

**STATE OF IOWA**

**1951**

# **JOURNAL OF THE SENATE**

of the

## **FIFTY-FOURTH GENERAL ASSEMBLY**

**Convened January 8, 1951**

**Adjourned April 17, 1951**

**DOCUMENTS DEPARTMENT**

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**WILLIAM S. BEARDSLEY, Governor**

**W. H. NICHOLAS, President of the Senate**

**WILLIAM S. LYNES, Speaker of the House**

Compiled Under Direction of  
**SHERMAN W. NEEDHAM**  
Superintendent of Printing

Published by the  
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Des Moines, Iowa

# DOCUMENTS

## FIFTY-FOURTH GENERAL ASSEMBLY

### OFFICERS OF THE SENATE

LIEUTENANT GOVERNOR W. S. NICHOLAS, President.....	Mason City
STANLEY L. HART, President Pro Tempore.....	Keokuk
CARROLL A. LANE, Secretary.....	Carroll
EDNA GILLESPIE, Assistant Secretary and Journal Clerk.....	Des Moines
HINES MOUNT, Reading and Law Clerk.....	Mason City
JAMES L. BENNETT, Assistant Reading and Law Clerk.....	Des Moines
RUTH E. FISHER, Secretary's Stenographer.....	Des Moines
VIOLA TOWLE, Lieutenant Governor's Stenographer.....	Cedar Rapids
LEONA STORY, Assistant Journal Clerk.....	Des Moines
SYLVIA WEEKS, Secretary's Clerk.....	Des Moines
MARETTA BLANCHARD, Engrossing Clerk.....	Des Moines
DOROTHY JOHNSON, Enrolling Clerk.....	Des Moines
HELEN P. JANSEN, Payroll Clerk.....	Rock Rapids
MARIE SPENCER, Special Clerk.....	West Des Moines
RUTH PATTY, Special Clerk.....	Shenandoah
ADA M. JOLLEY, Assistant Enrolled Bills Clerk.....	Adel
LAURA S. SCHERF, Assistant Enrolled Bills Clerk.....	Indianola
LILLIAN KANEALY, Assistant Enrolled Bills Clerk.....	Des Moines
FRANK SACCO, Supply Clerk.....	Des Moines
FRANK BUCK, Sergeant-at-Arms.....	Ames
WALTER A. KEITH, Assistant Sergeant-at-Arms.....	Des Moines
WILBUR HATHAWAY, Chief Doorkeeper.....	Des Moines
HARRY UPHAM, Bill Clerk.....	New Hampton
T. ROBERT SCARBOROUGH, File Clerk.....	Des Moines
FLORENCE MANNING, Assistant File Clerk.....	West Des Moines
GLADYS BLACK, Postmistress.....	Des Moines
JANE BATTERSHELL, Postmistress.....	Des Moines

## ELECTIVE OFFICERS

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## ELECTIVE STATE OFFICERS

Official Address, Des Moines, Iowa

NAME	TITLE	RESIDENCE	POLITICS
Wm. S. Beardsley.....	Governor.....	New Virginia...	Republican
W. H. Nicholas.....	Lieutenant Governor.....	Mason City.....	Republican
Melvin D. Synhorst.....	Secretary of State.....	Orange City.....	Republican
Chet B. Akers.....	Auditor of State.....	Ottumwa.....	Republican
M. L. Abrahamson.....	Treasurer of State.....	Boone.....	Republican
Clyde Spry.....	Secretary of Agriculture.....	Bronson.....	Republican
Robert L. Larson.....	Attorney General.....	Iowa City.....	Republican
David B. Long.....	Commerce Commissioner.....	Des Moines.....	Republican
Carl W. Reed.....	Commerce Commissioner.....	Cresco.....	Republican
B. M. Richardson.....	Commerce Commissioner.....	Cedar Rapids.....	Republican
Jessie M. Parker.....	Superintendent of Public Instruction	Lake Mills.....	Republican
Wm. L. Bliss.....	Judge of the Supreme Court.....	Mason City.....	Republican
T. G. Garfield.....	Judge of the Supreme Court.....	Ames.....	Republican
G. K. Thompson.....	Judge of the Supreme Court.....	Cedar Rapids.....	Republican
Norman R. Hays.....	Judge of the Supreme Court.....	Knoxville.....	Republican
H. J. Mantz.....	Judge of the Supreme Court.....	Audubon.....	Republican
John E. Mulronev.....	Judge of the Supreme Court.....	Fort Dodge.....	Republican
Ralph A. Oliver.....	Judge of the Supreme Court.....	Sioux City.....	Republican
W. A. Smith.....	Judge of the Supreme Court.....	Dubuque.....	Republican
C. F. Wennerstrum.....	Judge of the Supreme Court.....	Chariton.....	Republican

