.
 County officers, employees, to increase compensation of; to authorize levy to provide funds. 277, compensation of public officers and employees.

Deputy superintendent of banking, examiners, to raise salaries of. 287, banks, building and loan.
 County auditor, treasurer, compensation of in certain instances. 336, Martin, Faul.
 Board of social welfare, compensation. 371, Barkley.
 Agricultural employees, workmen's compensation act extended to include. 395, social security.
 Compensation of certain employees, relating to approval thereof. 432, appropriations.

COMPTROLLER—

Compensation of certain employees paid from appropriations by G. A., relating to approval of. 432, appropriations.

CONSERVATION—

Soil conservation purposes, to use public equipment therefor.
 Five Island Lake, Palo Alto county, to make an appropriation for dredging, improving of. 116, Dewel, et al.
 Fish, relating to closed waters for seining of in Mississippi river. 82, judiciary 1.
 County conservation board, to create, prescribe powers, duties of. 213, Vrba, Lucas, Henningsen, Leo.
 Trolling for fish from motor boat or sail boat, to permit. 284, White, et al.
 Rough fish in overflow waters, to provide for spearing of. 250, Vittetoe.
 Iowa Great Lakes Sewage Disposal System, transfer of state title to sanitary district when established. 289, Judiciary 1.
 Iowa Great Lakes Sewage Disposal System, defining with respect to state's title, jurisdiction. 290, judiciary 1.
 Iowa Great Lakes sanitary district, to create; authorizing special assessment on benefited property. 291, judiciary 1.
 Commission, relating to membership thereof. 317, Hart, Doud.
 Commission, salary adjustments of employees of. 348, Hultman, et al.

CONSTITUTIONAL AMENDMENTS—

Legal age of voter, to lower from twenty-one to eighteen. J. R. 2, Faul.
 Governor of Iowa, to increase term of office of. J. R. 4, Newsome.

CONTRACTS—

Utility equipment, relating to conditional sales contract or less thereof. 244, Watson.
 Accounts receivable, assignment of without impairment. 269, Rockhill, Faul.

CONVEYANCES—

Joint tenancies, to provide for creation of. 24, Faul.

CORPORATIONS—

For pecuniary profit, relating to written notices of amendments to be adopted. 44, Lynes, Zastrow.
 Transfers of stock of, to make law uniform. 63, Bekman, Faul, Clem, Cromwell.
 Municipal, relating to discontinuance of. 71, Jones.
 Corporations for hospital service, to permit formation of; powers, duties of insurance commissioner. 128, public health.
 Certain corporations, to exempt from taxation shares of stock of. 160, private corporations.
 Certain stock dividend issues of capital stock of Iowa corporations, to legalize. 175, Lynes, Berg.
 Cooperatives, to set corporate existence of, provide method of renewal. 258, Foster, Shaw.
 Incorporated nonprofit industrial associations, authorizing of to procure group insurance. 345, Bekman.

Foreign collective marketing associations, relating to payment of fees by. 346, Klein.

COSMETOLOGY—

Itinerant licenses for cosmetologists, relating to. 112, judiciary 2.
Schools of, license renewals, providing for. 401, judiciary 1.

COUNCIL BLUFFS, IOWA

Issuance of storm sewer bonds by, legalizing of. 157, Watson.

COUNCILMEN—

Of commission cities, salaries of. 15, Clem, Bekman, Findlay, Hart, Byers, Cromwell.

COUNTIES—

Deputy treasurers of, salaries, duties of. 16, Berg.
Attorneys, filing of true information by. 17, Henningsen.
Notice to depart to county charges, pertaining to. 23, Faul.
Examiners, assistants, compensation of. 32, Mowry, Vittetoe, Love, Doud, Clem.
Territories of, pertaining to number of supervisors to be elected therefrom. 37, Carlson.
Attorneys, county, fixing salaries of. 48, Faul.
Attorneys, assistant county, fixing salaries of. 47, Faul.
Sheriffs, boarding of prisoners by. 50, Martin, Pine.
Farm driveways, use of county road machinery for repairs thereon. 275, Vittetoe.
Hospitals, to require vote to authorize construction of. 126, Sharp.
Certain public officers in counties, to authorize levy for increase of salaries of. 130, Hultman.
Real estate owned by, sale or lease of. 139, Byers.
Auditors, filing of military papers by. 141, Hultman.
County secondary road bonds, issuance, payment of. 144, Martin, Cromwell, Henningsen, Pine.
Housing outside cities and towns, to empower supervisors. 186, Faul.
Juvenile court probation officers in certain counties, compensation of. 66, Faul; 188, Clem.
Juvenile court, salaries, expenses of officers, employees of. 189, Clem.
Employees of, to provide for creation, operation of retirement system for. 231, Martin, et al.
Bonds, official, providing for payment of premiums thereon. 240, Lynes.
Buildings no longer in use, authorizing supervisors to convert. 152, Sharp.
County conservation board, to create; to prescribe powers, duties of. 213, Vrba, Lucas, Henningsen, Leo.
Law libraries, to provide for purchase, maintaining of by supervisors. 307, Martin.
Animals, wild, relating to bounties thereon. 262, Newsome, Jones.
County homes, relating to delivery of all property of deceased inmates. 267, Mowry.
Free public libraries for rural residents, to allow counties to establish. 382, Faul.
County officers, employees, to increase compensation of; to authorize levy to provide funds. 277, compensation of public officers and employees.
Authorizing county auditors, with respect to homestead credits to members armed forces. 324, Leo.
County school system, to provide for; county boards of education. 329, special school code.
Auditor, treasurer, compensation of in certain instances. 336, Martin, Faul.
Secondary road fund, distribution of to counties. 338, Lynes.
Board of social welfare, compensation. 371 Barkley.
Board of supervisors, purchase of building for poor. 375, Faul.

Soldiers buried in county, to require soldiers relief commission to record service of. 363, Knudson, Berg.

Suspended tax list in treasurer's office, official county list. 385, Schluter, et al.

County board of health, to provide for. 391, public health.

Tax system of, study to be made by special committee, relating to. J. R. 8, special tax revision.

COURT HOUSES—

Veterans' newstands therein. 7, Berg, Faul.

COURTS—

Municipal, filing of true informations therein by county attorney. 17, Henningsen.

Municipal, to give jurisdiction with respect to forcible entry, detention of real property. 27, Faul.

Grand jurors, relating to fees of. 43, Faul.

Juvenile court probation officers in certain counties, salaries of. 66, Faul; 188, Clem.

Alimony, child support payments, to make same lien on real estate. 86, Faul.

Judges of district court, relating to salary of. 96, compensation of public officers and employees.

Wage claims, to extend period for bringing action thereon. 89, Cromwell.

Grand jury, compensation of clerk of. 92, Faul.

Municipal, compensation of judges of. 93, Faul, Berg, Henningsen.

Claims for pay arising from federal projects, to repeal section on limitation. 94, Mowry, Hill.

Murder charge, first degree, fixing of judgment after plea of guilty. 98, judiciary 1.

Judgments transcribed from municipal to district courts, relating to duration of liens. 107, Faul.

Superior, salary of judges of. 124, Byers, Hart.

Divorce, separate maintenance actions, to provide trustee for funds awarded therein. 159, judiciary 2.

Divorce actions, providing for interlocutory decree. 179, Cromwell, Long.

Judges of supreme court, fixing salaries of. 181, Long, et al.

Municipal court reporters, to increase compensation of. 187, Faul.

Juvenile, salaries, expenses of officers, employees of. 189, Clem.

Murder, kidnaping for ransom, to abolish death penalty. 207, Faul.

Fugitive, harboring, concealing of, to provide penalty. 217, Martin, Kirke-
teg.

Embezzlement, to prohibit restoration of funds to avoid penalty. 218, Byers.

District court judges, to provide for appointment of probation officers by;
rehabilitation of parolees, neglected children. 246, Cromwell,
Kirke-
teg.

Supreme Court, powers of to prescribe rules of pleading, practice procedure,
in civil courts, to repeal. 270, Hawkins.

Judgment rendered in any court of record, justice of peace court, to pro-
hibit suit thereon. 283, Faul.

District court bailiffs, to clarify language thereon. 362, Faul.

Justice of peace, relating to appeals from forcible entry and detainer
actions. 358, Jacobson.

CRAWFORD COUNTY, IOWA—

Transfer of funds, making permanent, relating to. 434, judiciary 1.

CREDIT UNIONS—

Definition, organization of, relating to. 366, Hart.

DAIRY AND FOOD—

Cream grading, relating to. 183, Lynes.

Iowa dairy products, promotion of; butterfat tax. 180, Lynes, Leo.

Hotels, restaurants, wholesale stores, to require to be licensed by department of agriculture. 153, agriculture.
Ice cream, to fix standards therefor. 183, Lynes; 245, Jones, Vittetoe, Lynes.
Pure foods, relating to standards of; to require enrichment of breads, flour. 263, Dewel, Harvey, Keir.
Creamery products, creating board of examiners; butter-makers, to license. 334, Lynes.

DAVENPORT, IOWA—

Certain lands owned by, rights of owners of structures. 97, Martin.

DEATH PENALTY—

Murder, kidnapping for ransom, penalty for; execution of death penalty. 207, Faul.

DENTISTRY—

Dentist's office, to clarify right of technicians to perform work therein. 212, Zastrow, Pine.
Artificial restoration of teeth to require prescription for manufacture of. 212, Zastrow, Pine.

DIVORCE—

Alimony, child support payments, to make same lien on real estate. 86, Faul.
Divorce, separate maintenance actions, to provide trustee for funds awarded therein. 159, judiciary 2.
Divorce actions, providing for interlocutory decree. 179, Cromwell, Long.

DOCK BOARDS—

Authorizing of with respect to leasing of wharves, piers. 191, Reilly.
River front property, to authorize dock boards, to lease. 255, Reilly.

DOGS—

Licenses, pertaining to delinquent date of. 60, Mowry, Clem; 278, ways and means.
Dogs licensed by city, to eliminate county license. 108, Watson.

DRAINAGE—

Drainage district outlet, clean-out of; special assessment therefor. 313, Clem.
Drainage ditches, relating to repair, improvement thereof; procedure; preserving right of appeal. 318, Watson, Shaw, Bekman, Sjulín.

DUBUQUE COUNTY, IOWA—

Independent school district, to legalize proceedings of board of. 90, Reilly.

ELECTIONS—

Supervisors, pertaining to numbers elected from territories of county. 37, Watson.
Legal age of voter, to lower from twenty-one to eighteen. J. R. 2, Faul.
Election upon question of tax levy for completion of buildings upon county fairgrounds. 266, Rockhill.
Primary election; county, state political conventions, changing time of holding of. 194, Benson, Shaw, Harvey, Clem, Leo, Foster.
Iowa war ballot law, to continue until after war. 199, Hill, et al.
Permanent registration, relating to time of closing of; authorizing destruction of certain records. 265, Faul.

EMBALMING—

Profession of, to permit certain groups to practice. 239, Keir, Vrba.

EMBEZZLEMENT—

Restoration of funds to avoid penalty, to prohibit. 218, Byers.

EMPLOYMENT SECURITY COMMISSION—

Name of, to correct certain section with regard to. 83, judiciary 1.
Old age and survivor insurance system, relating to vesting commission with authority to administer. 436, public employees retirement system.

ESTATES—

Administration of, to prevent granting of more than five years after death. 67, Hill.
Administrators, executors of, notice of appointment of. 72, Cromwell.
Missing personnel in service, authorizing courts in matter of estates of. 131, military and veterans' affairs.
Interstate estates of decedents without issue, relating to appraisal of. 171, Faul.
Wills, relating to limitation of actions brought to set aside. 174, Cromwell.
Inheritance tax, to make same lien against estate. 273, Rockhill.
Inheritance tax, avoidance of administration, relating to. 274, Rockhill.
Inheritance tax lien on estate, to limit period of. 304, Rockhill.
Descent of property to surviving spouse, relating to. 319, Knudson, White.

EXECUTIVE COUNCIL—

Authorizing of with respect to retirement, annuity system. 26, Faul.

EXEMPTIONS—

Soldiers, sailors, marines, nurses, tax exemption to. 1, Shaw, Faul, Berg, Elthon, Dykhouse, Mowry, Dewel, Findlay, White, Lynes.
Personal income tax of members of armed forces, exemption from. 3, Faul.
Homestead, for purchaser under G. I. Bill, relating to. 12, Faul, Berg.
Household property, to increase amount that may be exempt. 34, Faul.
Household goods, equipment, exemption from taxation of. 35, Faul.
Real estate, federally owned to exempt with some exceptions from state taxation. 42, Faul.
Governmental bodies of Iowa, to exempt from sales tax. 132, Watson.
Certain corporations, exemption from taxation of shares of stock thereof. 160, private corporations.
Stocks manufactured for sale, exemption of from taxation as personal property. 221, ways and means.
Certain moneys and credits, exemption from taxation of. 301, Pine, et al.

FAIRS—

County, district, to provide for an additional tax levy in certain counties. 266, Rockhill.
County Fair associations, to provide appropriations for certain, thereof. 406, claims.

FARMS—

Farm tenancies, relating to termination of. 118, Shaw, Sjulín, Elthon, Zastrow, Hill.

FEDERAL GOVERNMENT—

Acquisition of real estate by within state; jurisdiction thereof. 42, Faul.
Sales of tangible personal property by, to subject to state use tax. 54, Schluter, Doud.
Claims for pay arising from federal projects, to repeal section on limitation. 94, Mowry, Hill.
Vocational aid, state, local community funds, to match federal aid therefor. 216, Doud.
United States liquor licenses, to collect mulct tax against places holding. 193, Pine, Foster, Elthon.
United States slot machine licenses, to collect mulct tax against places holding. 241, Pine, Foster, Elthon, Knudson.

FEED—

Commercial feed law, use of fees collected for enforcement of. 197, Leo, Foster, Benson, Lynes.

FEES—

Grand jurors, relating to fees of. 43, Faul.

Motor vehicle fuel license fees, refund, relating to time of filing therefor. 115, Lucas, Dewel.

Trade names, fees to be charged for filing of. 135, judiciary 1.

Operator's, chauffeur's licenses, relating to fee therefor. 140, Byers.

Motor vehicle dealer's annual license fee, to increase. 151, Pine, et al.

Trackless trolleys, fees and taxes, relating to. 206, Faul.

Commercial feed law, use of fees for enforcement of. 197, Leo, Foster, Benson, Lynes.

Scales, coin operated personal weighing, license fee of. 211, Henningsen, Benson, Faul.

Foreign collective marketing associations, relating to payment of fees by. 346, Klein.

Agricultural lime, license fee to sell, relating to. 396, agriculture.

FIDUCIARIES—

To require court approval of investment of funds by. 247, Watson, Long, Zastrow.

FIFTY-FIRST GENERAL ASSEMBLY—

Bills presented to, relating to form of. 81, judiciary 1.

Expenses filed after adjournment, during interim, providing for payment of. 426, appropriations.

FIRE DEPARTMENTS—

Members of, resigned to enter armed forces, relating to civil service rights of. 13, Faul, Berg.

Benefits under retirement systems for members of; to make applicable to special charter cities. 45, Watson, Faul, Martin.

Chief of, to place under civil service. 65, Byers, Hart, Pine, Henningsen, Findlay, Zastrow, Knudson.

Survivors, dependents of firemen, payment of pensions to. 150, Faul, Martin, Clem.

Pension fund, to increase annual tax therefor. 303, Sjulín.

Pension and retirement, policemen, firemen. 370, Clem, Doud.

FISH AND GAME—

Fish, relating to closed waters for seining of in Mississippi river. 82, judiciary 1.

Licenses to exempt old age assistance recipients from requirement therefor. 129, Shaw, Elthon.

Trolling for fish from motor or sail boat, to permit. 284, White, et al.

Rough fish in overflow waters, to provide for spearing of. 250, Vittetoe.

FOOD ESTABLISHMENTS—

Certain food establishments, wholesale stores, to require to be licensed by department of agriculture. 153, agriculture.

FORECLOSURES—

Unrecorded instruments referred to in recorded instruments, to apply ten year statute of limitations. 33, Schluter.

FORT DODGE, DES MOINES AND SOUTHERN RAILWAY—

To make an appropriation to. 297, Lucas.

FRANCHISES—

Transmission lines for distribution, sale of electric current, relating to franchise therefor. 232, public utilities.

FUEL—

Motor vehicle fuel license fees, refund relating to time of filing therefor. 115, Lucas, Dewel.

Motor vehicle fuel license fees, distribution of; penalties. 192, ways and means.

Motor vehicle fuel tax, to increase. 292, highways.

FUGITIVE—

Harboring, concealing of, to provide penalty. 217, Martin, Kirketeg.

FUNDS—

War orphans' educational aid. 11, Faul, Berg.

General revenue, relating to appropriations therefrom. 38, Berg.

Vocational education, state, local community funds to match federal aid therefor. 216, Doud.

Fiduciary, to require court approval of proposed investment of. 247, Watson, Long, Zastrow.

Secondary road, to provide for transferring certain funds thereto; distribution of to counties. 338, Lynes.

GARBAGE—

Disposal, relating to levy therefor. 259, Clem, Schluter, Ritchie, Vittetoe.

GOVERNOR OF IOWA—

Governor's home, to make appropriation for purchase of. 20, Berg.

Annual salary of, pertaining to. 21, Berg.

Proposing constitutional amendment to increase term of office of. J. R. 4, Newsome.

Governor's home relating to purchase option of certain J. H. Cownie real estate. J. R. 10, public lands and buildings.

Appointments of certain public officials by, relating to legalizing of. 442, judiciary 1.

GRAND ARMY OF THE REPUBLIC—

"Grand Army of the Republic Highway," to designate, provide markers. J. R. 3, Berg, Faul.

GUARDIANSHIPS—

Wards of Veterans Administration, to enact uniform laws pertaining to. 19, Faul.

Guardian, relating to voluntary appointment of. 367, Byers.

HIGHWAY PATROL—

Patrolmen, to create retirement fund for. 49, Byers, Hart, Martin, Hultman, Reilly.

HIGHWAYS—

Patrolmen, retirement fund for. 49, Byers, Hart, Martin, Hultman, Reilly.

Joint municipal improvement of, to repeal obsolete sections pertaining thereto. 78, judiciary 1.

Tiling across roads, authorize supervisors with respect to. 133, Leo.

Secondary roads, relating to construction of. 138, Doud.

Secondary roads within cities and towns, maintenance of; to include additional streets. 142, Findlay.

County secondary road bonds, issuance, payment of. 144, Martin, Cromwell, Henningsen, Pine.

"Grand Army of the Republic Highway", to designate, provide markers. J. R. 3, Berg, Faul.

Secondary roads, relating to optional maintenance levies therefor. 229, Lucas, Mowry.

Secondary, relating to levy by supervisors for maintenance of. 242, Sharp, Mercer, Lucas, Doud.
 Secondary, levy by supervisors for construction of. 213, Sharp, Mercer, Lucas, Doud.
 Secondary roads, to increase motor vehicle fuel tax, allot to construction of. 292, highways.
 Bridges, approaches thereto, authorizing highway commission to accept as gift. 335, Henningsen, Reilly.
 Secondary road fund, to transfer certain funds thereto; distribution of to counties. 338, Lynes.
 Secondary roads, tax levy for maintaining. 368, Sjulín, Hawkins.
 Secondary road construction, to increase tax levy therefor. 352, Vittetoe.
 Streets, highways, procedure required by state, federal aid, for improvement of. 376, Faul.
 Primary, secondary roads, providing additional funds for. 378, Sjulín, et al.
 Highway equipment collisions with, settlement of claims provided for. 413, claims.

HOMESTEADS—

Exemption for purchasers under G. I. bill, relating to. 12, Faul, Berg.
 Soldier's rehabilitation tax credit, to provide for. 18, Benson.
 Homestead tax credits, relating to preservation of records thereof. 300, Shaw.
 Homestead credit, to members of armed forces, authorizing county auditors. 324, Leo.

HOSPITALS—

County, to require vote for construction of. 126, Sharp.
 Corporations to furnish prepaid hospital service, to permit formation of; duties, powers of insurance commissioner. 128, public health.
 State, commitment of persons to by insanity commission. 327, Faul.
 Transfer of insane from a state hospital, providing for. 419, judiciary 1.

HOUSING—

Dwellings for which habitability certificates not issued, occupancy, rent collection of. 163, Faul.
 Outside cities and towns, to empower supervisors with respect to fire protection, zoning, etc. 186, Faul.

ICE CREAM—

To fix standards therefor. 183, Lynes; 245, Jqnes, Vittetoe, Lynes.

INCOME TAX—

Personal of members of armed forces, exemption from. 3, Faul.
 Personal for years 1945-46, to provide for credit thereon. 30, Long, Love, Clem.
 Gross income figure at which state return must be filed, to change. 117, Schluter.
 Income tax payers making return on fiscal year basis, to extend provisions to. 233, special tax revision.
 Gross income, to provide funeral expenses as allowable deduction. 305, Love.
 Gross income tax, members of armed forces, to refund in case of death. 325, Shaw.

INDUSTRIAL COMMISSIONER—

Authorizing of in appointment of deputies, matters of arbitration. 114, Byers, Bekman, Clem.
 Workmen's compensation memorandum of agreement, to require to file with. 311, Insurance.

INSANITY—

Commission, relating to membership thereof. 46, Faul.
 Persons alleged to be insane, relating to notice of commitment of. 162, Faul.
 Commission, relating to commitment of persons by. 327, Kirketeg.
 Insane persons, commitment and support of. 365, Byers, et al.

INSTITUTIONS—

Allowance to for care of neglected, delinquent children. 28, Faul.
 Business managers of, salaries of. 74, Doud, Foster, Long, Ritchie, Sjulín.
 Institutions acquired by gift, to permit municipalities to make levy for maintenance of. 209, Martin.
 Commitment of persons to by insanity commission. 327, Kirketeg.
 Tuberculosis patients, providing for hospitalization of in public tuberculosis sanatoria; relating to voluntary contributions therefor. 173, Bekman, Martin, Reilly.
 Transfer of insane from state hospital, providing for. 419, judiciary 1.

INSURANCE—

Group accident, health, to lower minimum number of employees therefor. 22, Faul.
 Group insurance, retirement system, to provide for state employees. 26, Faul.
 Companies, relating to investments by. 109, insurance.
 Fire insurance contracts, relating to standard policy provisions. 110, insurance.
 Certain associations providing funeral benefits only, to exclude from insurance law. 134, Faul, Lucas.
 Election of directors of certain insurance companies, relating to time for holding of. 177, Byers.
 Nonprofit corporations to furnish hospital service, to permit formation of; powers, duties of insurance commissioner. 128, public health.
 Motor vehicle certificated carriers, liability insurance requirements imposed thereon. 158, judiciary 2.
 Reinsurance business, to authorize certain insurance associations. 215, Shaw.
 Life insurance policies, pertaining to assignment of as collateral security. 230, Berg.
 Group life on lines of any one group of debtors of any one financial institution. 253, Faul.
 Gross premium taxes to be paid by companies, associations. 279, ways and means.
 Insurance rating bureaus, authorizing creation of; supervision of commissioner. 281, insurance.
 Rates, rating method, establishment of by insurers; supervision by commissioner. 342, Faul.
 Incorporated nonprofit industrial association, authorizing of to procure group insurance. 345, Bekman.
 Reciprocal, interinsurance contracts, relating to. 357, Henningsen.
 Fraternal beneficiary associations, investments by; supervision of insurance commissioner. 360, Faul.
 State departments, institutions, authorizing of to procure group insurance for employees. 361, Faul.
 Annual statements, time of extended. 390, ways and means.
 Group insurance definitions of, authorizing writing of subject to restrictions thereof. 420, insurance.
 Volume basis of, relating to permission to procure. 421, insurance.
 Old age insurance for public employees, relating to establishment of. 436, public employees retirement plan (special).
 Rates in state, relative to agreements by companies on charges thereof. J. R. 11, committee of the whole.

IOWA DEVELOPMENT COMMISSION—

Providing for, making an appropriation for its work; transfer of funds from Iowa industrial and defense commission. 190, national defense and postwar.

IOWA EMERGENCY RELIEF FUND—

Disposition of balance in, providing for. 433, appropriations.

IOWA GREAT LAKES SEWAGE DISPOSAL SYSTEM—

Transfer of state title to sanitary district when established. 289, judiciary 1.

State's title, jurisdiction, defining with respect thereto. 290, judiciary 1.
Iowa Great Lakes sanitary district, to create; authorizing special assessment on benefited property. 291, judiciary 1.

IOWA STATE COLLEGE—

Iowa State Vegetable Growers Association, relating to an appropriation to Iowa State college to be used therefor. 429, appropriations.

IOWA, STATE OF—

See State of Iowa

IOWA STATE VEGETABLE GROWERS ASSOCIATION—

Iowa State College, relating to use of an appropriation therefor. 429, appropriations.

JUDGES—

Of district court, relating to salary of. 96, compensation of public officers and employees.

Of supreme court, fixing salaries of. 181, Long, et al.

Of superior court, salary of. 124, Byers, Hart.

JUDGMENTS—

Rendered in any court of record, justice of peace court, to prohibit suit thereon. 283, Faul.

JURIES—

Grand jurors, relating to fees of. 43, Faul.

Grand jury, compensation of clerk of. 92, Faul.

JURORS—

Grand, relating to fees of. 43, Faul.