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SENATORS—FIFTY-FOURTH GENERAL ASSEMBLY

NAME	Address	Age	Occupation		Counties Composing District	Former Legislative Service	
Anderson, Carl T.	Wellman	61	Farmer	Rep.	10	Washington	53
*Augustine, A. E.	Oskaloosa	60	Farmer, Broker	Dem.	14	Mahaaka	46X 47 48 49 50 50X 51 52 52X 53
Bateson, R. R.	Eldora	53	Attorney	Rep.	37	Hamilton, Hardin, Wright	52 52X 53
Bekman, Elmer K.	Ottumwa	50	Attorney	Rep.	13	Wapello	48 49 50 50X 51 52 52X 53
Berg, John P.	Cedar Falls	62	Druggist	Rep.	38	Black Hawk, Grundy	46 46X 47 48 49 50 50X 51 52 52X 53
*Byers, Frank C.	Cedar Rapids	67	Attorney	Rep.	26	Linn	43 44 45 45X 46 46X 47 48 49 50 50X 51 52 52X 53
Colburn, Jay C.	Harlan	57	Farmer & Implement Dealer	Rep.	18	Cass, Shelby	49 50 50X 51 52 52X 53
Dailey, Thomas J.	Burlington	36	Lawyer	Dem.	9	Des Moines	50 50X 51 52 52X 53
*Doud, Alden L.	Douds	53	Attorney	Rep.	2	Jefferson, Van Buren	47 48 49 50 50X 51 52 52X 53
*Dykhouse, J. T.	Rock Rapids	61	Real Estate, Insurance	Rep.	24	Lyon, Osceola, Sioux	47 48 49 50 50X 51 52 52X 53
*Edison, Leo	Fertile	52	Contractor	Rep.	41	Mitchell, Winnebago, Worth	45 45X 46 46X 47 48 49 50 50X 51 52 52X 53
Fishbaugh, Earl C., Jr.	Shenandoah	41	Attorney	Rep.	7	Fremont, Page	46 46X 47 48 49 50 50X 52 52X 53
*Fletcher, Ray	Corydon	45	Merchant	Rep.	4	Lucas, Wayne	53
*Gillespie, Raymond	Dexter	60	Farmer	Dem.	16	Adair, Madison	53
Hart, Stanley L.	Keokuk	54	Cooperage Manufacturer	Rep.	1	Lee	47 48 49 50 50X 51 52 52X 53
*Hattery, John R.	Nevada	53	Lawyer	Rep.	31	Boone, Story	50 50X 51 53
Hedin, Philip T.	Davenport	68	Real Estate Broker	Rep.	21	Scott	50 50X 51 52 52X
Henningsen, O. H.	Clinton	67	Insurance, Real Estate	Rep.	22	Clinton	48 49 50 50X 51 52 52X 53
*Hultman, O. N.	Stanton	62	Lumber Dealer	Rep.	8	Mills, Montgomery	45 45X 46 46X 47 48 51 52 52X 53
*Humbert, Ernest L.	Corning	80	Farmer, Horse Breeder	Rep.	6	Adams, Taylor	52 52X 53
*Jacobson, Arthur H.	Wau, on	40	Attorney	Rep.	40	Allamakee, Fayette	51 52 52X 53
*Knudson, Herman M.	Clear Lake	63	Printing	Rep.	43	Cerro, Gordo Franklin, Hancock	46 46X 48 49 50 50X 51 52 52X 53
Linaevold, William	Decorah	73	Farmer, Insurance	Rep.	42	Howard, Winneshiek	52 52X 53
Lord, Herman B.	Muscatine	57	Manufacturer	Rep.	20	Louisa, Muscatine	52 52X 53
*Lynes, J. Kendall	Plainfield	47	Farmer	Rep.	39	Bremer, Butler	49 50 50X 51 52 52X 53
*McCarville, Paul E.	Fort Dodge	49	Attorney	Rep.	27	Calhoun, Webster	53
*Mercer, Leroy S.	Iowa City	61	Publisher	Dem.	25	Iowa, Johnson	45 45X 46 46X 47 49 50 50X 51 52 52X 53
Molison, W. C.	Grinnell	47	Farmer	Rep.	12	Keokuk, Poweshiek	53
Nystrand, E. C.	Onawa	58	Gasoline and Oil	Rep.	34	Crawford, Harrison, Monroe	52 52X 53
Nesmith, James H.	Kellogg	47	Manufact'rs Representative	Rep.	29	Jasper	53
Oltman, R. J.	Storm Lake	47	Dentist	Rep.	50	Buena Vista, Humboldt, Pocahontas	53
O'Malley, George E.	Des Moines	45	Attorney	Dem.	30	Polk	53
*Parker, Edward S.	Ida Grove	69	Physician and Surgeon	Rep.	46	Cherokee, Ida, Plymouth	53
*Prentiss, X. T.	Mount Ayr	54	Merchant	Rep.	5	Decatur, Ringgold, Union	48 49 50 50X 51 53
*Ridout, Burl N.	Estherville	40	Restaurant	Dem.	49	Emmet, Kosuth, Palo Alto	53
*Risk, Don	Independence	54	Savings and Loan	Rep.	33	Buchanan, Delaware	53
*Roberts, F. M.	Knoxville	81	Physician and Surgeon	Dem.	15	Marion, Monroe	53

MEMBERS OF THE SENATE

SENATORS—FIFTY-FOURTH GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation			Counties Composing District	Former Legislative Service
*Sharp, F. E.	Elkader	56	Attorney	Rep.	36	Clayton	48 49 50 50X 51 52 52X 53
*Tudor, J. M.	Tipton	63	Farmer	Rep.	23	Cedar, Jackson, Jones	53
Utzig, Arnold	Dubuque	57	Shoe Merchant	Dem.	35	Dubuque	50 50X 51 52 52X 53
*Van Eaton, Charles S.	Sioux City	61	Food Stores	Rep.	32	Woodbury	51 52 52X 53
*Van Patten, Loyd	Indianola	53	Farmer	Rep.	11	Clarke, Warren	53
Vest, Alan	Sac City	39	Attorney	Rep.	48	Carroll, Greene, Sac	
*Walter, W. Eldon	Beaman	52	Farmer	Rep.	28	Marshall	49 50 50X 51 52 52X 53
*Watson, De Vere	Council Bluffs	57	Attorney	Rep.	19	Pottswattamie	49 50 50X 51 52 52X 53
*Watson, Harry E.	Sanborn	44	Farmer	Rep.	47	Clay, Dickinson, O'Brien	51 52 52X 53
Weichman, Harry E.	Newhall	58	Farmer (retired)	Rep.	45	Benton, Tama	47 48 49 50 50X 51 52 52X 53
*West, Sherman	Moulton	65	Farmer	Dem.	3	Appanoose, Davis	53
*Whitehead, G. E.	Perry	58	Publisher	Rep.	17	Audubon, Dallas, Guthrie	50 50X 51 53
Zastrow, Ralph W.	Charles City	61	Lawyer	Rep.	44	Chickasaw, Floyd	50 50X 51 52 52X 53