JUVENILE COURT—

Probation officers, relating to salaries of. 66, Faul; 188, Clem.

KEOKUK, CITY—

Toll bridge at, act legalizing ownership, operation of, sale of bonds therefor. 424, judiciary 2.

LABOR—

Industrial commissioner, authorizing of in appointment of deputies, matter of arbitration. 114, Byers, Bekman, Clem.

Public works, to require payment thereon of prevailing wage. 119, Byers, Pine, Mowry, Watson, Bekman, Findlay, Mercer.

LAKES—

Five Island Lake, Palo Alto county, to make an appropriation for dredging, improving of. 116, Dewel, et al.

Park lakes, to extend time for levying tax for improvement of. 155, Watson.
Lakes, streams, to prohibit discharge of sewage therein; to empower department of health. 296, judiciary 1.

LANDLORDS—

To require tenants moving to give notice to. 14, Mowry.

LEASES—

Dock boards, authorizing of with respect to leasing of wharves, piers. 191, Reilly.

River front property, to authorize dock boards, to lease. 255, Reilly.

LEGALIZING ACTS—

Wapello county, Iowa, to legalize action of supervisors of. 51, Bekman.
Smith Bros. and Burdick Co., to legalize renewal of incorporation of. 62, Martin.

Independent school district, Dubuque, Iowa, to legalize proceedings of board of. 90, Reilly.

Clinton, Iowa, emergency fund, to legalize levy therefor. 143, Henningsen.
Council Bluffs, Iowa, to legalize issuance of storm sewer bonds by. 157, Watson.

Woodbury county, Iowa, to legalize action of supervisors of. 172, Clem.
Certain stock dividend issues of capital stock of Iowa corporations, to legalize. 175, Lynes, Berg.

Information centers for men and women of armed forces, to provide for; to legalize expenditures already made. 202, Vrba, Berg, Reilly, Hultman.

Webster City, Iowa, to legalize issuance, delivery of airport bonds by. 347, Hill.

Waukon, Iowa, to legalize proceedings of to authorize issuance of hospital bonds. 356, Jacobson.

Sibley, Iowa, to legalize election annexing land to school district thereof. 412, judiciary 1.

Keokuk, Iowa, legalizing acquisition, operation of toll bridge. 424, judiciary 2.

Muscatine, Iowa, legalizing acquisition, operation of toll bridge. 425, judiciary 1.

Certain public officials, an act legalizing their appointment by the Governor. 442, judiciary 1.

LIBRARIES—

Law, to provide for purchase, maintaining of in court houses. 307, Martin.
Free public libraries for rural residents, to allow counties to establish. 382, Faul.

LICENSES—

Barber shops, schools, to provide for licensing, control of. 31, Byers, Elthon, Love, Martin, Henningsen, Clem.

Real estate brokers, salesmen, licensing, regulation of. 39, Dykhous, Knudson, Watson, Augustine, Shaw, Henningsen.

Licenses in professions affecting public health, to define unprofessional conduct of. 55, Bekman, Long, Schluter, Sjulín, Zastrow.

Optometry, to define persons engaged in practice of; to require license. 56, Bekman, Long, Schluter, Sjulín, Zastrow.

Dog licenses, pertaining to delinquent date of. 60, Mowry, Clem; 278, ways and means.

Cigarette license permits, providing for adjustment of. 95, Mowry.

Dogs licensed by city, to eliminate county license. 108, Watson.

Cosmetologists, itinerant licenses for. 112, judiciary 2.

Chauffeur's license requirements, pertaining to certain exemptions therefrom. 125, motor vehicles.

Fish and game licenses, to exempt old age assistance recipients. 129, Shaw, Elthon.

Operator's, chauffeur's licenses, relating to fees therefor. 140, Byers.

Motor vehicle dealer's annual license fee, to increase. 151, Pine, et al.

Wool dealers, to require to pay annual license fee. 204, Foster, Miller.

Motor vehicle fuel license fees, distribution of; penalties. 192, ways and means.

United States liquor licenses, to collect mulct tax against holders of. 193, Pine, Foster, Elthon.

Delivery truck, relating to age of person entitled to chauffeur's license to drive. 228, motor vehicles and transportation.

U. S. slot machine licenses, to levy mulct tax against places holding. 241, Pine, Foster, Elthon, Knudson.

Scales, coin-operated, personal weighing, license fee of. 211, Henningsen, Benson, Faul.

Sale barns, community, to require license therefor. 257, Shaw, Miller, Keir, Augustine.

Restricted driver's for minors under 16 years of age, to repeal authority therefor. 271, Watson.

Practice of professions licensed under board of health, relating to unprofessional conduct. 293, public health.

Public health, relating to renewal of licenses thereunder. 294, public health.

Minor, license to marry, certificate of consent. 341, Faul.

Minors, restricted motor licenses to. 392, motor vehicles and transportation.

Chauffeurs under 18 years, licensing of. 394, motor vehicles.

Agricultural lime, license to sell, relating to. 396, agriculture.

Cosmetology schools, license renewals, providing for. 401, judiciary 1.

LIENS—

Mechanic's, to extend scope of to include grounds. 53, Berg, Zastrow, Sjuln.

Of personal taxes, to limit to property owned in district levying tax. 68, Faul.

On certain real estate, to limit to three years. 69, Faul.

Alimony, child support payments, to make same lien on real estate. 86, Faul.

Personal property, basis of tax, to create lien thereon. 106, Faul.

Judgments transcribed from municipal to district courts, duration of lien. 107, Faul.

Old age assistance fund, to eliminate lien upon property therefor. 120, Mowry.

Hotel keeper's lien, to extend scope of. 251, Faul.

Inheritance tax, to make same lien against estate. 273, Rockhill.

Inheritance tax lien on estate, to limit period of. 304, Rockhill.

Poor persons, lien on real estate for sum advanced for support of. 353, Foster, Shaw.

Poor persons, lien on real estate for care of at county home. 354, Foster, Shaw.

LIME—

Agricultural lime, license to sell, relating to. 396, agriculture.

LIQUOR CONTROL—

Commission, relating to distribution of profits of. 61, Watson.

Petitions, elections, providing for; local option. 88, Mowry, et al.

Beer, relating to sale of; local option. 87, Mowry, et al.

Retail beer permits, to restrict issuance of to "business districts." 176, Knudson.

United States liquor licenses, to collect mulct tax against holders of. 193, Pine, Foster, Elthon.

Beer, to increase barrel tax thereon. 226, Barkley.

Food, to prohibit sale of where beer is sold. 298, Elthon, et al.

LOAN COMPANIES—

Loans, investments, to revise law pertaining to. 57, Byers.

Life insurance policies assigned as collateral, relating to. 230, Berg.

Loans made by, relating to limitations on amount. 288, banks, building and loan.

LOCAL OPTION—

Liquor control, providing for petitions, elections; local option. 88, Mowry, et al.

Beer, relating to sale of; local option. 87, Mowry, et al.

MANUFACTURERS—

Stocks of, relating to exemption of from taxation as personal property. 221, ways and means.

MAYORS—

Of commission cities, salaries of. 15, Clem, Bekman, Findlay, Hart, Byers, Cromwell.

MEMORIALS—

Memorial buildings, monuments, to provide for tax levy for maintenance of. 439, judiciary 1.

MILITARY AFFAIRS—

Soldiers, sailors, marines, nurses, tax exemption to. 1, Shaw, Faul, Berg, Elthon, Dykhouse, Mowry, Dewel, Findlay, White, Lynes.

Men, women in service, honorably discharged, pertaining to relief for. 2, Berg, Faul.

Personal income tax, exemption from to members of armed forces; to members who have died. 3, Faul.

Delinquent taxes of service personnel, relating to interest, penalty thereon. 4, Faul.

Persons in uniform, relating to discrimination against. 5, Faul, Berg.

Veteran's newsstand in state capitol, pertaining to. 6, Faul, Berg.

Paroled prisoner in armed service, pertaining to pardon of. 8, Berg, Faul.

Uniforms, to extend protection on wearing of to women. 9 Berg, Faul.

Honorably discharged members of military, naval forces, preference in public employment of; soldiers preference. 10, Faul, Berg.

War orphans' educational aid fund; expenditures therefrom. 11, Faul, Berg.

Homestead exemption for purchaser under G. I. bill, relating to. 12, Faul, Berg.

Soldier's rehabilitation tax credit, to provide for. 18, Benson.

Wards of veterans administration, to enact uniform guardianship laws. 19, Faul.

Household goods, equipment of persons in armed forces, exemption from taxation of. 35, Faul.

Missing personnel in service, authorizing courts in matter of estates of. 131, military and veterans' affairs.

Military records, to provide for free filing of by county auditors. 141, Hultman.

Unemployment compensation benefits, to preserve for members of armed forces. 198, Faul.

Iowa war ballot law, to continue until after war. 199, Hill, et al.

Information centers for men and women of armed forces, to provide for; to legalize expenditures already made. 202, Vrba, Berg, Reilly, Hultman.

Homestead credits to members of armed forces, authorizing county auditors. 324, Leo.

Gross income tax of members of armed forces, to provide refund in case of death. 325, Shaw.

Soldiers buried in county, to provide for recording of military service of. 363, Knudson, Berg.

Creating Iowa department of veterans affairs, providing for expenses thereof. 422, military and veterans' affairs.

Retraining, education of veterans, providing for administration thereof. 423, military and veterans' affairs.

MINES—

Strip, to require operators of to post bond to insure return of top soil. 36, Mowry.
Coal to permit shot firing under certain conditions. 64, Bekman.
Abandoned, to provide for sealing of by mine inspector. 285, Mowry.
Duties of foreman or pit boss, provided for. 407, mines and mining.

MINORS—

Penalty for contributing to the delinquency of. 29, Faul.
Restricted driver's license to minors under 16 years of age, to repeal authority therefor. 271, Watson.
Workmen's compensation coverage, to extend to. 309, insurance.
Employment of in bowling alleys. 326, Faul.
License to marry, certificate of consent. 341, Faul.
Motor restricted licenses to. 392, motor vehicles.
Chauffeurs of minor age, pertaining to. 394, motor vehicles.

MISSISSIPPI RIVER—

Toll bridge across, at Keokuk, Iowa, relating to. 424, judiciary 2.
Toll bridge across, at Muscatine, Iowa, relating to. 425, judiciary 1.

MONEYS AND CREDITS—

Moneys and credits tax, to change apportionment of revenue therefrom. 295, Faul.
Certain moneys and credits, exemption from taxation of. 301, Pine, et al.

MORTGAGES—

Ancient, relating to limitations for foreclosure of. 33, Schluter.

MOTOR VEHICLES—

Motor vehicle fuel license fees, refund, relating to time of filing therefor. 115, Lucas, Dewel.
Chauffeur's license requirements, pertaining to certain exemptions therefrom. 125, motor vehicles.
Operator's, chauffeur's licenses, relating to fees therefor. 140, Byers.
Dealer's annual license fee, to increase; to require place of business be under roof. 151, Pine, et al.
Motor vehicle certificated carriers, liability insurance requirements imposed thereon. 158, judiciary 2.
Motor vehicle fuel license fees, distribution of. 192, ways and means.
Delivery truck, relating to age of person entitled to chauffeur's license to drive. 228, motor vehicles and transportation.
State officers, employees, compensation of for use of own motor vehicles. 208, Faul; 214, Berg.
Motor trucks, combinations, providing for certain maximum weights, loads. 268, Elthon, Clem.
Restricted driver's license to minors under 16 years of age, to repeal authority therefor. 271, Watson.
Motor vehicles, relating to weighing and inspection of. 379, Sjuln, et al.
Licenses to minors, restricted. 392, motor vehicles and transportation.
Special types, operation of. 393, motor vehicles and transportation.
Minors as chauffeurs of, pertaining to. 394, motor vehicles and transportation.
Fuel tax, to increase thereon, providing distribution of proceeds. 292, highways; 229 Lucas, Mowry, (Colburn amendment).
Converted motor vehicles, registration of. 398, motor vehicles.

MUNICIPALITIES—

Courts, filing of true informations therein. 17, Henningsen.
Waterworks employees, to provide pension, annuity system for. 25, Faul, Byers, Berg, Clem, Bekman.
Courts, to give jurisdiction to with respect to forcible entry, detention of real property. 27, Faul.

Municipal examiners, compensation of. 32, Mowry, Vittetoe, Love, Doud, Clem.

Courts, to extend pension rights to certain bailiffs of. 70, Faul.

Corporations, relating to discontinuance of. 71, Jones.

Court, compensation of judges of. 93, Faul, Berg, Henningsen.

Court reporters, compensation of. 187, Faul.

Highways, municipal improvement of. 78, judiciary 1.

Institutions acquired by gifts, to permit levy by municipalities for maintenance of. 209, Martin.

Comfort stations, relating to. 282, Bekman.

Municipalities of under 200, rural school districts, posting of budget estimates. 302, Pine, et al.

Authorizing of to publish notices of general importance. 340, Lucas.

Additional tax levy for waterworks, to provide for. 387, Kirketeg.

MUSCATINE, CITY—

Toll bridge at, act legalizing ownership, operation of, sale of bonds therefor. 425, judiciary 1.

MUSCATINE COUNTY, IOWA—

Drainage assessment on state land, to make appropriation therefor. 58, Pine.

MUSEUM—

Museum, art, relating to population necessary to levy one-fourth mill tax therefor. 314, Clem.

NARCOTICS—

Obtaining of, forms of orders relating to. 399, public health.

NEWSSTANDS—

Veteran's in state capitol. 6, Faul, Berg.

Veterans' in county court houses. 7, Berg, Faul.

NOTARIES PUBLIC—

Appointment of. 322, White, Shaw.

OLD AGE ASSISTANCE—

Old age assistance, to clarify various amendments relating to. 113, judiciary 2.

Old age assistance, head tax levied therefor, to eliminate liens upon property. 120, Mowry.

Recipients, to exempt from requirement for fish and game license. 129, Shaw, Elthon.

Old age assistance recipients, funeral expenses of. 195, Kirketeg.

Old age assistance payment, to set minimum. 312, Clem.

Funeral expenses of certain recipients of, relating to claims therefor. 414, claims.

OPTOMETRY—

To further define persons engaged in practice of. 56, Bekman, Long, Schluter, Sjullin, Zastrow.

PARKS—

Levy for park purposes, to permit certain cities to levy. 121, Reilly.

Park road taxes, to extend time for levying of. 154, Watson.

Park lakes, to extend time for levying tax for improvement of. 155, Watson.

Park retaining walls, to extend time for levying tax for improvement of. 156, Watson.

Park levies, to authorize boards to consolidate. 178, Watson.

PAROLE—

Prisoners in armed forces, on public works, pertaining to pardons for. 8, Berg, Faul.

PEACE OFFICERS—

Authorizing of with respect to arrests. 210, Martin, Kirketeg.

PENSIONS—

Employees municipal waterworks, to provide retirement system for. 25, Faul, Byers, Berg, Clem, Bekman.

State employees, to provide group insurance, retirement system for. 26, Faul.

Police, fire departments, relating to retirement systems for members of; to make applicable to special charter cities. 45, Watson, Faul, Martin.

Highway patrolmen, retirement fund for. 49, Byers, Hart, Martin, Hultman, Reilly.

Des Moines policemen's pension system, to extend rights of to certain deputy bailiffs. 70, Faul.

State employees, to provide retirement system for; to create board. 73, Mercer, et al.

Survivors, dependents, firemen, policemen, payment of pensions to. 150, Faul, Martin, Clem.

Cities, counties, local governments, to provide for creation, operation of retirement system for. 231, Martin, et al.

Independent school districts pension systems for teachers, to extend to all employees. 331, spec. school code; 339, Reilly.

Policemen, firemen, to increase annual tax for pension fund. 303, Sjulín.

Policemen, firemen, relating to retirement plan for. 370, Clem, Doud.

Systems of for teachers, relating to. 437, schools and educational institutions.

PERMITS—

Retail beer permits, to restrict issuance of to "business districts." 176, Knudson.

POLICE DEPARTMENT—

Members of, resigned to enter armed forces, relating to civil service rights of. 13, Faul, Berg.

Benefits under retirement systems for members of; to make applicable to special charter cities. 45, Watson, Faul, Martin.

Policemen's pension system, to extend rights of to certain deputy bailiffs. 70, Faul.

Chief of, to place under civil service. 65, Byers, Hart, Pine, Henningsen, Findlay, Zastrow, Knudson.

Survivors, dependents of policemen, payment of pensions to. 150, Faul, Martin, Clem.

Peace officers, authorizing of with respect to arrests. 210, Martin, Kirketeg.

Maintenance fund, amount levied by cities and towns therefor. 286, Bekman, Hart, Clem.

Pension fund, to increase annual tax therefor. 303, Sjulín.

Pension and retirement, policemen, firemen. 370, Clem, Doud.

POOR—

Notice to depart; only relief rights denied. 23, Faul.

Lien on real estate for sum advanced by county for support of. 353, Foster, Shaw.

Lien on real estate for care of at county home. 354, Foster, Shaw.

Tax, levying of, for care of. 374, Faul.

Authorizing purchase of building for care of. 375, Faul.

PRINTING—

Official publications, relating to costs of. 321, Dewel.
 County supervisors proceedings, cost of publication of. 323, Dewel.
 Municipalities, governing bodies, printing of notices of general importance authorized. 340, Lucas.
 Publishing cost of laws of General Assembly, relating to. 404, printing.
 State Printing Board duties, relating to. 403, printing.

PRISONERS—

Paroled, in armed forces, on public works, relating to pardons of. 8, Berg, Faul.
 Boarding of by sheriff, to increase fees therefor. 50, Martin, Pine.

PROPERTY—

Real, to give municipal courts jurisdiction with respect to. 27, Faul.
 Household, to increase amount which may be exempt. 34, Faul.
 Household goods, equipment of persons in armed forces, exemption from taxation of. 35, Faul.
 Lien of personal taxes, to limit to property owned in taxing district levying tax. 68, Faul.
 Personal, basis of tax, to create lien thereon. 106, Faul.
 Lien thereon for old age assistance tax, to eliminate. 120, Mowry.
 Exemption from taxation as personal property of stocks manufactured for sale. 221, ways and means.
 Real, personal, special committee to study entire structure thereof. J. R. 8, special tax revision.

PUBLICATIONS—

Official, relating to costs of. 321, Dewel.
 County supervisors proceedings, cost of publication of. 323, Dewel.
 Municipalities, authorizing of to publish notices of general importance. 340, Lucas.

PUBLIC DOCKS—

Authorizing boards with respect to lease of wharves, piers. 191, Reilly.

PUBLIC HEALTH—

Licensees in professions affecting public health to define unprofessional conduct of. 56, Bekman, Long, Schluter, Sjulín, Zastrow.
 Optometry, to further define persons engaged in practice of. 56, Bekman, Long, Schluter, Sjulín, Zastrow.
 Nonprofit corporations to furnish hospital service, to permit formation of; powers, duties of insurance commissioner. 128, public health.
 Dentists' office, to clarify right of technicians to perform work therein. 212, Zastrow, Pine.
 Artificial restoration of teeth, to require prescription for manufacture of. 212, Zastrow, Pine.
 Embalming, to permit certain associations to practice profession of. 239, Keir, Vrba.
 Chiropractic, profession of; clarification of scope of practice. 280, Reilly.
 Lakes, streams, to prohibit discharge of sewage therein; to empower department of health. 296, judiciary 1.
 Renewal of licenses thereunder, relating to. 294, public health.
 County board of health, providing for. 391, public health.
 Narcotics, forms of orders for obtaining, relating to. 399, public health.
 Tuberculosis patients, providing for hospitalization of in public tuberculosis sanatoria; relating to voluntary contributions therefor. 173, Bekman, Martin, Reilly.

PUBLIC SAFETY—

Powers, duties, relating to department of. 369, Schluter, et al.

PUBLIC WORKS—

To require payment of prevailing wage thereon. 119, Byers, Pine, Mowry, Watson, Bekman, Findlay, Mercer.
Paroled prisoners thereon, relating to pardon of. 8, Berg, Faul.

RAILROADS—

Warning signs adjacent to, to provide for; empowering commerce commission. 137, Zastrow, Lucas, Reilly, Henningsen.
Cabooses, to provide for adequate lighting facilities. 308, Martin, Clem.
Abandonment of right of way, property. 328, Barkley.

REAL ESTATE—

Joint tenancies, to provide for creation of. 24, Faul.
Forcible entry and detention of, to give municipal courts jurisdiction. 27, Faul.
Commission to create; licensing of brokers, salesmen. 39, Dykhouse, Knudson, Watson, Augustine, Shaw, Henningsen.
Acquisition of within state by federal government; jurisdiction thereof. 42, Faul.
Execution thereon; to limit lien to three years. 69, Faul.
Alimony, child support payments, to make same lien on real estate. 86, Faul.
Owned by county, lease or sale of. 139, Byers.
Forcible entry, detainer actions, to provide for joining actions for rent therewith. 276, Faul.
Dwellings for which habitability certificates not issued, occupancy, rent collection of. 163, Faul.
Sales tax, to impose on rentals of private dwellings, apartments, hotels. 227, Barkley.
Acquired, held by school districts, to increase from five acres to ten acres. 249, Jones.
Additions to cities, towns, to require closer supervision of platting of. 254, Martin.
Poor persons, lien on real estate for support advanced by county. 353, Foster, Shaw.
Lien on for cost of care of poor at county home. 354, Foster, Shaw.

RELIEF—

Men, women in service, pertaining to relief for. 2, Berg, Faul.
County charges, pertaining to notices to depart from; only relief rights denied. 23, Faul.

ROADS—

Joint municipal improvement of, to repeal obsolete sections pertaining thereto. 78, judiciary 1.
Secondary road bonds, to transfer code section thereon. 80, judiciary 1.
Tiling across roads, authorizing supervisors with respect to. 133, Leo.
Secondary, relating to construction of. 138, Doud.
Secondary, within cities and towns, maintenance of; to include additional streets. 142, Findlay.
County secondary road bonds, issuance, payment of. 144, Martin, Cromwell, Henningsen, Pine.
Park road taxes, to extend time for levying tax for improvement of. 156, Watson.
Secondary, relating to optional maintenance levies therefor. 229, Lucas, Mowry.
Secondary, relating to levy by supervisors for maintenance of. 242, Sharp, Mercer, Lucas, Doud.
Secondary, levy by supervisors for construction of. 243, Sharp, Mercer, Lucas, Doud.
Secondary, to allot revenue from increased motor vehicle fuel tax for construction of. 292, highways.

Bridges, approaches thereto, authorizing highway commission to accept as gift. 335, Henningsen, Reilly.

Secondary road fund, to transfer certain funds thereto; distribution of to counties. 338, Lynes.

Secondary roads, tax levy for maintaining. 368, Sjulín, Hawkins.

Secondary road construction, to increase tax levy therefor. 352, Vittetoe.

Secondary road system of county, providing for maintaining. 377, Hawkins.

Primary, secondary roads, providing additional funds. 378, Sjulín.

RODEO—

Roping, throwing of calves, wild cow milking therein, to prohibit. 252, Clem (by request).

SALARIES—

Mayors, councilmen of commission cities, salaries of. 15, Clem, Bekman, Findlay, Hart, Byers, Cromwell; 415, judiciary 2.

Deputy treasurers of counties, salaries of. 16, Berg.

Governor of Iowa, relating to annual salary of. 21, Berg.

City assessors, deputies in certain cities, compensation of. 41, Byers, Clem.

Attorneys, county, fixing salaries of. 48, Faul.

Attorneys, assistant county, fixing salaries of. 47, Faul.

Juvenile court probation officers in certain counties, salaries of. 66, Faul.

Business managers of state institutions, salaries of. 74, Doud, Foster, Long, Ritchie, Sjulín.

Judges of district court, relating to salary of. 96, compensation of public officers and employees.

Grand jury, compensation of clerk of. 92, Faul.

Municipal court, compensation of judges of. 93, Faul, Berg, Henningsen.

Superior court, salary of judges of. 124, Byers, Hart.

Judges of supreme court, fixing salaries of. 181, Long, et al.

Conservation commission, salary adjustments of employees of. 348, Hultman, et al.

Building and loan associations, salary of supervisor thereof, relating to. 402.

SALARY BOOK—

Salary list of state employees, relating to publication of. 75, Knudson.

SALE BARN—

Community, licensing, regulation of. 257, Shaw, Miller, Keir, Augustine.

SALES TAX—

Governmental bodies of Iowa, to exempt from sales tax. 132, Watson.

Rentals on private dwellings, apartments, hotels, to impose sales tax thereon. 227, Barkley.

Exemptions, exclusions from, relating to. 410, manufacturing, commerce and trade.

SCALES—

Coin-operated, personal, license fee of. 211, Henningsen, Benson, Faul.

SCHOOLS—

School examiners, compensation of. 32, Mowry, Vittetoe, Love, Doud, Clem. Children, transportation of. 111, Foster.

Public instruction, to create department of. 147, special school code.

County school system, to create, provide for. 329, special school code.

Public school employees, to provide retirement system for. 331, special school code.

School districts, reorganization of. 330, special school code.

Teachers in public schools, minimum wages of. 148, special school code.

Teachers' contracts, continuation, termination of. 149, special school code.

Agriculture land credit fund, to create. 332, special school code.