MEMBERS OF THE SENATE

## MEMBERS OF THE HOUSE—FIFTY-FOURTH GENERAL ASSEMBLY

NAME	Residence	Age	Occupation	Politics	County	District	Former Legislative Service
Abel, L. W.	Guttenberg	60	Sales Representative	Rep.	Clayton	70	
Aubrey, W. Dean	Ottumwa	46	Mine Operator	Dem.	Wapello	18	51 53
Bass, Elmer A.	Red Oak	62	Farmer	Rep.	Montgomery	12	51 52 52X 53
Berry, R. C.	Pomeroy	74	Retired Banker	Rep.	Calhoun	61	53
Bloedel, A. S.	Tabor	74	Hardware Merchant	Rep.	Fremont	10	
Boothby, Laurence M.	Cleghorn	54	Farmer	Rep.	Cherokee	79	52 52X 53
Brockmeyer, John H.	Lime Springs	60	Farmer	Rep.	Howard	92	
Brookings, Howard E.	Oakland	48	Theater Owner	Rep.	Pottawattamie	31	53
Brown, Carroll L.	Oskaloosa	37	Farmer	Rep.	Mahaska	25	52 52X 53
Brownlie, John	Winterset	69	Farmer	Rep.	Madison	28	53
Buck, Howard C.	State Center	51	Farmer	Rep.	Marshall	51	53
Burris, C. J.	Maquoketa	45	Restaurateur	Dem.	Jackson	46	53
Burrows, R. O., Jr.	Belle Plaine	51	Newspaper Editor	Rep.	Benton	49	53
Butler, Guy G.	Rolfe	63	Banker, Farmer	Rep.	Pocahontas	77	52 52X 33
Clark, G. T.	Knoxville	45	Farmer	Dem.	Marion	26	53
Clark, Ted D.	Mystic	30	Merchant	Rep.	Appanoose	4	53
Cooksey, Paul J.	Spencer	27	Lawyer	Rep.	Clay	83	
Cornick, Raymond	New London	61	Farmer	Rep.	Henry	20	53
Cornbb, Mrs. John W.	Jamaica	34	Homemaker	Dem.	Guthrie	35	53
Crosier, Morse	Coggon	49	Newspaper Publisher	Rep.	Linn	48	53
Darrington, William E.	Persia	46	Farmer	Rep.	Harrison	32	
Davis, J. C.	Oelwein	68	Dentist, Farm Manager	Rep.	Fayette	71	51 52 52X 53
Eckels, Penn.	Britt	68	Retired Farmer	Rep.	Hancock	86	52 52X 53
Fairchild, Bert K.	Ida Grove	59	Farmer	Rep.	Ida	59	53
Fiene, George	Nashua	67	Retired Farmer	Dem.	Chickasaw	89	52 52X 53
Frey, T. J.	Neola	49	Publisher	Rep.	Pottawattamie	31	
Gallup, Lee	Libertyville	54	Farmer	Rep.	Jefferson	19	53
Goode, Dewey E.	Bloomfield	52	Produce and Fur Dealer	Rep.	Davis	3	45 45X 46 46X 47 48 49 50 50X 53
Hanna, Leo B.	Corning	30	Farmer	Rep.	Adams	13	53
Hansen, J. E.	Dedham	61	Banker	Dem.	Carroll	55	52 52X 53
Hanson, Arthur C.	Inwood	59	Livestock Farmer	Rep.	Lyon	99	45 45X 53
Harris, Fay L.	Greenfield	57	Soil Conservation	Rep.	Adair	29	53
Heins, John A.	Peosta	72	Farmer	Dem.	Dubuque	69	
Hendrix, W. C.	Letts	61	Farmer	Rep.	Muscatine	42	52 52X 53
Huisman, Robert	Sibley	56	Farmer	Rep.	Osceola	98	
Jones, Alfred E.	Osceola	30	Restaurant Owner	Rep.	Clarke	15	
Judd, William Nelson	Clinton	63	Railroad Yard Master	Rep.	Clinton	45	51 52 52X
Klemesrud, Theo.	Thompson	48	Publisher	Rep.	Winnebago	95	50 50X 51 52 52X 53
Koch, Frank	West Bend	65	Retired Publisher & Printer	Rep.	Palo Alto	84	52 52X
Kosok, Ernest	Cedar Rapids	43	Investment Banker	Rep.	Linn	48	52 52X 53
Kuester, G. T.	Griswold	62	Farmer	Rep.	Cass	30	46 46X 47 48 49 50 50X 51 52 52X 53
Langland, C. M.	Spring Grove, Minn.	79	Farmer	Rep.	Winneshek	91	44 51 52 52X 53
Lisle, Vern	Clarinda	44	Manufacturer	Rep.	Page	9	53

## MEMBERS OF THE HOUSE—FIFTY-FOURTH GENERAL ASSEMBLY—Continued

NAME	Residence	Age	Occupation	Politics	County	District	Former Legislative Service
Loss, Casey	Alcona	46	Farmer	Dem.	Kossuth	85	52 52X 53
Lucken, J. Henry	Akron	54	Farmer	Rep.	Plymouth	80	52 52X 53
Ludwig, G. M.	Tiffin	54	KXIC Farm Editor	Rep.	Johnson	41	
Lynes, Wm. S.	Waverly	57	Drainage Engineer	Rep.	Bremer	72	52 52X 53
Mallonee, L. Dee	Audubon	60	Lawyer	Rep.	Audubon	34	
Martin, Sterling B.	McIntosh	60	Farmer	Rep.	Monroe	17	
McEleney, Leo P.	Clinton	57	Automobile Dealer	Rep.	Clinton	45	51 52 52X 53
McFarlane, Arch W.	Waterloo	65	Wholesale Fuel	Rep.	Black Hawk	66	36 37 38 38X 39 42 42X 43 44 45 45X 46 46X 48 49 50 50X 51 52 52X
McNeal, Clark E.	Belmond	31	Broker, Farm Manager	Rep.	Wright	75	
Mensing, A. L.	Lowden	54	Merchant	Rep.	Cedar	44	
Metz, Kathryn C.	Lamoni	46	Newspaper Editor	Rep.	Decatur	6	53
Meyer, Dwight W.	Odebolt	49	Farmer	Rep.	Sac	60	53
Miller, Earl A.	Cedar Falls	47	Farmer	Rep.	Black Hawk	66	53
Miller, George E.	Harlan	74	Farmer	Dem.	Shelby	33	40 40X 41 42 42X 43 44 45 45X 53
Moore, H. A.	New Hartford	68	Retired	Rep.	Butler	73	51 52 52X 53
Moore, Kenneth R.	Morning Sun	36	Attorney	Rep.	Louisa	22	
Mooty, W. L.	Grundy Center	44	Businessman, Farmer, Lawyer	Rep.	Grundy	65	
Morris, Conway E.	Dallas Center	56	Farmer	Rep.	Dallas	36	
Munger, Robert P.	Sioux City	41	Lawyer and Businessman	Rep.	Woodbury	58	49 53
Nelson, Gladys S.	Newton	55	Housewife	Rep.	Jasper	38	
Nelson, Harold F. (Lum)	Sioux City	45	Lawyer	Rep.	Woodbury	58	49 50 50X 52 52X 53
Nicholson, Kirk R.	Bedford	48	Retired Farmer	Rep.	Taylor	8	
Nielsen, Harry	Blencoe	55	Farmer	Dem.	Monona	57	53
Norland, Norman	Kensett	62	Farmer	Dem.	Worth	94	50 50X 51 52 52X 53
Nystrom, Clifford N.	Boone	47	Implement Dealer	Rep.	Boone	53	53
Oberman, Claude	Yarmouth	61	Farmer	Rep.	Des Moines	21	
Oeth, Robert L.	Dubuque	29	Attorney	Dem.	Dubuque	69	
Olson, Allert G.	Osage	54	Farmer	Rep.	Mitchell	93	51 52 52X 53
Oppedahl, Edward	Renwick	60	Farmer	Rep.	Humboldt	76	
Palmer, Ernest, Jr.	Fort Madison	36	Lawyer	Rep.	Lee	1	53
Patrick, Russell A.	Hawarden	50	Farmer	Rep.	Sioux	81	52 52X 53
Paul, George L.	Brooklyn	47	Farmer	Rep.	Poweshiek	39	52X 53
Pedrick, Frank	Ottumwa	54	Hardware Merchant	Rep.	Wapello	18	
Pendleton, Wendell	Storm Lake	30	Attorney	Rep.	Buena Vista	78	
Pieper, Elmer	Waukon	64	Attorney	Rep.	Allamakee	90	48 49 50 50X 52 52X 53
Poston, E. E.	Corydon	67	Lawyer and Farmer	Dem.	Wayne	5	49 50 50X 51 52 52X 53
Putney, Lawrence	Gladbrook	51	Hatchery & Feed Manufact'g	Rep.	Tama	50	51 52 52X 53
Ramseyer, Harry W.	Washington	54	Hatchery and Feeds	Rep.	Washington	23	
Ringenberg, Carl H.	Ames	55	Farmer	Rep.	Story	52	
Robinson, Glenn E.	Manchester	45	Lawyer	Rep.	Delaware	68	50 50X 51 52 52X 53
Ryan, Earl C.	Des Moines	54	Attorney	Rep.	Polk	37	
Sar, Martin E.	Charles City	64	Farmer	Rep.	Floyd	88	