Schoolhouse fund for future construction, powers of voters to establish. 333, special school code.
 School districts, provisions for publication, posting of financial statements of. 136, Schluter.
 State Teachers College, to provide additional courses and training. 170, Mowry.
 Vocational education, state, local community funds to match federal aid therefor. 216, Doud.
 Child of school age in boarding home, tuition for. 219, Doud.
 Real estate acquired, held by school districts, to increase amount thereof. 249, Jones.
 Independent school districts pension systems for teachers, to extend to all employees. 359, Reilly.
 Rural independent school districts, posting of budget estimates by. 301, Pine, et al.
 Superintendent of public instruction, pertaining to general powers of. 339, Doud, Lynes, Ritchie.
 Independent districts, relating to uniting of. 364, Henningsen.
 Tuition of children in boarding homes, payment of. 355, White.
 Board of educational examiners, certification of teachers, pertaining to. 397, special school code.
 State funds, use of to supplement district funds of. 388, special school code.
 School revenues, study of by special committee, relating to. J. R. 8, special tax revision.
 School district, annexation of unplatted real estate at Sibley, legalizing act relating thereto. 412, judiciary 1.
 Commission to study school laws, relating to payment of claims for services rendered thereon. 444, claims.

SEWAGE—

Sewer rental charges, collection thereof. 343, Faul.
 Sewer improvements, to eliminate certain requirements. 237, cities and towns.
 Sewers, relating to special assessments therefor. 265, Faul.
 Lakes, streams, to prohibit discharge of sewage therein; to empower department of health. 296, judiciary 1.
 Sewers in cities. 372, Rockhill; 376, Faul.

SHERIFFS—

Boarding of prisoners by. 59, Martin, Pine.

SIBLEY, CITY OF—

Election annexing land to school district of, legalizing act therefor. 412, judiciary 1.

SLOT MACHINES—

United States slot machine licenses, to levy, collect mulct taxes against places holding. 241, Pine, Foster, Elthon, Knudson.

SMITH BROTHERS AND BURDICK COMPANY—

Renewal of incorporation of, legalizing of. 62, Martin.

SOCIAL WELFARE—

Unemployment compensation contributions, to permit voluntary payments thereto by employers. 105, Sharp, et al.
 Unemployment compensation to increase maximum benefits thereunder. 99, Faul.
 Unemployment compensation, benefit eligibility condition of required waiting period. 100, Faul.
 Unemployment compensation, to increase maximum benefits, duration. 103, Sharp, et al.

Unemployment compensation, to provide for transfer of employers' accounts to successor employer. 104, Sharp, et al.
 Old age assistance, to clarify various amendments relating to. 113, judiciary 2.
 Needy blind, to remove ceiling on state aid to. 185, Faul.
 Old age assistance recipients, funeral expenses of. 195, Kirketeg.
 Dependent Indian children, relating to aid to. 203, Leo.
 Merit rating in unemployment compensation, to provide for continuation of in case of reorganization. 221, social security.
 Needy blind, authorizing commission to accept federal aid for rehabilitation of. 224, social security.
 Old age assistance payment, to set minimum. 312, Clem.
 County board members of, compensation thereof. 371, Barkley.
 Social welfare commission, relating to fund for county administration. 433, appropriations.
 Otis Truck Line, Forest City, relating to payment of claim thereto. 445, claims.

STATE CAPITOL—

Veteran's newsstand therein. 6, Faul, Berg.
 Roadway through grounds of, to provide for opening, construction of. 344, Faul.
 State office building on grounds of, appropriating additional funds therefor. 398, public lands and buildings.
 Buildings and grounds of, relating to appropriation for improvements thereof. 430, appropriations; 438, appropriations.

STATE OF IOWA—

Governor's home, to make appropriation for purchase of. 20, Berg.
 Governor of Iowa, relating to annual salary of. 21, Berg.
 Group insurance, retirement system, to provide for state employees. 26, Faul.
 Employees of, to provide for retirement system for; to create board. 73, Mercer, et al.
 State employees of, relating to publication of salary list of. 75, Knudson.
 State, political subdivisions, relating to investment of certain funds thereof.
 Warrants, state, unredeemed, relating to payment of. 205, Love.
 State officers, employees, compensation of for use of own motor vehicles. 208, Faul; 214, Berg.
 Governor of, proposing constitutional amendment to extend term of office of. J. R. 4, Newsome.
 Certain real estate, providing for acceptance by state of option to purchase. J. R. 5, public lands and buildings.
 Capitol, to provide for opening, construction of roadway through grounds. 344, Faul.
 Dvorak's "Largo", to make official instrumental music of. J. R. 6, Vrba.
 State building code council, appointment, scope of work, appropriation providing for. J. R. 7, public lands and buildings.
 State office building, to appropriate funds for. 398, public lands and buildings.
 Bonds of certain state officers, payment of by state, providing for. 400, judiciary 1.
 State Printing Board duties, relating to. 403, printing.
 Appropriations from general fund to certain various departments of. 405, appropriations.
 Veterans' Affairs department of, creating, providing for operation of. 422, military and veterans' affairs.
 Governor's home, relating to option to purchase certain J. H. Cowrie real estate for use as. J. R. 10, public lands and buildings.
 Certain public officials, relating to appointment by Governor. 442, judiciary 1.

State office building legislative committee, relating to payment of claims for services by certain named members thereof. 441, claims; 443, claims.

STATE SANATORIUM—

Tuberculosis patients, providing for hospitalization of; relating to contributions therefor. 173, Bekman, Martin, Rellly.

STREETS—

Street cleaning fund, relating to levy therefor. 259, Clem, Schluter, Ritchie, Vittetoe.

Streets, relating to special assessments thereof. 265, Faul.

Defective streets, public grounds, to free cities and towns of liability unless notice of condition has been served. 396, Martin.

Street improvements, sewers in certain cities. 372, Rockhill; 376, Faul.

SUPERVISORS, BOARDS OF—

Number of members of to be elected from territories of the county. 37, Watson.

Insanity commission, relating to membership thereof. 46, Faul.

Farm driveways, use of county road machinery for repairs thereon; authorizing supervisors. 275, Vittetoe.

Authorizing of with respect to tiling across roads. 133, Leo.

Authorizing of with respect to unused property. 152, Sharp.

Commitment of persons alleged to be insane, notice of to supervisors. 162, Faul.

Housing outside cities and towns, to empower supervisors. 186, Faul.

Secondary roads, levy for maintenance of, authorizing supervisors. 242, Sharp, Mercer, Lucas, Doud.

Secondary roads, levy for construction of, authorizing supervisors. 243, Sharp, Mercer, Lucas, Doud.

Proceedings of, cost of publication of. 323, Dewel.

Poor, authorizing to purchase buildings for. 376, Faul.

Optional levies by, relating to. 418, judiciary 1.

Tuberculosis patients in public sanatoria, supervisors authorized to receive contributions for care of. 173, Bekman, Martin, Rellly.

Insane, transfer of from state hospital by, authorizing thereto. 419, judiciary 1.

SUPREME COURT—

Powers of, to prescribe rules of pleading, practice, procedure in civil courts, to repeal. 270, Hawkins.

TAXES—

Soldiers, sailors, marines, nurses, tax exemption to. 1, Shaw, Faul, Berg, Elthon, Dykhous, Mowry, Dewel, Findlay, White, Lynes.

Personal income of members of armed forces, exemption from. 3, Faul.

Delinquent, of service personnel, relating to interest, penalty thereon. 4, Faul.

Homestead exemption for purchaser under G. I. bill, relating to. 12, Faul, Berg.

Soldiers' rehabilitation tax credit, to provide for. 18, Benson.

Personal income for 1945-46, to provide for credit thereon. 30, Long, Love, Clem.

Tangible personal property purchased from U. S. Government, to subject to use tax. 54, Schluter, Doud.

Household property, to increase amount that may be exempt. 34, Faul.

Household goods, equipment of persons in armed forces, exemption from taxation of. 35, Faul.

Federal property, to exempt with some exceptions from state taxation. 42, Faul.

- Lien of personal taxes, to limit to taxing district levying tax. 68, Faul:
H. F. 78, Sloane, Burkman.
- Airports, authorizing additional tax levy for maintenance therefor. 84,
Knudson.
- Road poll tax law, to repeal. 91, Berg, Shaw.
- Personal property, basis of tax, to create lien thereon. 106, Faul.
- Old age assistance fund, to provide limitation against head tax levied there-
for; to eliminate liens upon property. 120, Mowry.
- Gross income figure at which return must be filed, to change. 117, Schluter.
- Park purposes, to permit certain cities to increase levy therefor. 121,
Reilly.
- Chain store, to clarify law relative to certain exemptions. 127, Hultman.
- Certain public officers in county, to authorize levy for increase in salary of.
130, Hultman.
- Governmental bodies of Iowa, to exempt from sales tax. 132, Watson.
- Clinton, Iowa, to allow emergency fund levy by. 143, Henningsen.
- Park road taxes, to extend time for levying of. 154, Watson.
- Park lakes, to extend time for levying tax for improvement of. 155, Watson.
- Park retaining walls, to extend time for levying tax for improvement of.
155, Watson.
- Certain corporations, exemption from taxation of shares of stock thereof.
160, private corporations.
- Park levies, to authorize boards to consolidate. 178, Watson.
- Mulct taxes, to collect against holders of U. S. liquor stamps. 193, Pine,
Foster, Elthon.
- Gas, electric, heat, power funds, relating to taxation of in certain cities
and towns. 196, Bekman.
- Fruit tree reservation, relating to number of trees required with respect to
taxation. 234, Keir, Knudson, Zastrow.
- Manufacturers, stocks of, relating to exemption from taxation as personal
property. 221, ways and means.
- Cigarettes, to increase tax rate thereon. 225, Barkley.
- Beer, to increase barrel tax thereon. 226, Barkley.
- Sales tax, to impose on rentals of private dwellings, apartments, hotels.
227, Barkley.
- Secondary roads, optional maintenance levies. 229, Lucas, Mowry.
- Income tax payers making returns on fiscal year basis, to extend provisions
to. 233, special tax revision.
- U. S. slot machine licenses, to levy mulct tax against places holding. 241,
Pine, Foster, Elthon, Knudson.
- Secondary roads, to increase tax levy outside cities, towns, for maintenance
of. 242, Sharp, Mercer, Lucas, Doud.
- Secondary roads, levy by supervisors for construction of. 243, Sharp,
Mercer, Lucas, Doud.
- Memorial buildings, monuments, to provide for tax levy for maintenance of.
439, judiciary 1.
- Delinquent taxes, interest thereon; no appeal on litigation shall extend
time. 256, Faul.
- Garbage disposal, street cleaning funds, relating to levy therefor. 259,
Clem, Schluter, Ritchie, Vittetoe.
- Streets, sewers, relating to special assessment therefor. 264, Faul.
- County, district, to provide for an additional tax levy in certain counties.
266, Rockhill.
- Inheritance tax, to make same lien against estate. 273, Rockhill.
- Inheritance tax, avoidance of administration, relating to. 274, Rockhill.
- Museum, art, population necessary before cities, towns may levy one-fourth
mill tax therefor. 314, Clem.
- County officers, employees, to increase compensation of; to authorize levy
to provide funds. 277, compensation of public officers and em-
ployees.
- Insurance companies, gross premium taxes to be paid by. 279, ways and
means.

Levies for police department maintenance fund. 286, Bekman, Hart, Clem.
Iowa Great Lakes sanitary district, to create; authorizing special assessment on benefited property. 291, judiciary 1.
Motor vehicle fuel tax, to increase. 292, highways.
Moneys and credits tax, to change apportionment of revenue therefrom. 295, Faul.
Homestead tax credits, relating to preservation of records thereof. 300, Shaw.
Certain moneys and credits, exemption from taxation of. 301, Pine, et al.
Inheritance tax lien against estate, to limit period of. 304, Rockhill.
Gross income, to provide for funeral expenses as allowable deductions. 305, Love.
Drainage district outlets, clean-out of, special assessment therefor. 313, Clem.
Drainage ditches, assessment for repair, improvement thereof. 318, Watson, Shaw, Bekman, Sjulín.
Homestead credits to members of armed forces, authorizing county auditors. 324, Leo.
Gross income tax, providing for refund in case of death of member of armed forces. 325, Shaw.
Colliseum, public, to authorize bond issue, tax levy therefor. 337, Martin, Berg, Faul.
Secondary roads, levy for maintaining. 368, Sjulín, Hawkins.
Secondary road construction, to increase tax levy therefor. 352, Vittetoe.
Poor, for support of. 374, Mowry.
Special assessments for taxation, to authorize employment of attorneys. 373, Faul.
Cities, towns, general fund, tax levy. 381, Clem.
Homestead credit to members of armed forces. 324, Leo.
Special committee to study tax structure in Iowa, creation of, appropriation for. J. R. 8, special tax revision.
Tax levy for joint ownership of property by cities for operation of airports. 408, ways and means.
Sales tax, exemptions, exclusions from, relating to. 410, manufacturing, commerce and trade.
Use tax, exemptions, exclusions from, relating to. 411, manufacturing, commerce and trade.
Airports, relating to levy of taxes therefor. 446, aeronautics.

TAX REVISION—

Homestead tax credits, relating to preservation of records thereof. 300, Shaw.

TEACHERS—

Minimum wage for, relating to. 148, special school code.
Contracts, continuation, termination of. 149, special school code.
Certification of. 397, special school code.
Pension systems for, relating to in certain cities. 437, schools and educational institutions.

TELEPHONE—

Telephone calls, to provide time limit thereon. 316, Klein.

TENANCY—

Joint tenancies, to provide for creation of. 24, Faul.
Farm tenancies, relating to termination of. 118, Shaw, Sjulín, Elthon, Zastrow, Hill.
Agricultural leases, tenancies, termination of. 123, Hawkins.
Forcible entry, detainer actions, to provide for joining actions for rent therewith. 276, Faul.
Dwellings for which habitability certificates not issued, occupancy, rent collection of. 163, Faul.

Public docks, authorizing boards with respect to lease of wharves, piers. 191, Reilly.

TRADE MARKS—

Trade names, fees to be charged for filing of. 135, judiciary 1.

TRANSMISSION LINES—

Electric, relating to manner of construction of. 146, Vrba.

Transmission line for distribution, sale of electric current, relating to franchise therefor. 232, public utilities.

TROLLEYS—

Trackless trolleys, fees and taxes, relating to. 206, Faul.

TRUCKS—

Motor vehicle certificated carriers, liability insurance requirements imposed thereon. 158, judiciary 2.

Delivery truck, relating to age of person entitled to chauffeur's license to drive. 228, motor vehicles and transportation.

UNEMPLOYMENT COMPENSATION—

Transfer of employers' accounts to successor employers, to provide for. 104, Sharp, et al.

Contributions to, to permit voluntary payments thereto by employers. 102, Sharp, et al.

Maximum benefits thereunder, to increase. 99, Faul; 103, Sharp, et al.

Benefit eligibility condition of required waiting period. 100, Faul.

Benefits of, to preserve for members of armed forces. 198, Faul.

Maritime workers, to provide for. 223, Sharp, Harvey.

Unemployment compensation, relating to contributions by employers whose pay rolls have increased 100 per cent. 220, Sharp, Pine.

Merit rating therein, continuation in case of sale, reorganization. 222, social security.

Contributions, delinquent, relating to interest rate thereon. 248, Kirketeg, Sharp.

UNIFORMS—

To extend protection on wearing of to women. 9, Berg, Faul.

USE TAX—

Tangible personal property purchased from U. S. Government, to subject to. 54, Schluter, Doud.

Exemptions, exclusions from, relating to. 411, manufacturing, commerce and trade.

UTILITIES—

Employees municipal waterworks, to provide retirement system for. 25, Faul, Byers, Berg, Clem, Bekman.

Transmission lines, electric, relating to manner of construction of. 146, Vrba.

Sewer rental charges, collection thereof. 343, Faul.

Trackless trolleys, fees and taxes, relating to. 206, Faul.

Tax levy for in certain cities, to increase. 196, Bekman.

Transmission line for distribution, sale of electric current, relating to franchise therefor. 232, public utilities.

Sewer improvements, to eliminate certain requirements. 237, cities and towns.

Telephone calls, to provide time limit thereon. 316, Klein.

VETERANS—

Tax exemption to. 1, Shaw, Faul, Berg, Elthon, Dykhouse, Mowry, Dewel, Findlay, White, Lynes.

Men, women, honorably discharged, pertaining to relief for. 2, Berg, Faul.

Personal income tax, exemption from to members of armed forces; to members who have died. 3, Faul.

Delinquent taxes of service personnel, relating to interest, penalty thereon. 4, Faul.

Persons in uniform, relating to discrimination against. 5, Faul, Berg.

Veterans' newsstands in courthouses, pertaining to. 7, Berg, Faul.

Veteran's newsstand in state capitol, pertaining to. 6, Faul, Berg.

Honorably discharged, preference in public employment of. 10, Faul, Berg.

War orphans' educational aid fund; expenditures from; amount of such aid. 11, Faul, Berg.

Homestead exemptions for purchasers under G. I. bill, relating to. 12, Faul, Berg.

Soldier's rehabilitation tax credit, to provide for. 18, Benson.

Wards of veterans administration, to enact uniform laws, relating to. 19, Faul.

Household goods, equipment of persons in armed forces, exemption from taxation of. 35, Faul.

Veterans administration facilities, to exempt from state criminal laws. 42, Faul.

Missing personnel in service, authorizing courts in matter of estates of. 131, military and veterans affairs.

Military records, to provide for free filing of by county auditors. 141, Hultman.

Unemployment compensation benefits to preserve for members of armed forces. 198, Faul.

Iowa war ballot law, to continue after war. 199, Hill, et al.

Information centers for men, women of the armed forces, to provide; to legalize expenditures already made. 202, Vrba, Berg, Reilly, Hultman.

Homestead credits to members armed forces, authorizing county auditors. 324, Leo.

Gross income tax of members of armed forces, to provide for refund in case of death. 325, Shaw.

To provide for recording of military record of all soldiers buried in the county. 363, Knudson, Berg.

Homestead tax credit to members of armed forces. 324, Leo.

Commitment of incompetent, relating to. 409, judiciary 1.

Iowa department of veterans' affairs, creating, providing for expenses of. 422, military and veterans' affairs.

Retraining, education of, providing for administration thereof. 423, military and veterans' affairs.

WAGES—

Wage claims, to extend period for bringing action thereon. 89, Cromwell.

Claims for pay arising from federal projects, to repeal section on limitation. 94, Mowry, Hill.

Public works, to require payment thereon of prevailing wage. 119, Byers, Pine, Mowry, Watson, Bekman, Findlay, Mercer.

WAPELLO COUNTY, IOWA—

Board of supervisors, to legalize actions of. 51, Bekman.

WAREHOUSES—

Receipts issued by warehouseman, relating to; to further define "warehouseman". 145, Henningsen, Pine.

WARRANTS—

State, unredeemed, relating to payment of. 205, Love.

WATCHMAKERS—

To require registration of; to create examining board. 52, Elthon, Dykhouse, Zastrow, Mowry, Mercer, Hill, Reilly, Clem.

WATERWORKS—

Municipal employees of, to provide retirement system for. 25, Faul, Byers, Berg, Clem, Bekman.
Additional tax levy therefor, to provide for. 386, Kirketeg.

WAUKON, IOWA—

Legalizing proceedings of to authorize issuance of hospital bonds. 356, Jacobson.

WEBSTER CITY, IOWA—

Legalizing issuance of airport bonds by. 347, Hill.

WILLS—

Limitation of actions brought to set aside. 174, Cromwell.

WOLVES—

Bounty thereon, to increase. 261, Jones, Newsome.

WOODBURY COUNTY, IOWA—

Action of supervisors of, to legalize. 172, Clem.

WOOL DEALERS—

To require license for, provide penalty. 204, Foster, Miller.

WORKMEN'S COMPENSATION—

Weekly benefits thereunder to increase; to reduce waiting period. 101, Sharp, et al.

"Second injury fund" thereunder, to create. 102, Sharp, et al.

Industrial commissioner, authorizing of in appointment of deputies, matter of arbitration. 114, Byers, Bekman, Clem.

Cases, allowance of attorney fees in certain appeals. 164, Bekman, Clem.

Workmen's compensation coverage, to extend to minors. 309, insurance.

Failure, of employer thereunder to report, to provide fine therefor. 310, insurance.

Memorandum of agreement, to require to file with industrial commissioner. 311, insurance.

Benefits for disability or death from exposure to occupational diseases. 383, Bekman, Clem.

Compensation act, provisions of extended. 395, social security; 413, Aubrey, et al.

GENERAL INDEX

(Figures after bills introduced indicate file numbers;
all other figures indicate page numbers.)

ADDRESSED JOINT CONVENTION—

Hickenlooper, Bourke B., former Governor of Iowa.....	23
Blue, Governor Robert D.	49, 1063
Mme. Drue Leyton Tartiere, formerly of Occupied France.....	255
Colonel Perry Brown, national defense committee chairman of the American Legion	425, 608

ADDRESSED THE SENATE—

Hart, Stanley L., President Pro Tempore.....	9
Rabbi Monroe Levens	323
Goetsch, Sam D., former Senator.....	372
Forsling, Judge L. B., former Senator.....	598

AERONAUTICS, COMMITTEE ON—

Bills introduced by—Nos. 184, 349, 350, 351, 446.	
Amendments offered by	674, 700, 770

AGRICULTURE, COMMITTEE ON—

Bills introduced by—Nos. 153, 396, 440.	
Amendments offered by	333

APPEAL BOARD, STATE—

Communications from....	36, 69-72, 171-172, 240, 297, 529, 599, 750, 786
-------------------------	--

APPOINTMENTS CONFIRMED—

Ahlers, Henry J., member Highway Commission.....	372
Barker, Seth, member Iowa Development Commission.....	1043
Blerring, Walter L., M.D., Commissioner of Health.....	820
Carlsen, E. W., member Board of Control.....	1043
Clem, A. D., member Iowa Development Commission.....	1044
Ellis, Melvin W., State Superintendent of Banking.....	372
Gaunitz, E. B., member State Conservation Commission.....	371
Gill, George E., member State Tax Commission.....	966
Girton, Harlan, member Iowa Development Commission.....	1044
Harness, Chas. W., State Labor Commissioner.....	1064
Hill, G. R., member Iowa Development Commission.....	1044
Hauber, Ulrich A., member Board of Examiners in Basic Sciences..	819
Houghton, Mrs. Dorothy, member Board of Education.....	966
Jackson, William E., member Board of Parole.....	372
Jeffries, Wm. H., member Iowa Development Commission.....	1043
Jensen, James C., member Conservation Commission.....	820
Jenson, Chris, member Soil Conservation Commission.....	820
Lomas, Malcolm, member Iowa Development Commission.....	1043
Louden, Roy, member Board of Education.....	966
Love, H. Sam, member Board of Social Welfare.....	1043
Meyer, Lloyd A., member Iowa Development Commission.....	1044
Pefferle, J. R., member Employment Security Commission.....	820
Peterson, Benjamin H., member Board of Examiners in Basic Sciences	819
Poe, Arthur, member Iowa Development Commission.....	1043
Porter, C. Fred, State Comptroller.....	966
Poyneer, F. J., member State Conservation Commission.....	371
Scott, George L., member Iowa Liquor Control Commission.....	820
Shull, Henry C., member Board of Education.....	966
Swaner, John J., member Highway Commission.....	372

Trost, Ewald G., member State Conservation Commission.....	371, 820
Walter, Herman, member Iowa Development Commission.....	1044
Weesenberger, G. L., member Iowa Development Commission.....	1043
Yungclas, William, member Iowa Development Commission.....	1043

APPOINTMENTS REFUSED CONFIRMATION—

Triplett, Charles F., member Board of Control.....	966
Van Gordon, Cole, member Board of Social Welfare.....	966

APPROPRIATIONS, COMMITTEE ON—

Bills introduced by—Nos. 405, 426, 429, 430, 431, 432, 433, 438.	
Amendments offered by.....	267, 268, 869, 872

AUGUSTINE, A. E.—Senator Fourteenth District.

Bills introduced by—Nos. 39, 73, 257, 298, 378.	
Committee assignments	65, 760, 878, 1062
Resolutions offered	787
Petitions presented	188, 613, 631
Leave of absence granted.....	216, 235, 250, 321
Amendments offered	693
Motions made	693, 876, 878, 901

BADGES—

Secretary authorized to secure.....	6
-------------------------------------	---

BANKS, BUILDING AND LOAN, COMMITTEE ON—

Bills introduced by—Nos. 122, 287, 288.	
Amendments offered by.....	269

BARKLEY, J. R.—Senator Third District.

Bills introduced by—Nos. 225, 226, 227, 260, 298, 328, 371, 378.	
Committee assignments	65, 877, 878, 879
Petitions presented.....	133, 153, 188, 412, 510, 601, 631, 709, 850, 873, 928
Leave of absence granted.....	8, 13, 426, 895
Amendments offered.....	349, 350, 547, 612
Motions made.....	574, 889, 934
Asked unanimous consent.....	888, 889, 918

BEKMAN, E. K.—Senator Thirteenth District.