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

NAME	Residence	Age	Occupation	Politics	County	District	Former Legislative Service
Schroeder, Jack	Davenport	25	Law Student	Rep.	Scott	43	
Schwengel, Fred	Davenport	43	Insurance Business	Rep.	Scott	43	51 52 52X 53
Shepard, Ray E.	Chariton	55	Skelgas	Rep.	Lucas	15	51 52 52X 53
Sherod, Clayton D.	Birmingham	71	Farmer	Rep.	Van Buren	2	53
Shifflett, Grant A.	Diagonal	59	Farmer, Banker	Rep.	Ringgold	7	46 46X 47 53
Sloane, Ted	Des Moines	47	Attorney	Rep.	Polk	37	50 50X 51 52 52X 53
Smith, Roy J.	Spirit Lake	61	Farmer	Rep.	Dickinson	97	53
Soeth, Max M.	Estherville	50	Farmer	Rep.	Emmet	96	
Stevens, Henry H.	Scranton	57	Farmer	Rep.	Greene	54	51 52 52X 53
Stiffler, Fred	Norwalk	75	Farmer, Stock Buyer	Rep.	Warren	27	53
Strawman, Clifford M.	Anamosa	61	Attorney, Farmer	Rep.	Jones	47	51 52 52X 53
Tate, W. H. (Bill)	Mason City	50	Life Insurance Agent	Rep.	Cerro Gordo	87	
Tierney, Francis E.	Fort Dodge	35	Lawyer	Dem.	Webster	62	53
Uhlenhopp, Harvey	Hampton	35	Lawyer	Rep.	Franklin	74	
Van Zwol, Jacob	Paulina	57	Life Insurance	Rep.	O'Brien	82	53
Voigtmann, Fred	Marengo	61	Director of Relief	Rep.	Iowa	40	
Walker, John A.	Williams	38	Farmer	Rep.	Hamilton	63	52 52X 53
Walter, Paul M.	Union	46	Farmer	Rep.	Hardin	64	53
Washburn, Henry W.	Hastings	51	Farmer	Rep.	Mills	11	53
Weiss, Albert	Denison	65	Retired Farmer, Businessman	Rep.	Crawford	56	52 52X 53
Weston, L. O.	Stanley	48	Farmer	Rep.	Buchanan	67	53
White, H. R.	Sigourney	61	Farmer, Retired Banker	Dem.	Keokuk	24	
Young, John E.	Afton	67	Farmer	Rep.	Union	14	53



# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 8, 1951.

Pursuant to law the Fifty-fourth General Assembly convened at 10 o'clock a.m., and was called to order by Lieutenant Governor Kenneth A. Evans, President of the Senate.

Prayer was offered by Reverend E. P. Windman, pastor of the Memorial Lutheran Church of Nevada, Iowa.

## TEMPORARY OFFICERS

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

Carroll Lane, Temporary Secretary.

Edna Gillespie, Temporary Assistant Secretary and Journal Clerk.

Frank Buck, Temporary Sergeant-at-Arms.

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

## COMMITTEE ON CREDENTIALS

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

The motion prevailed and the President appointed as such committee Senators Fishbaugh, Bateson, Oltman, Gillespie and Myrland.

## REPORT OF COMMITTEE ON CREDENTIALS

**MR. PRESIDENT:** We, your committee on credentials, respectfully report that we find the following named persons duly elected to and entitled to seats in the Senate of the Fifty-fourth General Assembly as shown by the duplicate copies of the certificates of election on file in the office of the Secretary of State.

EARL C. FISHBAUGH, JR.,  
R. R. BATESON,  
R. J. OLTMAN,  
RAYMOND GILLESPIE,  
E. C. MYRLAND,  
*Committee on Credentials.*

## CERTIFICATION

*To the Honorable Secretary of the Senate:*

I, Melvin D. Synhorst, 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, declared by the state canvassing board to have been elected in the General Election of November 7, 1950:

First District—Stanley L. Hart.  
 Fourth District—Ray Fletcher.  
 Seventh District—Earl C. Fishbaugh, Jr.  
 Ninth District—Thomas J. Dailey.  
 Tenth District—Carl T. Anderson.  
 Twelfth District—Wilbur C. Molison.  
 Thirteenth District—Elmer K. Bekman.  
 Eighteenth District—Jay C. Colburn.  
 Twentieth District—Herman B. Lord.  
 Twenty-first District—Philip T. Hedin.  
 Twenty-second District—O. H. Henningsen.  
 Twenty-ninth District—James H. Nesmith.  
 Thirtieth District—George E. O'Malley.  
 Thirty-fourth District—E. C. Myrland.  
 Thirty-fifth District—Arnold Utzig.  
 Thirty-seventh District—R. R. Bateson.  
 Thirty-eighth District—John P. Berg.  
 Forty-second District—William Linnevold.  
 Forty-fourth District—Ralph W. Zastrow.  
 Forty-fifth District—Harry E. Weichman.  
 Forty-eighth District—Alan Vest.  
 Fiftieth District—R. J. Oltman.