Bills introduced by—Nos. 15, 25, 51, 55, 56, 63, 64, 114, 119, 164, 173, 196, 282, 286, 298, 301, 318, 345, 378, 380, 883.	
Committee assignments.....	65, 317, 876, 877, 878, 922, 1041, 1070
Presided at Sessions of the Senate.....	713
Resolutions offered	787
Petitions presented	321, 850
Leave of absence granted.....	73, 164, 985
Amendments offered.....	107, 185, 186, 187, 201, 207, 208, 209, 211, 230, 231, 232, 243, 244, 262, 263, 264, 270, 278, 405, 406, 410, 450, 479, 503, 521, 546, 600, 652, 653, 654, 655, 667, 680, 847-849, 870, 884, 997-999, 1002, 1020, 1021, 1022, 1029
Motions made	3, 104, 105, 207, 208, 209, 211, 243, 244, 245, 253, 262, 263, 264, 276, 277, 278, 280, 306, 307, 308, 317, 497, 498, 503, 513, 514, 515, 546, 576, 594, 637, 638, 667, 668, 669, 680, 720, 721, 877, 997, 999, 1000, 1020, 1021, 1022, 1029, 1030, 1043, 1070, 1071
Asked unanimous consent.....	209, 278, 326, 328, 359, 422, 503, 515, 568, 638, 668, 690, 835, 836, 1000, 1021, 1022, 1023, 1024, 1029

BENSON, RALPH E.—Senator Forty-seventh District.

Bills introduced by—Nos. 18, 194, 197, 200, 211, 398, 378.	
Committee assignments.....	9, 65, 878, 879
Appointed teller and judge.....	9, 34
Petitions presented.....	656, 675, 701, 709, 730, 773, 816, 873, 907, 1032, 1055
Leave of absence granted.....	351, 388, 534, 549, 601, 614, 759

GENERAL INDEX

1175

Amendments offered....151, 159, 265, 692, 905, 925, 926, 961, 962, 991-993
 Motions made.....9, 265, 294, 344, 795, 797, 798, 799, 879, 977, 989, 991
 Asked unanimous consent.....252, 294, 716, 778, 797, 799, 903

BERG, JOHN P.—Senator Thirty-eighth District.

Bills introduced by—Nos. J. R. 3; 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12,
 13, 16, 20, 21, 25, 38, 53, 73, 91, 93, 175, 199, 202, 214, 230,
 272, 337, 363, 365.
 Committee assignments.....4, 8, 20, 65, 425, 839, 923
 Petitions presented.....73,
 164, 174, 271, 321, 335, 439, 522, 549, 613, 631, 675, 753, 907
 Amendments offered.....118, 233, 234, 249,
 270, 334, 349, 363, 364, 385, 386, 400, 438, 479, 487, 503,
 509, 528, 539, 566, 681, 682, 692, 699, 700, 724, 769, 770,
 778, 842, 903-905, 926, 930, 953, 961, 971, 972, 989-991, 993
 Motions made.....3, 4, 127, 128, 176, 194, 195,
 210, 223, 224, 261, 262, 309, 310, 329, 400, 468, 469, 487,
 488, 503, 525, 526, 527, 528, 539, 554, 619, 692, 723, 724,
 725, 768, 769, 778, 799, 856, 895, 896, 971, 972, 981, 993, 1047
 Honorary pallbearer.....20
 Asked unanimous consent.....21, 77, 473, 528,
 557, 724, 770, 780, 800, 810, 856, 946, 953, 976, 981, 1047, 1067

BIENNIAL MESSAGE—

By former Governor Bourke B. Hickenlooper.....23-33

BILLS—

Index to Senate Files.....1097
 Index to House Files.....1125
 Action on subsequent to adjournment.....1077-1079
 Index to Senate and House Files of 50th G. A. in Extraordinary
 Session

BLUE, GOVERNOR ROBERT D.—

Certificate of election of.....46, 47
 Took oath of office.....49
 Delivered inaugural address.....49
 Addressed joint convention.....49, 1064
 Committees to notify.....4, 1063, 1074
 Communications from.....206, 813, 1075, 1077, 1078
 Bills approved by.....289, 318,
 328, 371, 424, 446, 470, 505, 531, 564, 642, 698, 707, 750,
 757, 813, 826, 868, 884, 925, 946, 978, 1001, 1031, 1054, 1074, 1077

BOARD OF CONTROL, COMMITTEE ON—

Amendments offered by.....227

BYERS, FRANK C.—Senator Twenty-sixth District.

Bills introduced by—Nos. 15, 25, 31, 41, 49, 57, 65, 114, 119, 124, 139,
 140, 177, 199, 218, 365, 367.
 Committee assignments.....65, 504, 878, 970, 1062, 1070
 Presented carnations to Senators.....1062
 Petitions presented.....235, 258, 271, 286, 299,
 321, 335, 351, 365, 439, 452, 482, 522, 585, 601, 613, 907, 980
 Amendments offered.....257, 263,
 265, 342, 378, 404, 405, 450, 451, 495, 520, 521, 546, 553,
 565, 583, 595, 611, 628, 652, 654, 655, 680, 690, 927, 942, 943
 Presided at sessions of the Senate.....1, 614
 Motions made.....138, 140,
 168, 169, 193, 212, 213, 263, 265, 294, 306, 308, 329, 342,
 378, 379, 381, 488, 489, 494, 495, 496, 510, 575, 576, 595,
 622, 628, 638, 639, 661, 690, 714, 715, 942, 943, 1011, 1059, 1060
 Asked unanimous consent.....114, 212, 574, 598, 623, 942
 Raised point of order.....160, 294

CANVASS OF VOTES—

For Governor and Lieutenant Governor.....	45
Tellers and judges of.....9, 33,	34
Results of.....	45

CERTIFICATES OF ELECTION—

Of Blue, Robert D., Governor.....	46
Of Evans, K. A., Lieutenant Governor.....	47
Of Rockhill, Robert A., Senator.....	181

CHAPLAINS—

Committee on appointed.....	6
Compensation, resolutions relating to.....18, 37,	43
Aldera, John	873
Anderson, O. B.....	153
Athey, L. H.	133
Bell, R. M.	108
Birchenough, Allen O.	1063
Bloomquist, Victor A.	816
Boldt, Frederick	202
Boos, C. H.	928
Brabbs, J. J.	759
Brand, O. W.	613
Bream, Walter L.	49
Briggs, E. A.	1033
Burroughs, U. E.	216
Carpenter, L. B.	701
Crowdson, W. Dow	730
Dale, L. A.	335
Dahl, Robert A.	412
Doyle, Thomas	1
Duxbury, Charles L.	850
Eastman, Arthur	585
Elliott, E. A.	948
Erickson, O. T.	83
Fields, H. R.	452
Finish, B. H.	1004
Fowler, W. J.	439
Gardner, Robt.	100
Hauter, L. W.	601
Hempstead, Carl W.	286
Hicks, E. D.	829
Hove, O. H.	299
Hufstader, G. L.	522
Irvine, H. C.	174
Jackson, Harold	365
Jacobson, Frank	164
Jones, Ruby I.	482
Kessler, W. Reed	753
Koering, L. E.	388
Mack, William	35
Martin, Walter	119
McCurdy, John	188
Meredith, Warren	675
Miller, Charles C.	549
Mitchell, E. R.	321
Morrow, Orville W.	250
Nelson, A. H.	567
Nixon, L. Wesley	13
Nye, Russell G.	510
Parks, Andrew	792
Penningroth, Lewis P.	656

Rodvick, Johan	90
Rutt, R. J.	965
Sahlgren, Elmer	73
Samuelson, C. W.	709
Sears, E. C.	684
Schlick, Stanley	907
Schuldt, Arthur F.	980
Shepherd, Floyd L.	235
Shiffler, Harry	38
Smith, A. Leonard	631
Strong, Dale E.	773
Tompkins, Clarence W.	49
Trimble, H. E.	271
Vandenberg, Richard	534
Wels, Le Roy L.	1055
Wheatley, John E.	258
Williamson, S. B.	351
Williams, S. V.	887
 CHIEF JUSTICE OSCAR HALE—	
Administers oath to Governor.....	49
Administers oath to Lieutenant Governor.....	49
Certificates by	148, 173
 CITIES AND TOWNS, COMMITTEE ON—	
Bills introduced by—Nos. J. R. 9; 236, 237, 238.	
Amendments offered by.....	226, 333, 435, 436
 CLAIMS, COMMITTEE ON—	
Bills introduced by—Nos. 165, 166, 167, 168, 169, 406, 413, 414, 416, 427, 428, 435, 441, 443, 444, 445.	
 CLEM, A. D.—Senator Thirty-second District.	
Bills introduced by—Nos. 15, 25, 30, 31, 32, 41, 52, 60, 63, 73, 114, 150, 151, 164, 172, 188, 189, 194, 252, 259, 268, 286, 298, 301, 308, 312, 313, 314, 315, 370, 378, 381, 383.	
Committee assignments.....	65, 877, 879, 973, 1048
Resolutions offered.....	787
Petitions presented.....	108, 188, 585, 601, 631, 684, 709, 759, 792
Leave of absence granted.....	250
Amendments offered	
167, 185, 186, 187, 201, 207, 208, 209, 211, 348, 405, 406, 410, 471, 479, 513, 521, 524, 532, 533, 540, 575, 630, 654, 655, 680, 682, 758, 766, 847-849, 997-999, 1002, 1020, 1021, 1022	
Motions made.....	167, 193, 194, 206, 397, 440, 441, 470, 471, 513, 524, 540, 575, 619, 662, 663, 766, 767, 875, 877, 1020
Asked unanimous consent.....	441, 496, 794, 1010, 1068
 CLIP SHEETS—	
Resolution authorizing preparation of.....	18
Resolution relating to ruling on.....	18
 CODE EDITOR—	
Communication from	85
Supreme Court historical booklets.....	731
 COMMITTEE CLERKS—	
Resolution relating to.....	6
Committee on appointed.....	6
Reports of committee.....	40, 205, 546

COMMITTEE OF THE WHOLE—

Bill introduced by—No. J. R. 11.	
On House Joint Resolution 1.....	18
On Senate Joint Resolution 11.....	1070
On Senate File 147.....	342

COMMITTEE ROOMS—

Committee on appointed.....	9
Report of committee.....	96, 97

COMMITTEES, CONFERENCE—

On Senate File 125.....	543
On Senate File 405.....	795
On Senate File 147.....	876
On House File 49.....	543
On House File 50.....	1027, 1070
On House File 101.....	545
On House File 118.....	973
On House File 122.....	839
On House File 447.....	922
On House File 448.....	923, 1041, 1048
On House File 451.....	1045
On House File 460.....	1038

COMMITTEE, SIFTING—

Appointment of	504
Petition presented to	830
Reports of.....	520, 531, 546, 564, 583, 611,
630, 652, 666, 751, 789, 827, 884, 925, 947, 978, 1002, 1016, 1044	

COMMITTEES, SPECIAL—

To notify Governor.....	4, 1063, 1074
To notify House.....	4, 1062, 1074
To arrange for inauguration.....	7
To escort former Governor Hickenlooper.....	23
To notify Governor-elect Robert D. Blue and Lieutenant Governor-elect Kenneth A. Evans.....	48
To escort Governor-elect and Lieutenant Governor-elect.....	48
To escort Lieutenant Governor Evans.....	62
To escort Col. Perry Brown of National American Legion defense committee	425
To escort Governor Blue	1063

COMMITTEES, STANDING—

List of	62-69
Assignment of new members.....	189

COMMUNICATIONS FROM—

Governor Robert D. Blue.....	206, 813, 1075, 1077, 1078
Chief Justice of the Iowa Supreme Court.....	162-169, 172-173
Code Editor	85
State Appeal Board.....	36, 69-72, 171-172, 240, 297, 529, 599, 750, 786
Mrs. B. C. Whitehill.....	77
Mrs. O. J. Kirketeg.....	911
Secretary of State.....	181, 1005
Office of Attorney General.....	239, 694
Marie Spencer	1053
C. E. Lapham.....	528
State Banking Department.....	643-649
Executive Council	814

COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES, COMMITTEE ON—

Bills introduced by—Nos. 96, 129, 277, 402.

CREDENTIALS, COMMITTEE ON—

Appointed	1
Reports of	2, 3, 181, 182

CROMWELL, FRED—Senator Ninth District.

Bills introduced by—Nos. 15, 63, 72, 76, 89, 101, 102, 103, 104, 105, 144, 174, 179, 181, 231, 246, 378.	
Committee assignments	65, 504, 760, 795, 879, 970
Resolutions offered	725
Petitions presented	108, 174, 188, 258, 351, 656, 759, 816, 907, 965
Leave of absence granted	13, 35, 38, 934, 948
Amendments offered	118, 131, 150, 158, 176, 186, 187, 218, 219, 232, 241, 242, 269, 284, 292, 298, 349, 356, 357, 373, 379, 380, 398, 480, 503, 508, 512, 535, 565, 566, 575, 584, 592, 604, 606, 611, 621, 654, 655, 674, 680, 691, 714, 765, 791, 808, 906, 925
Asked unanimous consent	104, 116, 176, 212, 357, 380, 395, 469, 490, 503, 512, 514, 535, 553, 743, 1014
Motions made	138, 158, 159, 163, 167, 168, 176, 210, 218, 219, 241, 242, 292, 298, 339, 356, 357, 373, 379, 380, 397, 398, 426, 486, 487, 489, 503, 512, 514, 535, 572, 573, 575, 592, 604, 621, 641, 666, 691, 714, 760, 765, 808, 809, 840, 863, 866, 977, 979, 989, 995, 1058
Presided at sessions of the Senate	305, 1041

DEWEL, DUANE E.—Senator Forty-ninth District.

Bills introduced by—Nos. 1, 115, 116, 201, 235, 263, 298, 321, 323, 378.	
Committee assignments	65, 504, 795
Petitions presented	613, 631, 753, 759, 873, 948
Amendments offered	185, 207, 692
Asked unanimous consent	36, 207, 579, 598, 625
Motions made	398, 399, 782, 783, 785, 924, 972

DOUD, ALDEN L.—Senator Second District.

Bills introduced by—Nos. 32, 54, 74, 101, 102, 103, 104, 105, 138, 181, 216, 219, 242, 243, 298, 317, 339, 370, 378, 379.	
Committee assignments	9, 66, 210, 760, 839, 877, 879, 973, 1074
Appointed teller	9, 34
Petitions presented	235, 271, 299, 365, 452, 656, 684, 701, 792, 816, 873, 965
Leave of absence granted	100, 759
Amendments offered	256, 261, 386, 507, 547, 554, 600, 606, 611, 612, 629, 652, 654, 655, 668, 673, 674, 680, 690, 722, 795, 871, 872, 901, 927, 932
Motions made	87, 257, 261, 443, 554, 581, 582, 606, 629, 668, 690, 717, 732, 736, 795, 796, 797, 901, 912, 932, 1012, 1013, 1023, 1037, 1038
Asked unanimous consent	620, 736, 802, 902

DYKHOUSE, J. T.—Senator Twenty-fourth District.

Bills introduced by—Nos. 1, 39, 52, 199, 272, 284, 301, 348.	
Committee assignments	6, 66, 851, 877
Petitions presented	388, 656, 684, 753
Leave of absence granted	108, 829
Amendments offered	81, 82, 151, 152, 157, 184, 207, 243, 285, 290, 395, 410, 457, 606, 652, 692, 699, 700, 926, 930
Motions made	6, 39, 139, 140, 157, 241, 243, 290, 291, 304, 372, 373, 374, 394, 395, 396, 444, 457, 490, 521, 714, 735, 763, 781, 784, 798, 818, 819, 864, 865, 879, 880, 918, 951, 999, 1020, 1026, 1010, 1041
Asked unanimous consent	243, 265, 291, 359, 395, 442, 444, 456, 458, 694, 754, 762, 786

ELTHON, LEO—Senator Forty-first District.

Bills introduced by—Nos. 1, 31, 52, 73, 87, 88, 118, 129, 181, 193, 199, 201, 241, 268, 298, 365, 369.	
Committee assignments.....	8, 9, 18, 20, 66, 210, 922, 1041
Petitions presented.....	164, 202, 613, 709, 773, 850, 907
Leave of absence granted.....	412
Amendments offered	344, 432, 433, 480, 581, 612,
620, 639, 669, 692, 693, 857, 866, 870, 871, 923, 979, 1014, 1046	
Asked unanimous consent	16, 18,
44, 86, 105, 602, 614, 830, 858, 865, 876, 888, 912, 937, 1067	
Motions made	1, 6, 16,
18, 19, 43, 86, 105, 106, 152, 294, 302, 344, 350, 356, 357,	
481, 496, 581, 612, 619, 620, 635, 639, 640, 664, 665, 669,	
670, 693, 748, 749, 806, 807, 808, 822, 823, 838, 857, 876,	
888, 923, 966, 999, 1014, 1015, 1032, 1038, 1046, 1061, 1062, 1071	
Raised point of order.....	294, 888
Presided at sessions of the Senate.....	538
Honorary pallbearer	20

ENROLLED BILLS, COMMITTEE ON—

Appointed	44
Reports of	44, 97, 171, 197, 225,
265, 274, 318, 328, 345, 358, 371, 402, 424, 445, 504, 519,	
530, 544, 563, 607, 626, 642, 671, 681, 697, 725, 749, 756,	
788, 826, 841, 867, 883, 903, 924, 946, 977, 1000, 1031, 1053, 1073	
Recalled from Governor	642, 1020

EVANS, KENNETH A.—President of the Senate.

(See also Lieutenant Governor.)

Certificate of election of.....	47
Took oath of office.....	49
Appointment of secretary and page by.....	69
Presented to Senate.....	62
Presentation of gavel to.....	1004
Presentation of gift to.....	1033
Presided at joint conventions.....	49, 255, 425, 1062
Remarks by	1005
Presentation of chair to.....	967

EXECUTIVE SESSIONS OF THE SENATE—

Sessions held.....	271, 371, 683, 804, 819, 879, 887, 966, 1043, 1054
--------------------	--

EXPLANATION OF VOTES—

By Senator Mowry.....	222
By Senator Faul.....	976

FAUL, GEORGE—Senator Thirtieth District.

Bills introduced by—Nos. J. R. 2, 3,; 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 19, 22, 23, 24, 25, 26, 27, 28, 29, 34, 35, 42, 43, 45, 46, 47, 48, 63, 66, 68, 69, 70, 86, 92, 93, 99, 100, 101, 102, 103, 104, 105, 106, 107, 134, 150, 151, 162, 163, 171, 181, 185, 186, 187, 199, 206, 207, 208, 211, 231, 251, 253, 256, 264, 265, 269, 276, 283, 295, 326, 336, 337, 341, 342, 343, 344, 360, 361, 362, 373, 375, 376.	
Committee assignments.....	4, 6, 9, 18, 66, 210, 851, 1048
Presided at session of the Senate.....	664
Explanation of vote.....	976
Resolutions offered.....	182
Petitions presented	675, 753, 873
Leave of absence granted.....	829

Asked unanimous consent	39, 86,
92, 129, 167, 180, 224, 278, 330, 339, 359, 364, 372, 376,	
382, 393, 401, 445, 470, 528, 543, 552, 556, 577, 634, 722,	
742, 777, 778, 801, 804, 857, 896, 923, 974, 976, 981, 1015, 1065	
Amendments offered	81,
89, 94, 102, 111, 118, 128, 137, 150, 152, 158, 163, 172,	
177, 185, 195, 200, 229, 230, 232, 233, 241, 243, 248, 249,	
256, 277, 278, 279, 320, 347, 356, 364, 372, 375, 381, 406,	
407, 410, 479, 480, 481, 491, 502, 546, 553, 555, 556, 563,	
565, 576, 577, 578, 580, 581, 584, 600, 621, 682, 683, 692,	
699, 700, 721, 728, 734, 736, 744, 791, 801, 825, 872, 896,	
903-905, 926, 930, 942, 962, 963, 989-991, 1002, 1020, 1021, 1022	
Motions made	9, 102, 103, 104,
111, 112, 113, 114, 125, 126, 127, 128, 129, 135, 136, 137,	
138, 158, 169, 170, 173, 177, 178, 192, 195, 196, 204, 241,	
243, 277, 278, 279, 285, 304, 305, 330, 372, 375, 376, 377,	
381, 393, 425, 473, 479, 491, 492, 502, 512, 528, 537, 538,	
553, 555, 556, 557, 563, 571, 572, 576, 577, 578, 578, 580,	
581, 591, 592, 593, 621, 622, 679, 680, 713, 721, 736, 744,	
745, 745, 746, 747, 763, 764, 766, 779, 785, 786, 801, 821,	
822, 825, 855, 856, 882, 901, 927, 930, 942, 1003, 1041, 1042, 1072	
Remarks by	1065

FINDLAY, C. V.—Senator Twenty-seventh District.

Bills introduced by—Nos. 1, 15, 65, 87, 88, 119, 142, 298.	
Committee assignments	66, 878
Resolutions offered	787
Petitions presented	83, 174, 452, 522, 534, 549, 585, 613, 730, 850
Leave of absence granted	710
Amendments offered	214, 215, 233, 343, 547, 605, 674, 691, 692, 815
Motions made	48, 292, 343, 440, 605, 640, 641, 691, 878, 931
Asked unanimous consent	225, 343, 344, 691, 934, 1056

FIFTY-FIRST GENERAL ASSEMBLY—

Resolution for January recess	37
Resolution for spring recess	377
Resolution for special recess on Good Friday	252, 568
Resolution for adjournment sine die	784, 820, 985
Adjournment sine die	1076

FOSTER, HARLAN C.—Senator Tenth District.

Bills introduced by—Nos. 74, 87, 88, 111, 193, 194, 197, 204, 241,	
258, 298, 353, 354, 369, 378.	
Committee assignments	5, 66, 879
Petitions presented	38, 108, 133, 188, 271,
321, 482, 534, 613, 631, 656, 684, 709, 773, 792, 829, 850,	928
Leave of absence granted	388
Amendments offered	629, 978
Motions made	372, 375, 595, 596

GOVERNMENTAL AFFAIRS, COMMITTEE ON—

Amendments offered by	227
-----------------------------	-----

GOVERNOR ROBERT D. BLUE—

Certificate of election of	46, 47
Took oath of office	49
Delivered inaugural address	49
Addressed joint convention	49, 1064
Committees to notify	4, 1063, 1074
Communications from	206, 813, 1075, 1077, 1078
Bills approved by	289, 318
328, 371, 424, 446, 470, 505, 531, 564, 642, 698, 707, 750,	
757, 813, 826, 868, 884, 925, 946, 978, 1001, 1031, 1054, 1074, 1077	

GOVERNOR'S DAY AT CLEAR LAKE—

Invitation to extended by Senator Knudson.....1030

HALE, HON. OSCAR, Chief Justice of the Supreme Court of Iowa.

Administers oath to Governor..... 49
Administers oath to Lieutenant Governor..... 49
Certificates by148, 173

HART, STANLEY L.—Senator First District.

Bills introduced by—Nos. 15, 49, 65, 101, 102, 103, 104, 105, 124,
286, 301, 317, 366.
Elected President pro tempore.....8, 9
Took oath of office..... 9
Committee assignments5, 66, 504, 851, 879
Presided at sessions of Senate.....9, 13, 19, 35, 38, 44, 92, 159,
206, 241, 277, 292, 356, 372, 429, 439, 489, 528, 573, 581,
590, 637, 707, 763, 781, 825, 914, 931, 967, 972, 984, 1019, 1068
Petitions presented.....119, 482, 510, 601, 631, 656, 701,
709, 730, 753, 792, 816, 829, 873, 907, 928, 965, 980, 1033, 1055
Amendments offered.....707, 809, 815
Presided at joint sessions.....22, 44
Motions made.....4, 72, 220, 221,
222, 255, 274, 275, 683, 702, 804, 809, 878, 882, 945, 1015, 1073
Addressed Senate 9
Resolutions offered260, 812
Asked unanimous consent.....135, 340, 354, 883, 1038
Presented carnations to Senators..... 1062

HARVEY, ROBERT W.—Senator Thirty-fourth District.

Bills introduced by—Nos. 182, 194, 223, 263, 293, 378.
Committee assignments6, 7, 9, 18, 66, 877
Petitions presented.....108, 133, 250, 253, 351,
522, 534, 631, 654, 655, 656, 675, 684, 701, 730, 759, 792, 1033
Amendments offered680
Motions made.....920, 921, 1011
Honorary pallbearer 20
Asked unanimous consent.....281, 1033

HAWKINS, R. B.—Senator Fifth District.

Bills introduced by—Nos. 123, 270, 298, 368, 377, 378, 379.
Committee assignments.....9, 66, 504
Petitions presented549, 631, 684, 701, 709, 730, 759, 928
Leave of absence granted..... 174
Amendments offered356, 870
Motions made356, 462, 463, 472
Asked unanimous consent.....356, 937

HENNINGSEN, O. H.—Senator Twenty-second District.

Bills introduced by—Nos. 17, 31, 39, 65, 93, 137, 143, 144, 145, 211,
213, 231, 335, 357, 364, 369, 378.
Committee assignments.....1, 66, 757, 758, 878, 970
Resolutions offered..... 757
Petitions presented.....452, 522, 684, 773, 792
Leave of absence granted..... 759
Amendments offered201, 509,
520, 600, 624, 752, 828, 842, 914, 925, 927, 938, 939, 988, 1046
Motions made82, 99,
110, 210, 359, 394, 544, 624, 625, 626, 655, 674, 757, 758,
819, 872, 881, 882, 914, 938, 939, 963, 987, 988, 989, 1029, 1046
Presided at session of the Senate..... 951
Asked unanimous consent.....394, 938, 939, 989, 1046
Honorary pallbearer 758

GENERAL INDEX

1183

HICKENLOOPER, FORMER GOVERNOR BOURKE B.—

Committee to notify.....	23
Biennial message of.....	23, 33

HIGHWAYS, COMMITTEE ON—

Bill introduced by—No. 292.

HILL, G. R.—Senator Thirty-seventh District.

Bills introduced by—Nos. 52, 67, 85, 94, 118, 151, 199, 347.	
Committee assignments.....	23, 48, 66, 78, 210, 504, 878, 1062
Resolutions offered.....	7, 205
Tribute to Senator Whitehill by.....	21
Petitions presented.....	133, 321, 452,
585, 613, 656, 684, 701, 709, 730, 753, 773, 816, 873, 907,	965
Amendments offered.....	253, 311, 334, 344, 356, 456,
509, 555, 585, 574, 583, 625, 706, 885, 906, 970, 971, 986,	1024
Motions made.....	6, 7, 8, 18, 19, 34, 37, 62,
79, 80 160, 197, 205, 209, 253, 254, 271, 292, 311, 312,	
343, 356, 356, 357, 371, 377, 395, 429, 438, 442, 443, 445,	
451, 455, 456, 520, 533, 541, 542, 555, 574, 575, 581, 582,	
600, 625, 630, 663, 683, 706, 708, 764, 766, 772, 819, 820,	
828, 835, 858, 866, 867, 886, 887, 945, 947, 960, 966, 967,	
970, 971, 975, 976, 985, 986, 1024, 1025, 1039, 1040, 1054, 1065, 1074	
Asked unanimous consent....	6, 18, 37, 79, 171, 205, 209, 280, 327,
395, 442, 455, 456, 492, 637, 663, 761, 765, 903, 978, 986, 1005 1025, 1041	

HOUSE—

Committees to notify appointed.....	4, 1062, 1074
Committees from, received.....	5, 22, 44, 255, 424, 1076
Messages from	7, 17, 37, 41, 76, 93,
102, 125, 135, 156, 166, 180, 198, 209, 210, 225, 246, 252,	
260, 275, 289, 302, 327, 340, 353, 369, 392, 401, 420, 439,	
453, 484, 516, 523, 536, 550, 569, 586, 602, 617, 632, 641,	
658, 676, 687, 702, 711, 719, 732, 755, 761, 774, 795, 806,	
817, 830, 851, 864, 875, 888, 889, 908, 918, 930, 934, 948,	
967, 981, 1007, 1020, 1025, 1035, 1042, 1045, 1050, 1056, 1065, 1069, 1071	

HULTMAN, O. N.—Senator Eighth District.

Bills introduced by—Nos. 49, 101, 102, 103, 104, 105, 127, 130, 141,	
199, 202, 348, 378.	
Committee assignments....	48, 62, 66, 504, 757, 758, 877, 879, 970, 1048, 1070
Resolutions offered	787
Petitions presented.....	188, 286, 675, 792
Leave of absence granted.....	35, 321, 759
Amendments offered.....	410, 628, 654, 655, 680, 708, 737, 978
Motions made	48,
166, 525, 526, 628, 629, 737, 747, 748, 780, 781, 877, 941, 942	
Asked unanimous consent.....	156, 346, 1004, 1005
Honorary pallbearer	758

INAUGURATION—

Resolution empowering joint committee to arrange for.....	7
Committee appointed	7

INDUSTRIAL AND DEFENSE COMMISSION—

Members appointed	78
-------------------------	----

INSURANCE, COMMITTEE ON—

Bills introduced by—Nos. 109, 110, 281, 309, 310, 311, 420, 421, 842-847	
--	--

INTERSTATE COOPERATION, COMMITTEE ON—

Appointed	760
Resolution relating to.....	760

IOWA STATEHOOD CENTENNIAL—

Resolution relating to..... 928

JACOBSON, A. H.—Senator Fortieth District.

Bills introduced by—Nos. 298, 320, 356, 358.

Committee assignments 67, 877
 Petitions presented..... 482, 684, 773, 829, 907
 Leave of absence granted..... 188, 202, 850, 874
 Amendments offered..... 151, 827, 828, 841, 939, 1018
 Motions made..... 168, 169, 375, 382, 396, 397, 518, 641, 642, 712,
 738, 739, 836, 837, 914, 915, 916, 937, 938, 939, 940, 1017, 1018, 1019
 Asked unanimous consent..... 141, 598, 835, 1019, 1030

JOINT CONVENTIONS—

To receive biennial message of former Governor Bourke B. Hicken-
 looper 22-33
 To hear inaugural address of Governor Robert D. Blue..... 49
 To hear Mme. Drue Leyton Tartiere, formerly of Occupied France... 255
 To canvass vote..... 33, 44
 To hear Col. Perry Brown, national defense committee chairman
 of the American Legion..... 425
 To pay tribute to Franklin D. Roosevelt..... 1062
 Resolutions relating to..... 7, 205, 393, 1063

JONES, FLOYD—Senator Eleventh District.

Bills introduced by—Nos. 71, 245, 249, 261, 262, 298, 369, 378.

Committee assignments..... 7, 67, 760, 973
 Petitions presented..... 202, 684, 792, 816, 829, 1033
 Leave of absence granted..... 632, 759, 887
 Amendments offered..... 438, 782
 Motions made..... 270, 305, 306, 731, 782
 Asked unanimous consent..... 496, 598, 658, 1033

JUDICIAL DISTRICTS—

Resolution relating to regrouping of..... 1034

JUDICIARY 1, COMMITTEE ON—

Bills introduced by—Nos. J. R. 1; 59, 77, 78, 79, 80, 81, 82, 83, 98,
 135, 289, 290, 291, 296, 400, 401, 409, 412, 418, 419, 425, 434,
 439, 442.

Amendments offered by..... 255, 332, 361, 362

JUDICIARY 2, COMMITTEE ON—

Bills introduced by—Nos. 112, 113, 158, 159, 415, 424.

Amendments offered by..... 183, 184, 475

JUSTICE OF PEACE COURTS, COMMITTEE TO STUDY—

Resolution relating to..... 473
 Appointed 504

KEIR, ROBERT—Senator Forty-seventh District.

Bills introduced by—Nos. 101, 102, 103, 104, 105, 116, 200, 234, 239,
 257, 263, 284, 298, 378.

Committee assignments..... 6, 67, 504, 839, 876, 877, 970
 Petitions presented.... 202, 271, 299, 351, 585, 675, 701, 753, 816, 873, 980
 Amendments offered.... 158, 159, 233, 234, 249, 345, 509, 539, 584, 600,
 605, 652, 673, 674, 722, 841, 842, 871, 901, 902, 927, 932, 953, 987
 Motions made..... 341, 345, 354, 355, 454, 538, 539, 540, 541,
 559, 560, 603, 604, 605, 606, 607, 616, 670, 671, 722, 723,
 838, 839, 864, 900, 901, 902, 917, 932, 933, 973, 987, 1011, 1052
 Asked unanimous consent..... 345, 539, 541, 606, 754, 917, 987

GENERAL INDEX

1185

KIRKETEG, O. J.—Senator Sixth District.

Bills introduced by—Nos. 181, 195, 210, 217, 246, 248, 327, 378, 384, 385, 386, 387.	
Committee assignments	67, 317
Petitions presented	388, 613
Leave of absence granted	730
Amendments offered.....214, 298, 349, 386, 480, 682,	706
Motions made.....308, 309, 503, 548, 559, 593, 594, 706, 723,	724
Asked unanimous consent.....281, 311, 422, 618,	706
Memorial resolution offered for.....	757, 758
Note of appreciation from Mrs. Kirketeg.....	911
Announcement of death of.....	757

KLEIN, T. H.—Senator Fifteenth District.

Bills introduced by—Nos. 181, 298, 316, 346, 369, 378.	
Committee assignments.....67, 189, 504, 877,	878
Resolution offered.....	787
Petitions presented.....684, 887, 908,	948
Amendments offered.....347, 406, 411, 413,	975
Motions made.....313, 314, 315, 316, 326, 327, 413, 877,	975
Asked unanimous consent.....	835, 1016

KNUDSON, H. M.—Senator Forty-third District.

Bills introduced by—Nos. 39, 65, 75, 84, 101, 102, 103, 104, 105, 176, 199, 234, 241, 298, 319, 363, 365, 378.	
Committee assignments.....9, 67, 757, 758, 795, 922,	923
Resolutions offered	812
Petitions presented.....119, 153, 202,	
216, 250, 286, 299, 365, 388, 439, 482, 613, 656, 675, 792,	948
Leave of absence granted.....523, 534, 567, 585, 601, 641,	759
Amendments offered.....131, 132, 151, 163, 167, 185, 200, 256,	
293, 342, 344, 427, 508, 512, 652, 668, 729, 734, 885, 886, 898, 899,	975
Asked unanimous consent.....	
.....19, 106, 167, 293, 330, 344, 625, 690, 734, 966,	1058
Motions made	19,
97, 167, 293, 330, 342, 344, 427, 428, 429, 512, 734, 898, 899,	1009
Honorary pallbearer	20, 758
Invitation extended by.....	1030

LABOR, COMMITTEE ON—

Amendments offered by.....	506
----------------------------	-----

LEGISLATIVE EMPLOYEES—

Report of joint committee on.....	85
Committee clerks	6, 40, 205, 546
Chaplains	6, 18, 37, 43
Pages	69, 78, 106
Permanent officers	16
Extra help	17, 18

LEGISLATIVE EXPENSES—

(See also Subject Index for Bills relating to.)

Chaplains, compensation allowed.....	18, 37, 43
Officers and employees, compensation of.....	18, 176, 302
Resolutions relating to miscellaneous bills.....	
105, 382, 383, 552, 586, 587, 588, 909, 929, 1045, 1055	

LEO, R. V.—Senator Forty-fifth District.

Bills introduced by—Nos. 40, 133, 180, 194, 197, 200, 201, 203, 213, 324, 369, 378.	
Committee assignments	1, 6, 67
Petitions presented.....73, 90, 174, 656, 684, 759, 773, 980	

Leave of absence granted.....	8
Resolution offered	165
Amendments offered.....387, 527, 547, 617, 682, 692, 906, 947,	957
Motions made.....241, 399, 400, 527, 528, 560, 592, 617,	
620, 621, 662, 692, 809, 854, 855, 880, 881, 955, 956, 957,	958
Honorary pallbearer	20
Asked unanimous consent.....678, 809, 820,	957

LIEUTENANT GOVERNOR KENNETH A. EVANS—

(See also President of the Senate.)

Certificate of election of.....	47
Took oath of office.....	49
Appointment of secretary and page by.....	69
Presented to Senate.....	62
Presentation of gavel to.....	1004
Presentation of gift to.....	1038
Presided at joint conventions.....49, 255, 425,	1062
Remarks by	1005
Presentation of chair to.....	967

LINCOLN'S BIRTHDAY—

Committee appointed to arrange program to commemorate.....	317
Address by Rabbi Monroe Levens.....	322-326

LONG, IRVING D.—Senator Thirty-third District.

Bills introduced by—Nos. 30, 55, 56, 74, 101, 102, 103, 104, 105, 179,	
181, 247, 298, 315, 320, 365, 369, 378.	
Committee assignments	6, 23, 851, 877, 923, 1070
Resolutions offered	67
Petitions presented	613, 657, 759, 829, 873
Leave of absence granted.....	38, 164, 250, 522
Amendments offered	160, 461,
508, 535, 630, 654, 655, 680, 699, 700, 814, 815, 862, 885,	
899, 926, 927, 930, 932, 940, 947, 958, 959, 978, 986, 1046, 1055	
Motions made	37, 43, 157, 160, 161, 246, 247, 316,
317, 392, 458, 459, 460, 461, 494, 535, 588, 690, 698, 694,	
739, 740, 741, 745, 776, 858, 859, 860, 861, 862, 863, 894,	
895, 897, 899, 900, 922, 929, 932, 958, 959, 960, 986, 1009,	
1010, 1027, 1028, 1029, 1044, 1045, 1046, 1047, 1055, 1067, 1068, 1072, 1073	
Asked unanimous consent.....	316, 458, 494, 918, 924, 1017
Raised point of order.....	1026

LOVE, H. SAM—Senator Sixteenth District.

Bills introduced by—Nos. 30, 31, 32, 205, 298, 305, 315, 378.	
Committee assignments.....	7, 78, 543, 877, 879, 970
Resolutions offered	67
Petitions presented.....	164, 271, 510, 601, 614, 675, 709, 792, 816
Amendments offered	348, 561, 624, 673
Motions made.....	89, 561, 584, 624, 749, 815, 876, 952, 953
Leave of absence granted.....	759
Asked unanimous consent.....	550

LUCAS, J. G.—Senator Thirty-first District.

Bills introduced by—Nos. 115, 116, 134, 137, 151, 201, 213, 229, 231,	
242, 243, 272, 297, 298, 340, 378.	
Committee assignments	9, 67, 878, 922, 1045, 1074
Petitions presented	119, 174,
188, 452, 522, 534, 614, 657, 685, 773, 793, 850, 874, 928,	965
Leave of absence granted.....	759
Amendments offered.....	583, 584, 629, 692, 729, 978
Motions made.....	542, 543, 928, 986, 987
Asked unanimous consent.....	713, 784, 804

LYNES, J. KENDALL—Senator Thirty-ninth District.

Bills introduced by—Nos. 1, 44, 151, 175, 180, 182, 183, 197, 199, 240, 245, 298, 334, 338, 339, 369.	
Committee assignments.....	67, 504, 543, 876
Petitions presented.....	174, 299, 412, 631, 675, 685, 816, 829, 887
Leave of absence granted.....	523
Amendments offered	
116, 158, 159, 200, 201, 209, 349, 507, 561, 728, 734, 815	
Motions made	23, 116, 126,
158, 159, 201, 209, 210, 561, 562, 580, 745, 784, 806, 984, 985	
Asked unanimous consent.....	159, 210, 735, 863, 1042
Presided at sessions of Senate.....	379, 737

MANUFACTURING, COMMERCE AND TRADE, COMMITTEE ON—

Bills introduced by—Nos. 410, 411.

MARTIN, FRANK D.—Senator Twenty-first District.

Bills introduced by—Nos. 31, 45, 49, 50, 62, 97, 144, 150, 151, 173, 209, 210, 217, 231, 254, 301, 306, 307, 308, 336, 337.	
Committee assignments.....	1, 5, 67, 878
Petition presented	83
Amendments offered	186, 349, 382, 405, 406,
410, 450, 479, 499, 547, 652, 653, 654, 667, 1002, 1020, 1021, 1022	
Motions made.....	179, 180, 483, 499,
562, 691, 762, 839, 840, 950, 951, 953, 954, 956, 957, 1060, 1061	
Asked unanimous consent.....	254, 382, 697, 762, 840

MEMORIALS—

Committees on appointed.....	877, 878, 879
Memorial resolutions adopted.....	877, 878, 879
Session	-35
In Memoriam	1081
Memorials printed	1082-1096

MERCER, LEROY S.—Senator Twenty-fifth District.

Bills introduced by—Nos. 52, 73, 101, 102, 103, 104, 105, 119, 199, 242, 243, 284, 365, 378.	
Committee assignments.....	9, 68, 210, 851, 878, 923, 1062
Appointed teller	9, 34
Petitions presented.....	119, 153, 271, 299, 522, 773, 816, 887
Leave of absence granted.....	133
Amendments offered	791, 796, 899, 978
Motions made.....	302, 558, 742, 777, 796, 899, 1003, 1051, 1062
Asked unanimous consent.....	835

MESSAGES—

Biennial of Governor Bourke B. Hickenlooper.....	23-33
From Governor Robert D. Blue.....	206, 813, 1075, 1077, 1078
From the House.....	7, 17, 37, 41, 76, 93,
102, 125, 135, 156, 166, 180, 198, 209, 210, 225, 246, 252,	
260, 275, 289, 302, 327, 340, 353, 369, 392, 401, 420, 439,	
453, 484, 516, 523, 536, 550, 569, 586, 602, 617, 632, 641,	
658, 676, 687, 702, 711, 719, 732, 755, 761, 774, 795, 805,	
817, 830, 851, 864, 875, 888, 889, 908, 918, 930, 934, 948,	
967, 981, 1007, 1020, 1025, 1035, 1042, 1045, 1050, 1056, 1065, 1069, 1071	

MILEAGE, COMMITTEE ON—

Appointment of	6
Reports of	39, 383, 394

MILITARY AND VETERANS AFFAIRS, COMMITTEE ON—

Bills introduced by—Nos. 131, 422, 423.	
Amendments offered by.....	404
Additional members appointed.....	851

MILLER, AI—Senator Seventeenth District.

Bills introduced by—Nos. 204, 257, 298, 378.	
Committee assignments.....	6, 7, 44, 68, 760, 879
Petitions presented	119,
174, 202, 321, 365, 388, 601, 631, 685, 710, 773, 793, 816,	829
Motions made.....	6, 334, 947, 1048, 1049
Asked unanimous consent	550, 965, 985, 1058

MINES AND MINING, COMMITTEE ON—

Bill introduced by—No. 407.

MOTOR VEHICLES, COMMITTEE ON—

Bills introduced by—Nos. 125, 228, 389, 392, 393, 394.

Amendments offered by.....	268
----------------------------	-----

MOWRY, ROSS R.—Senator Twenty-ninth District.

Bills introduced by—Nos. 1, 14, 32, 36, 52, 60, 62, 87, 88, 94, 95, 119,	
120, 170, 201, 229, 231, 267, 285, 298, 374, 378.	
Committee assignments.....	68, 504, 839, 878
Petitions presented.....	13, 38, 83, 119, 164,
250, 439, 522, 601, 632, 657, 675, 701, 816, 829, 850, 874,	965
Leave of absence granted.....	35
Amendments offered.....	163, 186,
270, 280, 341, 427, 428, 438, 441, 507, 547, 603, 673, 724,	802
Motions made.....	5, 114, 115,
116, 136, 137, 159, 341, 379, 380, 427, 428, 441, 442, 511,	
603, 604, 700, 724, 775, 776, 791, 802, 882, 964, 993, 1023,	1071
Asked unanimous consent.....	141, 441, 604, 626, 1016
Explanation of vote.....	222

NATIONAL DEFENSE AND POSTWAR, COMMITTEE ON—

Bill introduced by—No. 190.

NEWSOME, J. A.—Senator Fourth District.

Bills introduced by—Nos. J. R. 4; 261, 262, 298, 378.	
Committee assignments	44, 68, 878
Petitions presented.....	549, 614, 701, 753, 773, 928
Amendments offered.....	230, 298, 330, 652, 669
Motions made.....	117, 330, 623, 624, 637, 669, 1048
Asked unanimous consent.....	339, 917

OATH OF OFFICE—

By temporary officers.....	1
By Senators newly elected.....	3
By permanent officers of the Senate.....	17
By Governor and Lieutenant Governor.....	49

PAGES—

Appointment of.....	69, 78, 106
---------------------	-------------

PERMANENT OFFICERS OF THE SENATE—

Election of.....	16
Took oath of office	17
Report on joint legislative employees.....	85

PROOF OF PUBLICATION—

On Senate File 51.....	88
On Senate File 90.....	448
On Senate File 255.....	519
On Senate File 356.....	630
On Senate File 434.....	911
On Senate File 424.....	934
On House File 184.....	607

PETITIONS, RELATING TO—

Adoption of children.....	601
Anti-pollution	153
Civil Service.....	119, 412, 482
Farm Bureau	258
Food standards	773
Game legislation	522, 549, 656, 676
Gasoline tax	585, 601, 684, 709, 730
Health	250
Insurance	534, 601
Liquor, (mostly "favoring local option").....	119, 164, 188, 202, 216, 235, 258, 271, 286, 299, 321, 335, 351, 365, 388, 412, 439, 452, 482, 510, 522, 548, 585, 601, 613, 631, 656, 657, 675, 676, 684, 685, 701, 709, 710, 730, 753, 759, 773, 774, 792, 816, 817, 829, 830, 850, 873, 874, 887, 907, 908, 928, 948, 965, 980, 1033, 1055
Mining	133, 250
Music, Iowa official.....	549
Occupational diseases.....	753, 965, 1055
Outdoor advertising	452
Pensions.....	73, 90, 250, 321, 388, 452, 482, 510, 522, 534, 549, 753, 965
Public Safety	321, 351, 367, 412, 439, 452, 585
Public employees compensation increases, retirement plan.....	38, 83, 108, 133, 153, 164, 174, 188, 202, 216, 258, 388, 482, 510, 522, 549, 585, 601, 753
Sale barns	534
School code revision.....	13, 35, 38, 73, 83, 108, 119, 133, 153, 164, 174, 188, 202, 216, 235, 271, 286, 299, 321, 335, 367, 388, 452, 482, 510, 522, 601, 701, 709, 792, 793, 829, 928, 965, 980, 1004
Supreme Court justices.....	412
Tax revision.....	676
Trucks, size, weight legislation.....	108
Unemployment compensation	874
Veterans..	174, 188, 202, 250, 258, 271, 388, 412, 482, 522, 534, 585, 702, 907
War memorial building.....	601, 675
Workmen's compensation	709

PINE, F. J.—Senator Twentieth District.

Bills introduced by—Nos. 50, 58, 65, 101, 102, 103, 104, 105, 119, 144, 145, 151, 193, 212, 220, 241, 298, 301, 389.	
Committee assignments.....	1, 23, 68, 543
Petitions presented.....	108, 153, 258, 510, 522, 632, 657, 965
Leave of absence granted.....	38, 759, 774, 793, 817
Amendments offered.....	184, 185, 201, 207, 211, 214, 219, 257, 472, 796
Motions made	1, 79, 180, 182, 207, 211, 219, 220, 303, 304, 377, 378, 387, 411, 472, 517, 538, 545, 568, 569, 589, 622, 634, 635, 636, 685, 686, 687
Honorary pallbearer	758
Asked unanimous consent	180, 207, 304, 538, 622, 634, 636, 685, 691, 931, 1010

PRESENTED TO SENATE—

Cub Scouts, Pack 66, Des Moines.....	86
Dean, Earl M., former Senator	106
Amos Hiatt Junior High, Des Moines, class in Community Life Problems	92
Stewart, Paul D., former Senator.....	141
Stevens, R. E., former Senator.....	141
Elkhart high school government class.....	180
Mighell, Winfred, former Senator.....	213
Charles City high school senior class.....	265
Taylor county residents.....	281

Dallas county, Sugar Grove school students.....	281
West Des Moines high school speech class.....	339
Gilchrist, Fred C., former member of Congress.....	359
Mitchellville high school senior class in social science.....	359
Goetsch, Sam D., former Senator.....	372
Hubbell school, Des Moines, 6A class.....	401
West Des Moines 9B class social science.....	401
Bedford high school government class members.....	422
West Des Moines 9A class social science.....	445
West Branch Scattergood students.....	445
Urbandale government class, Valley 9-A class, and economics classes, Byron Rice, Des Moines, 7-A social study class.....	470
Indianola high school students.....	496
Lowden high school girls' basketball team and their coach.....	550
Deep River high school girls' basketball team and their coach....	550
Yale high school girls' basketball team and their coach.....	550
Adair high school girls' basketball team and their coach.....	550
Basketball teams of girls—Olin, Center township, Emmet county; Curlew high school	579
Plover high school senior class.....	579
Basketball teams, girls—Waterville, Cylinder, Coggon, Brooks....	598
Indianola high school junior class.....	598
Foreling, L. B., former Representative.....	598
Knudson, Lt. Ted, of United States Navy.....	625
Jordan consolidated school government class students.....	625
Colfax high school government class.....	626
Calanan junior high school 9-B civics class.....	634
Carlisle high school government class.....	653
Blairstown high school senior class and superintendent.....	673
Hicklin, Edwin R., former Senator.....	691
Roosevelt high school 9-B civics class, Des Moines, and their teacher	742
Sperry high school basketball squad and their superintendent....	743
Tripoli high school basketball team and their coach.....	743
Basketball teams, Calumet high school and Gaza consolidated school, and their superintendent.....	754
Pilot Mound high school senior class and their superintendent....	784
Hollingsworth, Miss Doris, chosen queen of Iowa Senate by pages	794
Nevada high school seniors and superintendent.....	804
Woodrow Wilson junior high school civics class and their teacher..	804
Weichman, Lieutenant David	820
Plainfield high school junior and senior classes and their super- intendent	863
Blairsburg high school senior class, their superintendent, G. B. Moser, and Mayor McComb.....	903
Pvt. Robert Brauer, a former page.....	917
Sharp, Laura Mae, Ensign U. S. Navy department, Washington, D. C.	934
Findlay, Dr. J. F., President of Drury College, Springfield, Mo....	934
Dallas Center high school American government class and their teacher	965
Johnson, Oscar E., former Senator.....	966
Minburn high school senior class.....	985
Newton School No. 5 students.....	1016
Knoxville high school speech and government classes and their teacher	1016
Burgess and Concord, Warren county, rural students and their teacher	1033
Manilla high school seniors and their superintendent.....	1033
Waukee junior high school eighth grade class and their teacher...	1058
St. Anthony high school senior class and their teacher.....	1058
Garner high school senior class.....	1058

PRESIDENT OF THE SENATE, KENNETH A. EVANS—

(See also Lieutenant Governor.)

Certificate of election of	47
Took oath of office	49
Appointment of secretary and page by.....	69
Presented to Senate.....	62
Presentation of gifts to.....	1038
Presentation of gavel to.....	1004
Presided at joint conventions.....	49, 255, 425, 1062
Remarks by	1005
Rulings made.....	160, 294, 356, 734, 888, 1026
Presentation of chair to.....	967
Bills signed by.....	44, 98, 171, 197, 225,
266, 274, 318, 328, 345, 359, 371, 402, 424, 446, 504, 519,	
530, 544, 564, 607, 626, 642, 671, 681, 697, 725, 750, 757,	
788, 826, 841, 867, 884, 903, 924, 946, 978, 1001, 1031, 1053, 1073	

PRESIDENT PRO TEMPORE—

(See also Hart, Stanley L.)

Elected	8, 9
Took oath of office.....	9
Addressed Senate	9
Presided at sessions of the Senate.....	9, 13, 19, 35, 38, 44, 92,
159, 206, 241, 277, 292, 356, 372, 429, 439, 489, 528, 573, 581,	
590, 637, 707, 763, 781, 825, 914, 931, 967, 972, 984, 1019, 1068	
Presided at joint conventions.....	22, 44

PRESS GALLERY—

Assignment of seats in.....	5
Resolution relating to furnishing Journals to.....	7

PRINTING BOARD—

(See also Superintendent of Printing.)

Iowa Manual of Legislative Procedure, revision and reprinting of authorized	660, 702
Supreme Court historical booklets. Board empowered to dis- tribute	731
Committee books, rule books, printing of authorized.....	135
Bills, journals, binders, distribution to county auditors authorized.	19
Codes, session laws Forty-ninth, Fiftieth G.A.'s, distribution to members of Senate, House, Press galleries authorized.....	7
Photographing of members, contracting for authorized.....	339

PRINTING, COMMITTEE ON—

Bills introduced by—Nos. 403, 404.

PRIVATE CORPORATIONS, COMMITTEE ON—

Bill introduced by—No. 160.

PUBLIC EMPLOYEES RETIREMENT PLAN, SPECIAL COMMITTEE
ON—

Bill introduced by—No. 436.

Appointed	210
-----------------	-----

PUBLIC HEALTH, COMMITTEE ON—

Bills introduced by—Nos. 128, 293, 294, 391, 399.

PUBLIC LANDS AND BUILDINGS ON—

Bills introduced by—Nos. J. R. 5, 7, 10; 398.

PUBLIC LIBRARIES, COMMITTEE ON—

Bill introduced by—No. 382.

PUBLIC OFFICERS, COMMITTEES ON—

(See Compensation of Public Officers.)

(See Public Employees Retirement Plan.)

PUBLIC UTILITIES, COMMITTEE ON—

Bill introduced by—No. 232.

REILLY, ROBERT C.—Senator Thirty-fifth District.

Bills introduced by—Nos. 49, 52, 90, 121, 137, 173, 191, 202, 231, 255,
280, 335, 359, 378.

Committee assignments.....1, 44, 68, 851, 877

Resolutions offered 252

Petitions presented.....35, 133, 153, 250, 299, 522, 730, 928

Amendments offered.....215, 233, 378, 652, 653, 654, 667, 724, 954, 988

Motions made44, 97, 171, 197, 225, 265,

274, 318, 328, 345, 358, 370, 378, 402, 424, 445, 463, 464,

504, 519, 524, 530, 544, 563, 568, 607, 626, 642, 671, 681,

697, 718, 719, 724, 725, 749, 756, 788, 826, 841, 849, 867,

883, 903, 921, 922, 924, 946, 954, 977, 1000, 1030, 1053, 1065, 1073

Asked unanimous consent.....917, 921, 1056

RESIGNATIONS—

Of Ed Thompson..... 91

Of Billy Stone..... 180

Of Ira Gripp..... 681

Of Jerry Hicks 726

RESOLUTIONS—

Index to Senate Joint..... 1097

Index to House Joint acted on in Senate..... 1125

Index to Senate Concurrent..... 1137

Index to House Concurrent acted on in Senate..... 1137

Index to Senate 1137

Index to Memorial 1137

RETRENCHMENT AND REFORM, COMMITTEE ON—

Appointed 851

RITCHIE, FRED J.—Senator Forty-sixth District.

Bills introduced by—Nos. 74, 201, 259, 298, 339, 369.

Committee assignments.....68, 876, 877, 1045

Petitions presented.....35, 133, 164, 188, 321, 452, 510, 585, 657, 685, 850

Amendments offered560, 978

Motions made.....311, 560, 752, 1013

Asked unanimous consent..... 213

Leave of absence granted.....388, 759

ROCKHILL, ROBERT A.—Senator Twenty-eighth District.

Bills introduced by—Nos. 199, 266, 269, 273, 274, 298, 304, 372, 379.

Committee assignments.....189, 1045, 1074

Certificate of election of..... 181

Took oath of office..... 189

Petitions presented.....585, 614, 632, 701, 710, 759, 793

Leave of absence granted..... 523

Amendments offered.....356, 364, 438, 509, 547, 548, 565, 566,

568, 706, 771, 772, 781, 785, 791, 796, 800, 926, 960, 978, 993, 996, 1034

Motions made234, 537, 568, 637,

706, 781, 796, 800, 951, 960, 972, 973, 976, 993, 995, 996, 1034

Asked unanimous consent.....401, 568, 781, 996, 1035, 1058

RULES, COMMITTEE ON—

Temporary rules adopted..... 8

Rule books, resolution directing printing of..... 135

GENERAL INDEX

1193

Committee reports.....	198, 220-222
Clip sheets and amendments printed in journals, resolution relating to	18
Rules suspended.....	8, 79, 105, 205, 442, 457, 494, 981, 1014, 1017, 1045
Joint rules committee report.....	260, 275

SCARBOROUGH, W. J.—

(See also Secretary of the Senate.)

Elected temporary secretary of the Senate.....	1
Elected permanent secretary.....	16
Took oath of office.....	17
Resolution relating to duties of.....	966
Appointment of page by.....	69
Presentation of gift to.....	1068
Authorized to secure badges.....	6

SEATS—

Assignment of in Press Gallery.....	5
Selection of.....	3, 4, 189, 903, 917

SECRETARY OF THE SENATE—

(See also Scarborough, W. J.)

Elected temporary secretary of the Senate.....	1
Elected permanent secretary.....	16
Took oath of office.....	17
Authorized to secure badges.....	6
Appointment of page by.....	69
Resolution relating to duties of.....	966
Presentation of gift to.....	1068
Authorized to secure badges.....	6

SCHLUTER, EDWIN C.—Senator Twenty-third District.

Bills introduced by—Nos. 33, 54, 55, 56, 117, 136, 259, 298, 369, 378, 379, 385.	
Committee assignments.....	6, 68, 878
Resolutions offered	787
Petitions presented.....	365, 632, 980, 1004
Leave of absence granted.....	210, 829
Amendments offered	284, 508, 532, 535
Motions made.....	5, 110, 111, 141, 193, 374, 375, 395, 395, 444, 523, 535, 536, 573, 574, 743, 809, 810, 824, 378, 944, 953, 1033
Asked unanimous consent.....	445, 523, 550, 579

SCHOOL CODE, SPECIAL COMMITTEE ON—

See Special School Code Committee.

SCHOOLS AND EDUCATIONAL INSTITUTIONS, COMMITTEE ON—

Bill introduced by—No. 437.	
Amendments offered by.....	449

SHARP, F. E.—Senator Thirty-sixth District.

Bills introduced by—Nos. 101, 102, 103, 104, 105, 126, 152, 199, 200, 220, 223, 242, 243, 248, 298, 378.	
Committee assignments.....	48, 62, 68, 877
Resolutions offered	786
Leave of absence granted.....	100, 388, 412, 439, 759, 850
Amendments offered	215, 480, 490, 500, 509, 521, 542, 566, 590, 618, 654, 655, 680, 722, 916, 1021, 1023
Motions made	317, 490, 496, 497, 499, 500, 501, 502, 542, 589, 590, 591, 615, 616, 617, 618, 619, 626, 627, 722, 736, 737, 803, 804, 877, 883, 914, 916, 917, 940, 941, 995, 1010, 1021, 1023, 1024, 1049, 1050

Honorary pallbearer	758
Asked unanimous consent.....	
..... 317, 354, 497, 499, 500, 501, 627, 637, 914, 933, 941,	1024
SHAW, ALBERT J.—Senator Fiftieth District.	
Bills introduced by—Nos. 1, 39, 91, 116, 118, 129, 194, 199, 215, 235, 257, 258, 298, 300, 301, 318, 322, 325, 348, 353, 354, 369.	
Committee assignments.....	4, 8, 20, 68, 504, 795, 878, 970, 1048
Resolutions offered	20
Petitions presented.....	83, 119, 188, 549, 632, 657, 675, 730, 850, 874, 908
Leave of absence granted.....	523
Amendments offered.....	159, 344, 406-410, 583, 665, 692, 693, 737, 771, 785, 791, 801, 857, 903-905, 989-991, 1003, 1014
Motions made	20, 77, 127, 281, 294, 295, 310, 342, 343, 344, 393, 394, 444, 484, 489, 627, 628, 665, 692, 737, 738, 747, 767, 768, 781, 785, 801, 802, 857, 897, 913, 914, 989, 994, 995, 1014, 1026, 1067
Honorary pallbearer	20
Asked unanimous consent.....	557, 579, 598, 801, 973, 1026
SIFTING COMMITTEE—	
Appointment of.....	504
Petition presented to.....	830
Reports of.....	520, 521, 546, 564, 583, 611, 630, 652, 666, 751, 789, 827, 884, 925, 947, 978, 1002, 1016, 1044
SJULIN, CARL O.—Senator Seventh District.	
Bills introduced by—Nos. 53, 55, 56, 74, 87, 88, 101, 102, 103, 104, 105, 118, 199, 298, 302, 303, 318, 368, 369, 378, 379, 385.	
Committee assignments.....	6, 68, 189, 877, 970
Leave of absence granted.....	1, 13, 35, 38, 567
Petitions presented.....	82, 522, 676, 710, 730
Amendments offered	344, 978
Motions made	92, 249, 320, 396, 459, 460, 492, 493, 520, 545, 1016, 1017, 1026
Asked unanimous consent.....	330
SOCIAL SECURITY, COMMITTEE ON—	
Bills introduced by—Nos.	222, 224, 395, 417
Amendments offered by	477
SPECIAL COURT PROCEDURE, COMMITTEE ON—	
Appointed	65
SPECIAL SCHOOL CODE, COMMITTEE ON—	
Bills introduced by—Nos. 147, 148, 149, 329, 330, 331, 332, 333, 388, 397.	
Appointed	65
SPECIAL TAX REVISION, COMMITTEE ON—	
Bills introduced by—Nos. J. R. 8; 233.	
Appointed	65
SPECIAL ORDERS MADE—	
On Senate File 350.....	716, 761, 778
On Senate File 351.....	716, 761, 778
On Senate File 425.....	947
On House File 358.....	716, 761, 778
On House File 63.....	888, 889
SPECIAL SESSION FIFTIETH GENERAL ASSEMBLY—	
Index to bills	85
Resolutions	85
General Index	86

STATE APPEAL BOARD—

(See Appeal Board, State.)

STATE OFFICE BUILDING, LEGISLATIVE ADVISORY COMMITTEE ON—

Appointed 970

SUPERINTENDENT OF PRINTING—

(See also Printing Board.)

Resolutions relating to duties of.....7, 19, 135, 339, 660, 702, 731

SUPREME COURT OF IOWA—

Report on Rules of Civil Procedure.....142-148

Amendment to report.....172-173

Certificates by Chief Justice of.....148, 173

Communication from the Reporter of..... 85

Supreme Court historical booklets..... 731

SUPPLIES AND EQUIPMENT, COMMITTEE ON—

Appointed5, 6

TAX COMMITTEES—

(See Special Tax Revision.)

See Tax Study, special committee on..... 970

TAX STUDY, SPECIAL COMMITTEE ON—

Appointed 970

TELLERS—

Appointment of 9

Report of 45

TEMPORARY OFFICERS—

Elected 1

Took oath of office..... 1

VITTETOE, LUKE—Senator Twelfth District.

Bills introduced by—Nos. 32, 73, 245, 250, 259, 275, 298, 352, 369, 378.

Committee assignments.....68, 877, 878

Petitions presented.....119, 188, 510, 676, 710 965

Leave of absence granted..... 1044

Motions made.....187, 215, 222, 330, 331, 378, 380, 381, 573, 729

Asked unanimous consent.....422, 550

VRBA, ED—Senator Forty-second District.

Bills introduced by—Nos. J. R. 6; 146, 161, 182, 202, 213, 239, 284, 348, 378.

Committee assignments.....69, 317, 877, 1063, 1074

Petitions presented.....164, 202, 216, 286, 534, 549, 676, 685, 702, 774, 908, 1004

Leave of absence granted73, 83, 90, 100, 108, 119, 710, 730, 753, 759, 850, 874

Amendments offered.....270, 285, 652

Motions made.....558, 559, 823, 824

Asked unanimous consent..... 372

Honorary pallbearer..... 758

WATSON, DE VERE—Senator Nineteenth District.

Bills introduced by—Nos. 37, 39, 45, 61, 108, 119, 132, 154, 155, 156, 157, 178, 244, 247, 271, 272, 284, 318, 348, 378.

Committee assignments.....6, 69, 504, 543, 851, 877, 879, 970, 973, 1045

Resolutions offered.....812, 969

Petitions presented	216, 452, 632
Leave of absence granted.....	164, 903
Amendments offered	
130, 131, 178, 215, 292, 293, 356, 386, 387, 465, 555, 785, 885, 940	
Motions made.....	6, 107, 178, 179, 196, 197, 292, 293,
313, 355, 464, 465, 466, 467, 468, 513, 541, 554, 555, 623,	
664, 706, 707, 715, 716, 782, 802, 803, 820, 861, 940, 994, 1052	
Asked unanimous consent.....	6, 312, 555, 707, 903, 1019, 1030

WAYS AND MEANS, COMMITTEE ON—

Bills introduced by—Nos. 192, 221, 278, 279, 390, 408.

WHITE, ED. S.—Senator Eighteenth District.

Bills introduced by—Nos. 1, 284, 319, 322, 355, 378.	
Committee assignments.....	69, 504, 877, 879, 970
Resolutions offered	788, 813
Petitions presented.....	351, 412
Leave of absence granted.....	614
Amendments offered.....	521, 578, 604, 698, 699, 705, 717, 771, 785, 947, 955, 974
Motions made.....	160, 224, 578, 604, 705, 717, 879, 888, 955, 974, 984

WHITEHILL, B. C.—Senator Twenty-eighth District.

Leave of absence granted.....	1, 3
Announcement of death of.....	8
Memorial service for.....	20, 21
Report of memorial committee.....	77
Note of appreciation from Mrs. Whitehill.....	77

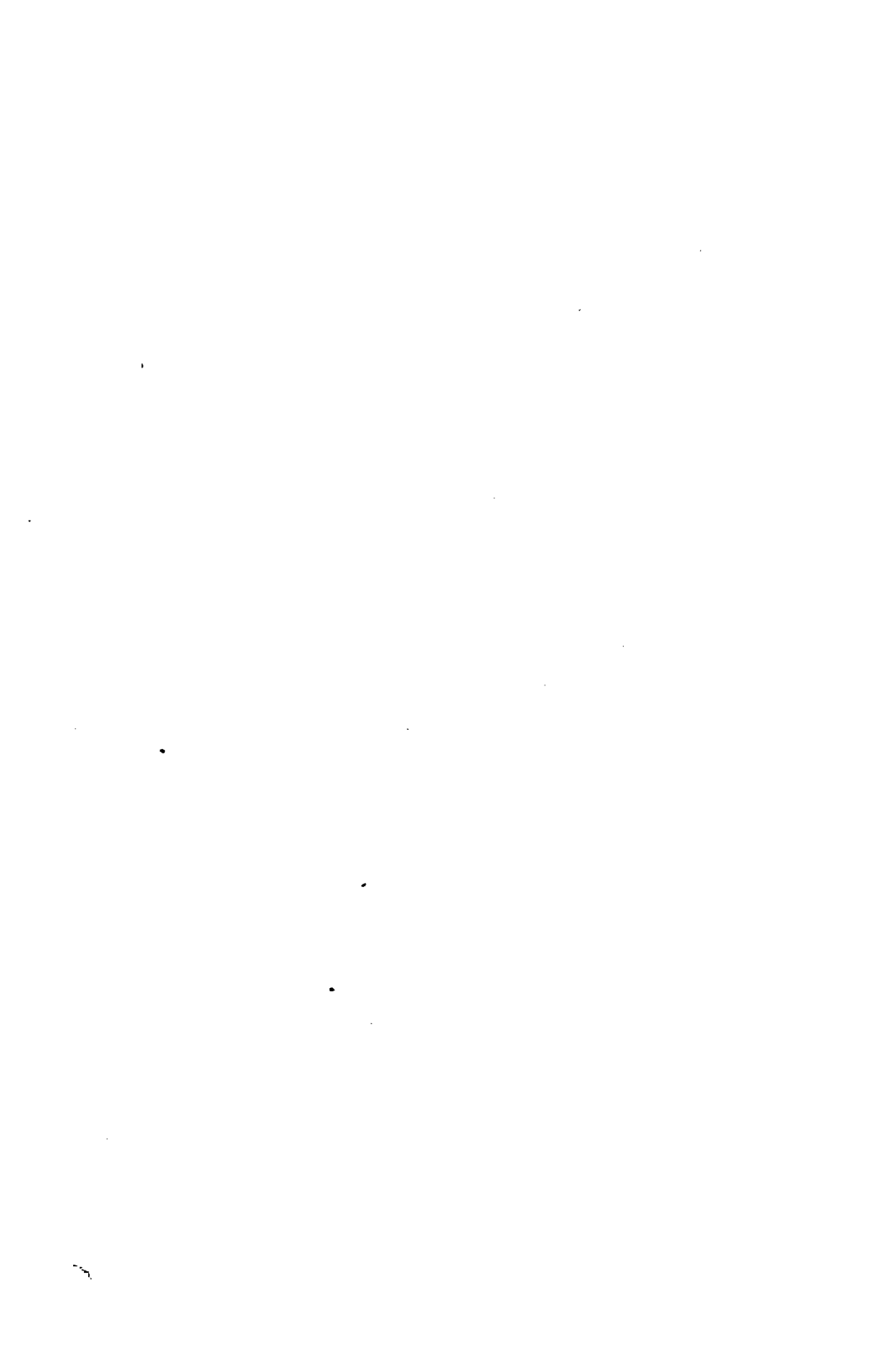
ZASTROW, RALPH W.—Senator Forty-fourth District.

Bills introduced by—Nos. 44, 52, 53, 55, 56, 65, 73, 87, 88, 118, 137, 181, 199, 212, 234, 247, 298, 299, 369, 378.	
Committee assignments.....	69
Petitions presented	676
Leave of absence granted.....	250, 601, 614, 829, 948
Amendments offered.....	18, 158, 159, 270, 280, 347, 669, 674, 691, 771, 785
Motions made.....	8, 18, 126, 181, 280, 307, 308, 669, 691, 1023
Asked unanimous consent.....	265

50th
GENERAL ASSEMBLY
in
Extraordinary Session

SENATE

January 26, 27, 28, 1944



JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 26, 1944.

Pursuant to the proclamation of the Governor, the Honorable B. B. Hickenlooper, the Fiftieth General Assembly of Iowa convened in Extraordinary Session at 10:00 a. m. The Senate was called to order by Lieutenant Governor Robert D. Blue, President of the Senate.

COMMUNICATION FROM THE GOVERNOR

The following communication was received from the Governor:

January 24, 1944.

MR. W. J. SCARBOROUGH,
Secretary of the Senate,
State House,
Des Moines, Iowa.

Dear Mr. Scarborough:

Enclosed is my proclamation issued the 28th of December, 1943, calling into Extraordinary Session the Fiftieth General Assembly, to convene at 10:00 a. m., on the 26th of January, 1944.

Yours very truly,

B. B. HICKENLOOPER.

PROCLAMATION

Whereas, Under the present laws of the State of Iowa, it is doubtful if there is adequate provision for the eligible voters of the State who are serving in the armed forces in the present war, to vote, and the executive authority believes that the General Assembly should enact suitable legislation therefor.

Now, Therefore, I, Bourke B. Hickenlooper, Governor of the State of Iowa, do hereby proclaim that the 50th General Assembly shall convene in Extraordinary Session at the State House in the City of Des Moines, Iowa, at 10:00 a. m. o'clock, on the 26th day of January, A. D. 1944, and to that end I do call upon and direct the members of the House of Representatives, and of the Senate of the 50th General Assembly to convene in their respective chambers in the State House at Des Moines, Iowa, at 10:00 a. m. o'clock on January 26, 1944, for the purpose of receiving such communication from the executive pertaining to the purpose for which such assembly is convened, and to transact such legislative business in keeping therewith as may come before the Houses of the General Assembly.

IN WITNESS WHEREOF, I have hereunto set my
(Seal) hand, and caused to be affixed hereto the Great

Seal of the State of Iowa, at the State House in
Des Moines, Iowa, this 28th day of December,
A. D. 1943.

BOURKE B. HICKENLOOPER,
Governor of the State of Iowa.

Prayer was offered by Rev. Harry T. Shiffler, Pastor of the Highland Park Presbyterian church of 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, Secretary.
Edna Gillespie of Polk county, Journal Clerk.
Frank E. Buck of Story county, Sergeant-at-Ames.

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

Senator Byers moved that no bills, resolutions, petitions, motions, or any other such documents or papers except those pertaining to the organization of the Senate and Joint Convention be received from or filed by any member or members of the Senate prior to the adoption of the rules of the Senate, which shall be the first order of business following the Joint Convention, which motion prevailed.

COMMUNICATION FROM THE SECRETARY OF STATE

The following communication was received from the Secretary of State:

To the Honorable, the Secretary of the Senate:

I, WAYNE M. ROPES, Secretary of State of the State of Iowa, custodian of the files and records pertaining to elections in the state

Do HEREBY CERTIFY, That the following is a true and correct list of State Senators (to fill vacancy), declared by the State Canvassing Board to have been elected in the Special Election of January 17, 1944.

Second District.....	Chas. W. Wade
Fifth District.....	T. M. Thompson

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol, in Des Moines, this 24th day of January, A.D. 1944.

WAYNE M. ROPES, *Secretary of State.*

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, Foster, Findlay, Turner and Benson.

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 duly elected and qualified Senators, as shown by the files and records in the office of the Secretary of State, entitled to seats in the Senate of the Fiftieth General Assembly in Extraordinary Session:

First District—Stanley L. Hart.
Third District—Dewey E. Goode.
Fourth District—Clarence L. Clark.
Sixth District—Oliver Turner.
Seventh District—Carl O. Sjulín.
Eighth District—K. A. Evans.
Ninth District—Fred Cromwell.
Tenth District—Harlan C. Foster.
Eleventh District—Floyd Jones.
Twelfth District—Luke Vittetoe.
Thirteenth District—E. K. Bekman.
Fourteenth District—A. E. Augustine.
Fifteenth District—Hugh W. Lundy.
Sixteenth District—H. S. Love.
Seventeenth District—Ai Miller.
Eighteenth District—Frank Pelzer.
Nineteenth District—DeVere Watson.
Twentieth District—F. J. Pine.
Twenty-first District—Frank D. Martin.
Twenty-second District—O. H. Henningsen.
Twenty-third District—D. D. Fuller.
Twenty-fourth District—Edwin C. Schluter.
Twenty-fifth District—Leroy S. Mercer.
Twenty-sixth District—Frank C. Byers.
Twenty-seventh District—C. V. Findlay.
Twenty-eighth District—B. C. Whitehill.
Twenty-ninth District—Ross R. Mowry.
Thirtieth District—George Faul.
Thirty-first District—John R. Hattery.
Thirty-second District—A. D. Clem.
Thirty-third District—Irving D. Long.
Thirty-fourth District—Robt. W. Harvey.
Thirty-fifth District—Robert C. Reilly.
Thirty-sixth District—G. W. Hunt.

Thirty-seventh District—G. R. Hill.
 Thirty-eighth District—John P. Berg.
 Thirty-ninth District—J. Kendall Lynes.
 Fortieth District—Paul P. Stewart.
 Forty-first District—Leo Elthon.
 Forty-second District—Ed Vrba.
 Forty-third District—Oscar E. Johnson.
 Forty-fourth District—Ralph W. Zastrow.
 Forty-fifth District—Richard V. Leo.
 Forty-sixth District—R. E. Hess.
 Forty-seventh District—Robert Keir.
 Forty-eighth District—Ralph E. Benson.
 Forty-ninth District—J. T. Dykhouse.
 Fiftieth District—Albert J. Shaw.

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

Second District—Chas. W. Wade.
 Fifth District—T. M. Thompson.

PAUL P. STEWART.
 HARLAN C. FOSTER.
 C. V. FINDLAY.
 OLIVER TURNER.
 RALPH E. BENSON.

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:

T. M. Thompson.
 Chas. W. Wade.

Roll call showed all members present.

ASSIGNMENT OF SEATS

Senator Bekman moved that the senators be granted the privilege of retaining the seats occupied by them during the Fiftieth General Assembly, and that the newly elected senators to fill vacancies, be permitted to occupy the seats formerly held by their predecessors.

The motion prevailed and the following assignment of seats was made:

Augustine	7	Elthon	18
Bekman	16	Evans	24
Benson	41	Faul	13
Berg	26	Findlay	19
Byers	34	Foster	45
Clark	1	Fuller	42
Clem	35	Goode	14
Cromwell	6	Hart	36
Dykhouse	46	Harvey	4

Hattery	40	Mowry	28
Henningsen	38	Pelzer	30
Hess	10	Pine	29
Hill	32	Reilly	43
Hunt	8	Schluter	33
Johnson	17	Shaw	27
Jones	49	Sjulin	11
Keir	48	Stewart	21
Leo	37	Thompson	9
Long	22	Turner	39
Love	20	Vittetoe	44
Lundy	3	Vrba	25
Lynes	47	Wade	50
Martin	31	Watson	15
Mercer	5	Whitehill	23
Miller	2	Zastrow	12

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Lundy moved that a committee of three be appointed to notify the Governor that the Senate was 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 Lundy, Hess and Jones.

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, Zastrow and Martin.

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. Paul Bumbarger, Iowa Daily Press Association.
57. I. C. Kartack, Iowa Press Association.
58. Wallace M. Short, Unionist and Public Forum.
59. Frank T. Nye, Cedar Rapids Gazette.
60. Louis Gardner, Republican News.

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.

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 A. Buckles, Calhoun county.

Journal Clerk—Edna Gillespie, Polk county.

Enrolled Bills Clerk—Marie Spencer, Polk county.

File Clerk—Emmett A. Moynihan, Iowa county.

Bill Clerk—Jessie Walker, Marshall county.

Clerk to Secretary of Senate—Grayce Prugh, Polk county.

Postmistress—Elsie C. Kent, Polk county.

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

Chief Doorkeeper—Ira Gripp, Union county.

Assistant Doorkeepers—Carl W. Hempstead, Guthrie county; Walter Homeyer, Scott county; John Olson, Clinton county; Victor Lindquist, Lucas county.

Telephone Messenger—Rhea Pape, Scott county.

Cloak Room Attendants—Mabel Mason, Polk county; Wm. Warfield, Polk county.

Lavatory Attendant—Nathan 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.

APPOINTMENT OF COMMITTEE CLERKS

Senator Evans moved that the following named committee clerks be appointed to perform such duties as may be assigned to them by members of the Senate or the Secretary of the Senate:

Selma Feldman, Des Moines County.

Gertrude Cabbage, Polk County.

Helen Larson Wagner, Polk County.

Angela Collins, Webster County.

Leona Story, Polk County.

Senator Mercer offered the following amendment as a substitute for the motion by Senator Evans and moved its adoption:

“That each Senator be permitted to employ a clerk”.

The amendment was lost.

The motion by Senator Evans prevailed and the foregoing committee clerks were declared elected and appeared before the bar of the Senate and were duly sworn and subscribed to their oaths of office.

APPOINTMENT OF PAGES

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

Charles (Bud) Dickson, Polk County; Billy Scarborough, Polk County; Robert Brauer, Polk County.

The foregoing pages appeared before the bar of the Senate and were duly sworn and subscribed to their oaths of office.

REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

Senator Lundy 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 THE 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.

PRESENTATION OF VISITOR

Senator Shaw asked and received unanimous consent to have presented to the Senate former Senator Carolyn C. Pendray of Jackson county.

Senator Shaw escorted Mrs. Pendray to the rostrum, she was introduced by President Blue and addressed the Senate briefly.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

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

House Concurrent Resolution 1 providing for a joint convention of the two Houses of the Extraordinary Session of the Fiftieth General Assembly to be held at 11:00 o'clock a. m., January 26, 1944, for the purpose of hearing the message of the governor.

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 Extraordinary Session of the Fiftieth General Assembly be held on January 26, 1944, at 11:00 a. m.

Be It Further Resolved: That Governor Hickenlooper 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.

Senator Evans 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.

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 concurrent resolution duly adopted, the joint convention was called to order, President Blue presiding.

Senator Hunt moved that roll call be dispensed with. Motion prevailed.

Gardner of Linn moved that a committee of two, consisting of one member from the Senate and one member from the House, be appointed to notify the Governor that the convention was ready to receive him. Motion prevailed. The President appointed Senator Henningsen of Clinton on the part of the Senate and Representative Gardner of Linn on the part of the House.

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

President Blue then presented Governor Bourke B. Hickenlooper who delivered the following message:

MESSAGE TO SPECIAL SESSION OF FIFTIETH
GENERAL ASSEMBLY

By GOVERNOR BOURKE B. HICKENLOOPER

January 26, 1944

11:00 a. m.

MR. PRESIDENT,

MR. SPEAKER,

THE HONORABLE MEMBERS OF THE GENERAL ASSEMBLY:

On December 28, 1943, I issued a proclamation convening your honorable body in Extraordinary Session on this date and you have convened in response thereto. The Constitution and the laws of the State of Iowa provide that there shall be a regular session of the legislature each two years beginning in January following the general election in November, but provision is made for special meetings when emergency matters of vital interest and necessity occur. Our laws further provide that when such special or emergency sessions are deemed necessary by the executive, he shall state to the legislature, when it is assembled, the purpose for which the call was issued. I do that now and state to you that the purpose for which this extraordinary or special session of the 50th General Assembly was convened by me is the necessity, in my opinion, of altering our election laws so that our citizens who are qualified voters in the armed forces of our country may be given every reasonable opportunity to vote in the primary and in the general election of 1944; and for the enactment of such necessary legislation as will accomplish this purpose and make any reasonably necessary or proper changes in our laws regarding elections as may facilitate or contribute to the accomplishment of this purpose.

Under existing law, with respect to absent voters and the casting of their ballots, there is but a twenty day period prior to any election, during which the absent voter must request an application for ballot, receive such application, return it to the county auditor, receive a ballot from the auditor, vote and return it to the auditor. Heretofore, this time has been found sufficient for ordinary use by absent voters within the territorial limits of the 48 states and is still ample within this country. Manifestly, however, with thousands of our citizens in remote parts of the world, this length of time is not sufficient for them to vote from overseas by absent voter's ballot.

There is no question involved as to the right of the voter in the armed forces to vote regardless of where he may be, but the question involved is one of opportunity and time within which he may exercise this right. Any legislation touching this right should be extended to all persons in the armed forces without any attempt to differentiate between those within the United States and those in foreign lands; because, with the rapidity of movement and uncertainty of location, there is no assurance

that any of such voters may remain for any length of time either within or without our territorial limits.

There has been much discussion in recent weeks concerning action by the national congress in connection with such voting. At no time in such discussion has there appeared any serious or feasible program under which the absent voter in the armed forces could be provided with any opportunity to vote for other than presidential and vice presidential electors and for members of the congress. No feasible or practical suggestion has been offered in connection with such national action that would in any way offer any opportunity for those who are defending their homes, their states as well as their nation, to register any opinion or cast any ballot with reference to the local county or state offices in their home counties and home states.

The Constitution of the United States places the power and the duty of providing for and regulating elections for national and state office primarily and in some instances exclusively with the legislatures of the respective states.

The first paragraph of section four, or article one of the Federal Constitution provides as follows:

"The times, places and manner of holding elections for senators and representatives, shall be prescribed in each state by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing senators."

The first two paragraphs of section one of article two of the Federal Constitution with respect to the president and vice president and their election are as follows:

"The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the vice president, chosen for the same term, be elected as follows:

"Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the state may be entitled in the congress: but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector."

These two sections of the federal constitution provide the basis for the very serious doubt that exists as to the ability or the right of the national congress to enact such legislation. By the same provisions, however, it does clearly and affirmatively appear that the responsibility and the obligation does rest upon the legislatures of the various states to provide for and protect the franchise of its citizens. It is because of this responsibility and obligation and under the existing circumstances in which our laws, adequate for normal peace-time service, are not adequate under these war-time conditions for the exercise of the franchise by members of our armed forces, especially in foreign lands, that I believe it to be the duty of the legislature to meet these responsibilities fully and promptly. May I add that, through letters and personal conversation with most of you heretofore, and especially since the date of the call for this session, I am convinced that you are unanimously of

the opinion that this is a duty and an obligation to be met and performed.

With regard to the method of voting and the necessary steps to be taken I have, of course, given some thought, and I have asked the Attorney General's office do some research. Whatever help or benefit may derive therefrom is available to you, not with the idea that any conclusions reached are final but rather from the standpoint of impartial research and opinion as to certain probable requirements in legislation to accomplish this purpose generally.

Based upon this thought and research, there are several factors that should be taken into consideration in connection with any legislation that may be enacted.

The right to vote being a fundamental principle of our system, the opportunity to vote at both the primary and the general election should be preserved to the greatest reasonable extent. It certainly is fundamental, under our party system of government, that the citizen shall have a right to choose his party and have a voice in the selection of his party candidates for office as well as the right to exercise his personal opinion in voting for officeholders in the general election.

In order that absent voters in remote places can have an opportunity to receive and return their ballots, it will be necessary to lengthen the time prior to each election during which such ballots may be forwarded and received. The newspapers indicate that it is the opinion of the war and navy departments that a minimum of 45 days is required, and I recommend that this time be increased by at least ten more days. Such lengthening of time will necessitate an earlier filing date for filing nomination papers by candidates and suggests that it will be necessary that primary candidates file their required nomination papers for county offices approximately 70 days prior to the primaries and for state and national offices at approximately 80 days prior to the primaries. This should occasion no hardship under the circumstances.

Care should be exercised so that technicalities of registration of absent voters in the armed forces be eliminated as far as possible, to facilitate voting.

The request for ballot on the part of the voter in the armed forces should be simplified, and, while I believe that the voter himself should make the request for ballot in the primaries because of the necessity for declaration of party affiliation, however, in the general election, adult members of his family should also be permitted to make application in his behalf if they or he so desire.

It also seems desirable that a voting or ballot commission be established for the purposes of the elections this year, and I recommend that such commission be established. It should have adequate, proper and uncontrolled representation from each of the two major parties in the state and such commission should have discretionary authority with respect to establishing uniformity in size, weight, and other matters in connection with the ballot. It should be authorized to make reasonable adjustments and provisions in connection with the transmittal of ballots, in keeping with any future regulations of the federal government, that may be helpful in connection with such absent voting.

There are, of course, many other items to be considered, but they are, largely, incidental, necessary alterations having to do with the mechanics of the legislation rather than the principle.

I recommend that the legislation herein contemplated be of a temporary nature, so far as this extraordinary session is concerned. It may be desirable, later, to make more permanent provision with respect to future elections, but any such permanent changes should be considered maturely by a regular session of the legislature, benefiting, no doubt, from the experience gained from temporary enactments.

An extraordinary session of the General Assembly is, of necessity, an emergency session. It is hastily called because of emergency demands. As a rule, no comprehensive planning has been made for its action, other than the needs of the particular emergency justifying its call. Such a session should, therefore, be most cautious with respect to considering or enacting permanent alterations or changes in established and operating statutes.

I know that you are busy people, and that you each have a multitude of duties in your own businesses and occupations, increased many times by the war effort, shortage of help and plans for greater individual and community effort for this year. I realize fully that you had little opportunity to make plans to come here and that it is a distinct effort on the part of each of you and a serious hardship for many. However, again may I say, and I am certain you agree, the importance of providing and protecting the opportunity of voting for our armed forces is one of the fundamental obligations of our state and of our citizens. Liberty has been preserved through the protection of the ballot—it is the bulwark of self-determination and our defense against autocracy. No more potent duty is placed upon public officials than to maintain that right to its greatest extent.

Your sons, your brothers, your loved ones are today fighting the greatest battle for the survival and future of freedom that the world has ever known. Your sisters and daughters are taking their parts. We, likewise, must meet the duties of home and society in this battle of freedom.

The state of Iowa is assuming its full share of responsibility in this war effort. With over 250,000 of our citizens in the armed forces, we are well above the national average in this field of the war. Our leadership in the purchase of bonds, in the production of food, in contribution to the various services, indicates that there is a deep appreciation of our responsibilities and a willingness to discharge them fully. The state legislature is the only body that can give the members of our armed forces the full opportunity to exercise all of their major rights of franchise, and we, as a state, would be derelict in our duty if we did not assume and discharge this responsibility, placed upon us by the federal constitution and gladly accepted by us. Our sons and daughters are citizens of our state as well as of the United States, and any voting opportunities that limit them to voting only for national officials would be a piece-meal approach to the discharge of the obligations we owe them and but partial recognition of the rights for which they are fighting.

Our citizens have a vital interest in their county officers and county government and in their state officers and state government as well as in national offices and national government. To limit their voting opportunities to national offices only would be to assume that there are no offices and there is no government worthy of consideration other than national. I do not agree with such an assumption or such philosophy.

May I assure you of my full confidence in your judgment in connection with the enactment of proper legislation on this subject and I offer every cooperation in connection with the action of this legislature to accomplish this purpose.

Morrissey of Jasper moved the joint convention be now dissolved. Motion prevailed.

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

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

AFTERNOON SESSION

The Senate reconvened, President Blue presiding.

ADOPTION OF RULES

Senator Byers moved that the following rules be adopted as the rules of the Senate for the 50th General Assembly in Extraordinary Session:

SENATE RULES

The rules adopted for the procedure of the Senate in the 50th General Assembly shall be the rules of this Extraordinary Session of the 50th General Assembly; except Senate rules 16 and the first sentence of rule 17 and rules 20, 21, 22, 23, 26, 30, 31, 32, 33, 34, 35, 36, 37, 38 and 42, and except as modified by the following special rules to wit:

Special Rule 1. No bill shall be filed in or received by the Senate except a bill or bills produced and filed by a committee of the whole of the Senate and bills passed by the House.

Special Rule 2. The only bills that shall be considered by the Senate shall be a bill or bills produced and filed by a committee of the whole of the Senate or passed by the House and the subject matter of which is confined to legislation pertaining to absent voting in 1944 by members of the armed forces of the United States of America, and such other necessary bills and resolutions as may be needed to provide for the convening, organization, conduct, expense, and adjournment of this Extraordinary Session, and such bills and resolutions shall likewise be introduced only by a committee of the whole.

Senator Whitehill moved to amend Special Rule 2 as follows and moved its adoption:

Amend Special Rule 2 following the word "America" by adding the following: "or any member of any organization attached to or under supervision of the armed forces of the United States",

The amendment was adopted.

Senator Faul took the chair at 3:15 p. m.

Senator Watson moved to amend Special Rule 2 following the amendment by Senator Whitehill by adding the following and moved its adoption:

"and pertaining to any proposal to repeal the individual income tax law or the suspension of the 1944 tax thereunder".

Senator Hill moved the previous question on the amendment by Senator Watson which motion prevailed.

The amendment was lost.

A division was called for and the result showed Ayes 8 and Nays 33.

Senator Lundy moved to amend Special Rule 2 following the Whitehill amendment by adding the following and moved its adoption:

"considering and filing a bill to amend shooting of coal on shift".

Senator Hill moved the previous question on the adoption of the rules and all amendments.

The motion prevailed and the amendment was lost.

A division was called for and the result showed Ayes 11 and Nays 25.

The rules as amended were adopted.

Senator Byers moved that the joint rules of the House and Senate of the 50th General Assembly be made the Joint Rules of the 50th General Assembly in Extraordinary Session which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Joint Resolution 1, fixing the compensation of officers and employees of the Extraordinary Session of the Fiftieth General Assembly and making an appropriation to cover the expenses of the session.

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 extra legislative help.

A. C. GUSTAFSON, *Chief Clerk*.

HOUSE CONCURRENT RESOLUTION 2

Be It Resolved by the House, the Senate Concurring: That the following named persons be selected as extra legislative help and assigned to the office of the State House Custodian, and that their compensations be the same as paid for like services in the Fiftieth General Assembly.

Nellie Griffin—Elevator Operator.

John A. Baker—Janitor.

Tom Darby—Janitor.

John A. Gorden—Janitor.

HOUSE MESSAGE CONSIDERED

House Joint Resolution 1, a resolution fixing the compensation of officers and employees of the Extraordinary Session of the 50th General Assembly.

Read first and second times and passed on file.

THIRD READING OF BILLS

Senator Evans asked and received unanimous consent that the rules be suspended and that the Senate take up at this time House Joint Resolution 1.

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

On the question "Shall the resolution be adopted" the vote was:

Ayes, 48:

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

Nays, none.

Absent or not voting, 2:

Augustine Dykhouse

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

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

HOUSE CONCURRENT RESOLUTION 2

Senator Evans asked and received unanimous consent that the Senate take up at this time House Concurrent Resolution 2.

Senator Evans moved that House Concurrent Resolution 2 be adopted.

The motion prevailed and the resolution was adopted.

Senator Hunt moved that the Senate resolve itself into a committee of the whole, which motion prevailed.

Senator Hunt moved that the committee of the whole be dissolved which motion prevailed and the Senate resumed regular session.

INTRODUCTION OF BILLS

Senate File 1, by the committee of the whole of the Senate a bill for an act to provide facilities for qualified electors of the State of Iowa serving in the armed forces of the United States to vote at the Primary and General Elections in the year 1944 by casting absent voter's ballots and to that end to advance the dates for filing nomination papers, affidavits of candidacy, certificates of candidacies and nominations by modifying the provisions of Sections Five Hundred Thirty-seven (537), Five Hundred Thirty-nine (539), Five Hundred Forty-seven (547), Five Hundred Forty-eight (548), Six Hundred One (601) and Six Hundred Seventeen (617), Code 1939, to modify the provisions of Chapters 37.1 and 37.2, Code 1939, as to time of filing nominations and candidacies, objections, withdrawals, making certifications which are provided for in Sections Six Hundred Fifty-five and Four-hundredths (655.04), Six Hundred Fifty-five and Nine-hundredths (655.09), and Six Hundred Fifty-five and Fourteen hundredths (655.14), Code

1939, to modify the provisions as to registration and absent voting insofar as it shall apply to voters in the armed forces of the United States by making Sections Nine Hundred Twenty-eight (928), Nine Hundred Thirty (930), and Nine Hundred Thirty-one (931), Code 1939, inapplicable to such voting, and providing the method of obtaining ballots and authorizing specially printed War Ballots; creating and prescribing the duties and powers of the Iowa War Ballot Commission; providing for obtaining and distributing by the State Printing Board of specially required materials, and making appropriations for carrying out the provisions of this act.

Read first and second times and placed on the calendar.

Senate File 2, by the committee of the whole of the Senate, a bill for an act to amend Section Nine Hundred Thirty-nine (939), Code, 1939, relating to the form of the affidavit for the envelope for the absent voter's ballot.

Read first and second times and placed on the calendar.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 27, 1944.

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

Prayer was offered by Rev. J. Lynn Pace, pastor of the First Baptist Church, Monroe.

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 Joint Rules of the Senate and House of the Fiftieth General Assembly as the Joint Rules of the Senate and House for the Extraordinary Session of the Fiftieth General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

COMMITTEE ON MILEAGE

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

The motion prevailed and the President appointed as such committee Senators Schluter, Thompson and Augustine.

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.....	95	\$ 9.50	Goode	110	11.00
Augustine	60	6.00	Hart	186	18.60
Bekman	91	9.10	Harvey	136	13.60
Benson	70	7.00	Hattery	40	4.00
Berg	104	10.40	Henningsen	225	22.50
Byers	118	11.80	Hess	200	20.00
Clark	73	7.30	Hill	88	8.80
Clem	199	19.90	Hunt	210	21.00
Cromwell	168	16.80	Johnson	107	10.70
Dykhouse	259	25.90	Jones	45	4.50
Elthon	135	13.50	Keir	190	19.00
Evans	139	13.90	Leo	98	9.80
Faul—No claim for mileage.			Long	163	16.30
Findlay	92	9.20	Love	75	7.50
Foster	135	13.50	Lundy	68	6.80
Fuller	225	22.50	Lynes	142	14.20

Name	Miles	Amt.	Name	Miles	Amt.
Martin	182	18.20	Stewart	153	15.30
Mercer	120	12.00	Thompson	75	7.50
Miller	90	9.00	Turner	100	10.00
Mowry	33	3.30	Vittetoe	85	8.50
Pelzer	100	10.00	Vrba	220	22.00
Pine	150	15.00	Wade	117	11.70
Reilly	225	22.50	Watson	140	14.00
Schluter	155	15.50	Whitehill	50	5.00
Shaw	135	13.50	Zastrow	145	14.50
Sjulin	175	17.50			

EDWIN C. SCHLUTER.

T. M. THOMPSON.

A. E. AUGUSTINE.

Senator Schluter moved the adoption of the report.

The motion prevailed and the report was adopted.

Senator Byers moved that the Senate reconsider the vote by which the rules of the Senate for the 50th General Assembly in Extraordinary Session were adopted.

The motion prevailed and the Senate reconsidered the vote by which the rules were adopted.

Senator Schluter moved that the Senate reconsider the vote by which the Whitehill amendment to Special Rule 2 of the Senate rules was adopted.

The motion prevailed and the Senate reconsidered the vote by which the Whitehill amendment was adopted.

Senator Whitehill asked and received unanimous consent to withdraw his amendment to Special Rule 2 of the Senate rules.

Senator Byers moved that the Senate Rules for the 50th General Assembly in Extraordinary Session and found on page 13 of the Senate Journal be adopted.

The motion prevailed and the rules were adopted.

PRESENTATION OF VISITOR

Senator Keir asked and received unanimous consent to present to the Senate First Sergeant Franklin M. "Zip" Koons of Swea City, Iowa, a member of the United States Rangers, and who holds the distinction of being the first American soldier to fire a shot on European soil in this war, who was present in the chamber.

Senator Keir escorted Sergeant Koons to the rostrum and he

brought to the Senate some most interesting facts concerning his experiences.

Senator Keir also presented to the Senate Sergeant Koons' "Kid Sister" Dorothy, Miss Anderson and Major Stemple who were also present in the Senate Chamber.

Senator Hunt moved that the Senate resolve itself into a committee of the whole and that Floyd Philbrick, First Assistant Attorney General, be invited to explain in detail Senate File 1, which motion prevailed.

Senator Hunt moved that the committee of the whole be dissolved which motion prevailed and the Senate resumed regular session.

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

AFTERNOON SESSION

The Senate reconvened, President Blue presiding.

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.

BILL SIGNED BY THE PRESIDENT

The president of the senate announced that, as president of the senate, he had signed in the presence of the senate, House Joint Resolution 1.

Senator Berg asked and received unanimous consent that in his absence he be permitted to leave at the desk his sealed vote on Senate Files 1 and 2.

Senator Hunt moved that the Senate resolve itself into a committee of the whole for further explanation of Senate File 1, which motion prevailed.

Senator Hunt moved that the committee of the whole be dis-

solved which motion prevailed and the Senate resumed regular session.

THIRD READING OF BILLS

On motion of Senator Faul, Senate File 1, a bill for an act to provide facilities for qualified electors of the State of Iowa serving in the armed forces of the United States to vote at the Primary and General Elections in the year 1944 by casting absent voter's ballots and to that end to advance the dates for filing nomination papers, affidavits of candidacy, certificates of candidacies and nominations by modifying the provisions of Sections Five Hundred Thirty-seven (537), Five Hundred Thirty-nine (539), Five Hundred Forty-seven (547), Five Hundred Forty-eight (548), Six Hundred One (601) and Six Hundred Seventeen (617), Code 1939, to modify the provisions of Chapters 37.1 and 37.2, Code 1939, as to time of filing nominations and candidacies, objections, withdrawals, making certifications which are provided for in Sections Six Hundred Fifty-five and Four-hundredths (655.04), Six Hundred Fifty-five and Nine-hundredths (655.09), and Six Hundred Fifty-five and Fourteen-hundredths (655.14), Code 1939, to modify the provisions as to registration and absent voting insofar as it shall apply to voters in the armed forces of the United States by making Sections Nine Hundred Twenty-eight (928), Nine Hundred Thirty (930), and Nine Hundred Thirty-one (931), Code 1939, inapplicable to such voting, and providing the method of obtaining ballots and authorizing specially printed War Ballots; creating and prescribing the duties and powers of the Iowa War Ballot Commission; providing for obtaining and distributing by the State Printing Board of specially required materials, and making appropriations for carrying out the provisions of this Act was taken up and considered.

Senator Watson offered the following amendment and moved its adoption:

Amend Senate File 1 by adding after the word "state" in line 25 of Section 16 the following " , city, town".

The amendment was adopted.

Senators Lundy and Faul offered the following amendment and moved its adoption:

Amend Senate File 1, as follows:

Amend Section 28 by inserting after the word "the" in line 8, the words "Union-Republican", further amend by adding after the word

"at" in line 4, the word "Albia", and further amend said section, following the word "the" in line 4, by adding the words "Plain Talk", and further amend said section in line 5, after the word "at" by inserting the word "Des Moines."

The amendment was adopted.

Senator Hunt offered the following amendment and moved its adoption:

Amend Senate File 1 by adding at the end of paragraph two (2) of section 21 in line 18 of said section the following:

"the provisions of section seven hundred seventy-four (774), Code 1939, establishing the maximum cost of printing ballots, shall not govern as to the cost of any specially printed ballots authorized by this act, but the cost of printing any such specially printed ballots by the several counties shall not exceed an amount, per thousand such ballots or fraction thereof, which may be determined by the State Printing Board upon the basis of cost and weight of paper, size of ballots and type measurements;"

The amendment was adopted.

Senator Goode offered the following amendment and moved it adoption:

Amend Senate File 1 by adding immediately following section 17 the following as section 18:

(1) "Notwithstanding the provision as to time found in section nine hundred thirty-seven (937), Code 1939, in the year 1944 any qualified voter in the armed forces of the United States may personally appear in the office of the county auditor of the county of his residence and there vote an absent voter's ballot at any time not earlier than fifty-five (55) days before the Primary or General Election, as the case may be."

(2) Further amend by renumbering the succeeding sections.

The amendment was adopted.

Senator Byers offered the following amendment and moved its adoption:

Amend Senate File 1 by inserting after the word "ballot" in line 16 of Section 17 the following: "provided for by this Act".

The amendment was adopted.

Senator Hill offered the following amendment and moved its adoption:

Amend Senate File 1 by adding after the word "transmitted" in line three of Section 17 the following: ", and the manner of transmittal,".

The amendment was adopted.

Senator Shaw offered the following amendment and moved its adoption:

Amend Senate File 1 by inserting after the word "all" in section 17, line 17, the words "except the first".

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

Senator Long offered the following amendment and moved its adoption:

Amend Senate File 1 by inserting after the word "otherwise" in line 32 of section 16 the words "postage prepaid."

The amendment was adopted.

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

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

Ayes, 50:

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

Nays, none.

Absent or not voting, none.

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

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 Faul asked and received unanimous consent to amend the title, and when so amended that Senate File 1 be immediately messaged to the House.

Amendment to title:

Amend the title to Senate File 1 by inserting after Code 1939, in line 17 the following: "also amending Section Seven Hundred Seventy-four

(774), Code 1939, relating to cost of printing absent voter's ballots, also amending Section Nine Hundred Thirty-seven (937), Code 1939, relating to time when qualified voters in the armed forces may vote personally;"

On motion of Senator Lundy, Senate File 2, a bill for an act to amend Section Nine Hundred Thirty-nine (939), Code 1939, relating to the form of the affidavit for the envelope for the absent voter's ballot was taken up and considered.

Senators Hart and Thompson offered the following amendment and moved its adoption:

Amend Senate File 2 as follows: Amend Section 2 at line 3 by adding after the word "the" the following: "Daily Gate City"; amend line 4 after the word "at" the word "Keokuk". Further amend line 4 following the word "the" the following words "Afton Star-Enterprise" and further amend line 5 after the word "at" by adding the word "Afton".

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, 50:

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

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

Senator Lundy asked and received unanimous consent that Senate File 2 be immediately messaged to the House.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 28, 1944.

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

Prayer was offered by Rev. Paul Hicks, pastor of the Methodist church, Harlan.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Berg for the day on request of Senator Faul.

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 2, a bill for an act relating to the form of affidavit for envelopes for absent voter ballots. A. C. GUSTAFSON, *Chief Clerk*.

Senator Lynes asked and received unanimous consent to have the following report printed in the Journal:

REPORT TO THE MEMBERS OF THE SENATE ON THE ILLUMINATION IN THE SENATE CHAMBER by

W. Sheldon Gladstone, Optometrist
Louise A. Weston, Illumination Counselor

On the evening of January 27th, after sundown and with shades and drapes drawn and all electric lights on, the desk top illumination of each desk in the Senate Chamber was carefully measured in foot candles by use of accurate professional instruments.

The lowest illumination was found to be 8 foot candles on desks Nos. 41 and 42.

The highest illumination was found to be 18 foot candles on desks Nos. 1, 2, 19, 20, 21.

The average desk top illumination was found to be 14.4 foot candles.

It is the opinion of those making this survey that the general and specific illumination in the Senate Chamber could be improved upon.

In view of the fact that almost all electric fixtures are out of manufacture for the duration and since the electric illumination facilities in the Senate Chamber are at least tolerable, it would seem inadvisable to undertake any extensive remodeling of the equipment at this time. At the proper time, the five candelabras can be re-designed, using newly

developed light sources, without losing any of their present intrinsic beauty. The balance of the illumination facilities can be stepped up or augmented by additional lighting units.

RECOMMENDATIONS FOR IMMEDIATE RELIEF

The principal recommendation for the Senate Chamber is the installation of Venetian blinds. Due to lightness of weight, wood slat Venetian blinds in the large windows of public buildings are still to be recommended over the steel slat varieties. The manufacture of wood slat Venetian blinds is still permitted under ceiling price regulations. In view of these facts, there apparently is nothing to be lost by installing the Venetian blinds as soon as funds can be appropriated. This seems especially true since the drapes at the windows, are in bad repair. Whether or not Venetian blinds are installed in the House Chamber, would, of course, influence decision in this matter.

The Venetian blinds should be finished in a color harmonious with the general architecture of the Chamber, and installed in line with the inner edges of the casements to allow room for the windows to be opened behind them for ventilation. Adjustment of the angle of the slats in the blinds will divert the natural daylight to the ceiling, from where it will be reflected to the floor. This action will properly diffuse the light and improve the general illumination by at least 50% during daylight hours. The specific illumination on the desk tops should be improved by an average of 5 foot candles during daylight hours of medium brightness. On days when the sun is shining, the increase in desk top illumination would be more than adequate. This blending of natural and artificial light is highly desirable.

The Venetian blinds could be securely anchored at the bottom so that they could be manipulated easily and would not vibrate if the windows were open allowing air currents to pass through.

One estimate on the cost of Venetian blinds was obtained for informative purposes. This estimate was 50c per square foot of window area or about \$75 per window, plus the cost of installation, which should not be over \$10 per window.

The wattage of the incandescent lamps used in the ceiling molding should be materially increased if the wiring circuits will permit an increase in the load.

Only the cost of the lamps would be involved in changing present electric lighting.

Respectfully submitted,

W. SHELDON GLADSTONE, *Optometrist.*

LOUISE A. WESTON, *Illumination Counselor.*

COURTESIES EXTENDED NEWLY ELECTED SENATORS

Senator Faul arose in behalf of the two newly elected Senators, elected to fill the vacancies in the 50th General Assembly in Extraordinary Session, Senator Wade of the Second District and Senator Thompson of the Fifth District. Senator Faul stated

that it was not the intention of either of the Senators to return to the Senate.

President Blue called to the rostrum Senator Wade who took the chair at 10:45 a. m.

Senator Wade recognized the Senator from Union, Senator Thompson who addressed the Senate briefly.

President Blue took the chair at 10:50 a. m., and called to the rostrum Senator Thompson who took the chair at 10:52 a. m.

Senator Thompson recognized the Senator from Jefferson, Senator Wade who addressed the Senate briefly.

President Blue took the chair at 10:55 a. m.

Senator Faul moved that the Senate resolve itself into a committee of the whole, which motion prevailed.

Senator Faul moved that the committee of the whole be dissolved which motion prevailed and the Senate resumed regular session.

LEGISLATIVE EXPENSES

Under authority of Chapter Twenty-six (26), Laws of the 49th General Assembly, and as provided by House Joint Resolution 1 making an appropriation for the payment of expenses of the Senate, the following expenses have been incurred to date by the Secretary of the Senate:

W. J. Scarborough, Secretary of Senate, Cash Advanced and Postage	\$ 25.00
M and M Sales Company, Des Moines, Iowa, Rental on Typewriters	39.50
Storey-Kenworthy Co., Des Moines, Iowa, Supplies to Secretary of Senate	67.55
Koch Brothers, Des Moines, Iowa, Supplies to Secretary of Senate	48.68
Total	\$180.73

Dated at the State House, Des Moines, Iowa, this 28th day of January, 1944.

Approved:

G. W. HUNT, *Chairman,*

Committee of the Whole of the Senate.

ROBERT D. BLUE, *President of the Senate.*

W. J. SCARBOROUGH, *Secretary of the Senate.*

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

house has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 1, a bill for an act to provide facilities for qualified electors of the State of Iowa serving in the armed forces of the United States to vote in the Primary and General Elections in the year 1944 by casting absent voter ballots.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS CONSIDERED

Senator Faul called up for reconsideration Senate File 1, a bill for an act to provide facilities for qualified electors of the State of Iowa serving in the armed forces of the United States to vote at the Primary and General Elections in the year 1944 by casting absent voter's ballots and to that end to advance the dates for filing nomination papers, affidavits of candidacy, certificates of candidacies and nominations by modifying the provisions of Sections Five Hundred Thirty-seven (537), Five Hundred Thirty-nine (539), Five Hundred Forty-seven (547), Five Hundred Forty-eight (548), Six Hundred One (601) and Six Hundred Seventeen (617), Code 1939, to modify the provisions of Chapters 37.1 and 37.2, Code 1939, as to time of filing nominations and candidacies, objections, withdrawals, making certifications which are provided for in Sections Six Hundred Fifty-five and Four-hundredths (655.04), Six Hundred Fifty-five and Nine-hundredths (655.09), and Six Hundred Fifty-five and Fourteen-hundredths (655.14), Code 1939, also amending Section Seven Hundred Seventy-four (774), Code 1939, relating to cost of printing absent voter's ballots, also amending Section Nine Hundred Thirty-seven (937), Code 1939, relating to time when qualified voters in the armed forces may vote personally, to modify the provisions as to registration and absent voting insofar as it shall apply to voters in the armed forces of the United States by making Sections Nine Hundred Twenty-eight (928), Nine Hundred Thirty (930), and Nine Hundred Thirty-one (931), Code 1939, inapplicable to such voting, and providing the method of obtaining ballots and authorizing specially printed War Ballots; creating and prescribing the duties and powers of the Iowa War Ballot Commission; providing for obtaining and distributing by the State Printing Board of specially required materials, and making appropriations for carrying out the provisions of this act, amended by the House, and moved that the Senate concur in the following amendments:

Amend section 16, line 42, by striking the period following the word "honored" and inserting in lieu thereof the following: "; provided that a request which states the age and the city or town, including street

address, if any, or township, and county wherein the voter resides, and which shows a sufficient period of residence, shall be sufficient to show that he is such a qualified voter."

Amend section 20, line 7, by inserting after the word "officer" the words "or person".

Further amend section 20, line 8, by inserting after the word "service" the words "or other legal qualifications".

Amend section 22, line 18, by inserting after the semicolon following the word "state" the following: "and provided further that".

Amend section 28 by adding thereto the following: "Likewise, the provision or provisions of any other existing statute or any part of any other existing statute which is not inconsistent with this act, shall prevail."

Amend section 29 by striking from line 4 the words "Plain Talk" and inserting in lieu thereof the words "Perry Daily Chief"; and by striking from line 5 the word "Des Moines" and inserting in lieu thereof the word "Perry".

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.

In accordance with unanimous consent previously granted, President Blue announced that Senator Berg would be recorded as voting "aye" on the final passage of Senate File 1.

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

Ayes, 50:

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

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 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.

COMMUNICATION FROM THE GOVERNOR

January 27, 1944

HONORABLE ROBERT D. BLUE, President of the Senate,
HONORABLE MEMBERS OF THE SENATE:

This is to notify your honorable body that I have on this date approved and signed House Joint Resolution 1, "A Joint Resolution Fixing the Compensation of Officers and Employees of the Extraordinary Session of the Fiftieth General Assembly, and Making an Appropriation for the Payment of the Miscellaneous Expenses of Said Session."

Very truly yours,

B. B. HICKENLOOPER, *Governor.*

EXTRA COPIES

Senator Faul asked and received unanimous consent that Senate File 1 as amended be reprinted and that 5000 copies be printed. Also that a copy be sent to each member of the Senate.

SENATE CONCURRENT RESOLUTION 1

Be It Resolved by the Senate, The House Concurring: That the Fiftieth General Assembly in Extraordinary Session adjourn sine die at 4:00 o'clock p. m. Friday, January 28, 1944.

Senator Hunt asked and received unanimous consent that the rules be suspended and that the Senate take up at this time Senate Concurrent Resolution 1, and moved its adoption.

The motion prevailed and the resolution was adopted.

PRESENTATION OF VISITORS

Senator Faul asked and received unanimous consent to present the Civil Government Class of the Mitchellville high school who were present in the balcony with their instructor Mr. Keith Van Horne.

SENATE CONCURRENT RESOLUTION 2

Be It Resolved by the Senate, the House Concurring: That the Journals of the House and of the Senate for the Fiftieth General Assembly in Extraordinary Session be included in the Senate and House Journals of the Fifty-first General Assembly of Iowa.

Senator Evans asked and received unanimous consent that the rules be suspended and that the Senate take up at this time Senate Concurrent Resolution 2, and moved its adoption.

The motion prevailed and the resolution was adopted.

Senator Evans asked and received unanimous consent that Senate Concurrent Resolution 2 be immediately messaged to the House.

Senator Byers moved that the Secretary of the Senate be authorized to make any necessary changes in the Journal which motion prevailed.

On motion of Senator Byers the Senate recessed until 3:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Blue presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate Concurrent Resolution 1 providing for the adjournment sine die of the Extraordinary Session of the Fiftieth General Assembly.

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

Senate Concurrent Resolution 2 providing that the Journals of the House and Senate of the Extraordinary Session of the Fiftieth General Assembly be included in the Journals of the Fifty-first General Assembly of Iowa.

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 1 and 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 Files 1 and 2.

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, 1944, sent to the governor for his approval, Senate Files 1 and 2.

ROBERT C. REILLY, *Chairman.*

Passed on file.

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Long moved that a committee of three be appointed by the President of the Senate to notify the Governor that the Senate was ready to adjourn sine die. The motion prevailed and the President of the Senate appointed as such committee: Senators Long, Foster, and Vrba.

COMMITTEE TO NOTIFY THE HOUSE

Senator Reilly moved that a committee of three be appointed by the President of the Senate to notify the House that the Senate was ready to adjourn sine die. The motion prevailed and the President of the Senate appointed as such committee: Senators Reilly, Pelzer, and Thompson.

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

Senator Reilly reported that the Committee to notify the House that the Senate was ready to adjourn sine die had performed its duty and the Committee was discharged.

REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

Senator Long reported that the Committee to notify the Governor that the Senate was ready to adjourn sine die had performed its duty and the Governor had sent the following message:

January 28, 1944.

HONORABLE ROBERT D. BLUE, President of the Senate, and
HONORABLE MEMBERS OF THE SENATE:

You have just completed a most important and vital legislative session with dispatch and statesmanship.

No more fundamental issue can possibly concern any public official than the preservation and the integrity of the right to a full ballot, and you have met the responsibility to the members of the armed forces in this respect amply.

Again may I state to you my sentiments with regard to the ballot for those in service as contained in my message at the beginning of this session, as follows:

"Our citizens have a vital interest in their county officers and county government and in their state officers and state government as well as in national offices and national government. To limit their voting opportunities to national offices only would be to assume there are no offices and there is no government worthy of consideration other than national. I do not agree with such an assumption or such philosophy."

You have enlarged the opportunity for absent voting to the members of our armed forces to include state and county candidates as well as national candidates. I am certain that our service men and women will appreciate the fact that you have not attempted to limit them in their voting to national offices only.

I thank you for your splendid cooperation and for your unanimous approval and enactment of this legislation. May good fortune attend you as you leave for your respective homes.

Yours very truly,

B. B. HICKENLOOPER, *Governor.*

The report was accepted and the committee discharged.

FINAL ADJOURNMENT

In accordance with Senate Concurrent Resolution 1, the hour of four o'clock p. m., January 28, 1944, having arrived, President Robert D. Blue declared the Senate of the Fiftieth General Assembly in Extraordinary Session adjourned sine die.

HISTORY OF HOUSE JOINT RESOLUTION AND OF SENATE BILLS IN SENATE

RECORD OF EACH BILL

H. J.R.	Page	S.F.	Page
1 By Martin. Relating to compensation of officers and employees of the Extraordinary Session of the Fiftieth General Assembly; appropriation for payment of miscellaneous expenses thereof.		Title amended.....	23
Received, passed on file.....	15	Passed; ayes 50, nays none.....	23
Passed; ayes 48, nays none.....	15	Concurred	29
Signed by President.....	20	Passed; ayes 50, nays none.....	29
Approved Jan. 27, 1944.		Reported enrolled.....	31
		Signed by President.....	31
		Approved Jan. 28, 1944.	
		Sent to Governor.....	32
S. F.	Page	2 By Committee of the Whole. Relating to form of affidavit for envelope for absent voter's ballot.	
1 By Committee of the Whole. Relating to registration and absent voting in so far as applicable to voters in armed forces of the United States.		Introduced, placed on calendar..	17
Introduced, placed on calendar..	16	Amendment adopted.....	24
Amendments adopted..... 21, 22, 23		Passed; ayes 50, nays none.....	24
		Reported enrolled	31
		Signed by President.....	31
		Sent to Governor.....	32
		Approved, Jan. 28, 1944.	

CONCURRENT RESOLUTIONS

ACTION ON SENATE CONCURRENT RESOLUTIONS

- 1—Relating to adjournment sine die Friday, January 28, 1944..... 30
- 2—Relating to inclusion of Journals for Fiftieth General Assembly Extraordinary Session in Journals of Fifty-first General Assembly of Iowa 30

ACTION ON HOUSE CONCURRENT RESOLUTIONS

- 1—Relating to joint convention to be held January 26, 1944, to receive Governor Hickenlooper's message..... 8
- 2—Relating to extra legislative help to be assigned to State House Custodian 15, 16

GENERAL INDEX

FIFTIETH GENERAL ASSEMBLY

in EXTRAORDINARY SESSION

(Figures after Bills Introduced indicate File numbers;
all other figures indicate page numbers.)

GENERAL INDEX—EXTRA SESSION

ADDRESSED THE SENATE—	
Senator Carolyn C. Pendray.....	7
AUGUSTINE, A. E.—Senator Fourteenth District.	
Committee appointment	14
BEKMAN, E. K.—Senator Thirteenth District.	
Motions made	4
BENSON, RALPH E.—Senator Forty-eighth District.	
Committee appointments	3
BERG, JOHN P.—Senator Thirty-eighth District.	
Leave of absence granted.....	25
Asked unanimous consent.....	20, 29
BLUE, ROBERT D., President of the Senate.	
(See also Lieutenant Governor.)	
Called Special Session to order.....	1
Presided at Joint Convention	8
Adjourned Special Session.....	33
Bills signed by	20, 31
BYERS, FRANK C.—Senator Twenty-sixth District.	
Amendments offered	22
Motions made	2, 13, 14, 19, 22, 31
CERTIFICATE OF ELECTION—	
Of new members.....	2
CHAPLAINS—	
Shiffer, Harry T.....	2
Pace, J. Lynn.....	18
Hicks, Paul	25
COMMITTEES—	
On credentials	3
To notify the House.....	5, 32
To notify the Governor.....	5, 32
On mileage	18
From the House.....	6, 8, 27, 32
COMMITTEE OF THE WHOLE—	
Bills introduced by—Nos. 1, 2.	
Senate resolved into	16, 20, 27
COMMUNICATIONS—	
From the Governor.....	1, 30, 33
From the Secretary of State.....	2
ENROLLED BILLS, COMMITTEE ON—	
Reports of.....	20, 31, 32

GENERAL INDEX—EXTRA SESSION

37

EVANS, KENNETH A.—Senator Eighth District.	
Motions made.....	2, 6, 8, 15, 16
Asked unanimous consent.....	6, 8, 15, 16, 30, 31
FAUL, GEORGE, Senator Thirtieth District.	
Asked unanimous consent.....	23, 30
Amendments offered	21
Presided at session of Senate.....	14
Motions made.....	21, 23, 27, 29
Remarks by	26
FIFTIETH GENERAL ASSEMBLY IN EXTRAORDINARY SESSION—	
Appropriation providing for expenses of.....	15
Adjournment sine die, resolution relating to.....	30
Final adjournment	33
Printing of Journals of authorized included in permanent volumes of Fifty-first General Assembly.....	30
FINDLAY, C. V.—Senator Twenty-seventh District.	
Committee appointments	3
FOSTER, HARLAN C.—Senator Tenth District.	
Committee appointments	3
GOODE, DEWEY E.—Senator Third District.	
Amendments offered	22
Motions made	22
GOVERNOR BOURKE B. HICKENLOOPER—	
Proclamation by	1
Messages from to Senate.....	1, 30, 33
Message from to Joint Convention.....	9
HART, STANLEY L.—Senator First District.	
Permanent officers nominated by.....	6
Amendments offered	24
Motions made.....	5, 24
HENNINGSEN, O. H.—Senator Twenty-second District.	
Committee appointments	8
HESS, R. E.—Senator Forty-sixth District.	
Committee appointments	5
HICKENLOOPER, GOVERNOR BOURKE B.—	
Proclamation by	1
Message from to Senate.....	1, 30, 33
Message from to Joint Convention.....	9
HILL, G. R.—Senator Thirty-seventh District.	
Amendments offered	22
Motions made	14, 22
HUNT, G. W.—Senator Thirty-sixth District.	
Asked unanimous consent	30
Amendments offered	22
Motions made.....	8, 13, 16, 17, 20, 22, 24
ILLUMINATION IN THE SENATE CHAMBER—	
Report on	25
Recommendations for	26

JOINT CONVENTIONS—

To hear message of Governor	8
Committee from to notify Governor.....	8

JONES, FLOYD—Senator Eleventh District.

Committee appointments	5
------------------------------	---

KEIR, ROBERT—Senator Forty-seventh District.

Asked unanimous consent.....	19
------------------------------	----

LEGISLATIVE EMPLOYEES—

Election of permanent officers and employees.....	6
Temporary officers	2
Committee clerks	6, 7
Pages	7
Took oath of office.....	6, 7
Chaplains	2, 18, 25
Compensation of	15, 16
Extra help	15, 16

LEGISLATIVE EXPENSES—

Resolution relating to an appropriation for.....	15, 16
Resolution relating to compensation for extra help.....	15, 16
Resolution relating to compensation of officers and employees.....	15, 16
Bills allowed	27

LIEUTENANT GOVERNOR ROBERT D. BLUE—

Called Special Session to order.....	1
Presided at Joint Convention.....	8
Adjourned Special Session.....	33

LONG, IRVING D.—Senator Thirty-third District.

Amendment offered	23
Motion made.....	23

LUNDY, HUGH V.—Senator Fifteenth District.

Committee appointments	5
Amendments offered	14, 21
Motions made	5, 14, 21, 24
Asked unanimous consent.....	24

LYNES, J. KENDALL—Senator Thirty-ninth District.

Asked unanimous consent	25
-------------------------------	----

MARTIN, FRANK D.—Senator Thirty-first District.

Committee appointment	5
-----------------------------	---

MERCER, LEROY S.—Senator Twenty-fifth District.

Amendments offered	6
Motions made	6

MESSAGES—

From the Governor.....	1, 30, 33
From the House.....	7, 14, 18, 25, 31
From the Secretary of State.....	2
From the Governor to Joint Convention.....	9
To the House.....	24, 27, 31

MOWRY, ROSS R.—Senator Twenty-ninth District.

Motion made	23
-------------------	----

PERMANENT OFFICERS—

Election of	6
Took oath of office.....	6

GENERAL INDEX—EXTRA SESSION

39

PINE, F. J.—Senator Twentieth District.	
Committee appointment	5
Motions made	5
PRESENTED TO SENATE—	
Pendray, Carolyn C., former Senator Jackson county.....	7
Koons, Franklin M. "Zip", First Sergeant of United States Rangers, the first American soldier to fire a shot on European soil, World War II	19
Koons, Dorothy, Miss Anderson, Major Stemple.....	20
Mitchellville high school civil government class and instructor, Kelth Van Horne	30
PRESS—	
Assignment of seats to representatives of.....	5
PRINTING—	
Reprinting of Senate File 1 as amended, authorized.....	30
Distribution of S. F. 1 directed.....	30
Journals of Fiftieth General Assembly Special Session authorized to be included in permanent volumes of Fifty-first General Assembly	30
RULES—	
Motion on	13
Fiftieth General Assembly rules adopted with exceptions.....	19
Votes on reconsidered.....	19
Suspension of	15, 30
Special rules	13
Special rules amended.....	14
Joint rules adopted	14
SCARBOROUGH, W. J.—	
(See also Secretary of the Senate.)	
Seats in Press Gallery assigned by.....	5
SCHLUTER, EDWIN C.—Senator Twenty-fourth District.	
Committee appointments	18
Motions made	18, 19
SEATS—	
Assignment to members.....	4, 5
Assignment to Press	5
SECRETARY OF THE SENATE—	
(See also W. J. Scarborough.)	
Seats in Press gallery assigned by.....	5
SHAW, ALBERT J.—Senator Fiftieth District.	
Amendments offered	23
Amendment withdrawn	23
Asked unanimous consent.....	7, 23
Motions made	23
STEWART, PAUL P.—Senator Fortieth District.	
Committee appointments	3
Motions made	3
TEMPORARY OFFICERS—	
Elected	2
Took oath of office	2
THOMPSON, T. M.—Senator Fifth District.	
Committee appointment	18
Certificate of election of.....	2
Took oath of office.....	4

Courtesy extended to.....	26
Motions made	24
Amendment offered	24
TURNER, OLIVER—Senator Sixth District.	
Committee appointments	3
WADE, CHAS. W.—Senator Second District.	
Certificate of election of.....	2
Took oath of office.....	4
Courtesy extended to	26
WATSON, DE VERE—Senator Nineteenth District.	
Amendments offered	21
Motions made	14, 21
WHITEHILL, B. C.—Senator Twenty-eighth District.	
Amendments offered	14
Amendment withdrawn	19
Motions made	14
Asked unanimous consent	19
ZASTROW, RALPH W.—Senator Forty-fourth District.	
Committee appointment	5