We also find the following holdover Senators entitled to seats in the Senate:

Second District—Alden L. Doud.  
 Third District—Sherman West.  
 Fifth District—X. T. Prentis.  
 Sixth District—Ernest L. Humbert.  
 Eighth District—O. N. Hultman.  
 Eleventh District—Loyd Van Patten.  
 Fourteenth District—A. E. Augustine.  
 Fifteenth District—F. M. Roberts.  
 Sixteenth District—Raymond Gillespie.  
 Seventeenth District—G. E. Whitehead.  
 Nineteenth District—DeVere Watson.  
 Twenty-third District—J. M. Tudor.  
 Twenty-fourth District—J. T. Dykhouse.  
 Twenty-fifth District—Leroy S. Mercer.  
 Twenty-sixth District—Frank C. Byers.  
 Twenty-seventh District—Paul E. McCarville.  
 Twenty-eighth District—W. Eldon Walter.  
 Thirty-first District—John R. Hattery.

- Thirty-second District—Charles S. Van Eaton.
- Thirty-third District—Don Risk.
- 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—Edward S. Parker.
- Forty-seventh District—Harry E. Watson.
- Forty-ninth District—Burl N. Ridout.

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 :

Carl T. Anderson	William Linnevold
R. R. Bateson	Herman B. Lord
Elmer K. Bekman	Wilbur C. Molison
John P. Berg	E. C. Myrland
Jay C. Colburn	James H. Nesmith
Thomas J. Dailey	R. J. Oltman
Earl C. Fishbaugh, Jr.	George E. O'Malley
Ray Fletcher	Arnold Utzig
Stanley L. Hart	Alan Vest
Philip T. Hedin	Harry E. Weichman
O. H. Henningsen	Ralph W. Zastrow

Roll call showed all members present.

**SELECTION OF SEATS**

Senator Dykhouse moved that the holdover and re-elected senators be granted the privilege of retaining the seats occupied by them during the Fifty-third General Assembly, or the privilege of selecting a new seat from the unassigned seats, and that any senator having any defect such as defective hearing be allowed to select his seat first; then former members of the Senate or former members of the House of Representatives be granted the privilege of selecting their seats from the unassigned seats. Their names being placed in a hat and drawn out, one at a time, by the Secretary of the Senate. Also, that the names of the remaining newly elected senators be placed in a hat and drawn out by the Secretary of the Senate.

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

Anderson, Washington.....	45	Dailey, Des Moines.....	3
Augustine, Mahaska.....	7	Doud, Van Buren.....	50
Bateson, Hardin.....	14	Dykhouse, Lyon.....	46
Bekman, Wapello.....	16	Elthon, Worth.....	18
Berg, Black Hawk.....	26	Fishbaugh, Page.....	11
Byers, Linn.....	34	Fletcher, Wayne.....	42
Colburn, Shelby.....	44	Gillespie, Madison.....	6

Hart, Lee.....	36	Parker, Ida.....	8
Hattery, Story.....	31	Prentis, Ringgold.....	9
Hedin, Scott.....	30	Ridout, Emmet.....	48
Henningsen, Clinton.....	32	Risk, Buchanan.....	41
Hultman, Montgomery.....	24	Roberts, Marion.....	5
Humbert, Adams.....	4	Sharp, Clayton.....	2
Jacobson, Allamakee.....	20	Tudor, Cedar.....	2
Knudson, Cerro Gordo.....	17	Utzig, Dubuque.....	37
Linnevold, Winneshiek.....	25	Van Eaton, Woodbury.....	49
Lord, Muscatine.....	1	Van Patten, Warren.....	21
Lynes, Bremer.....	47	Vest, Sac.....	39
McCarville, Webster.....	33	Walter, Marshall.....	19
Mercer, Johnson.....	29	Watson, O'Brien.....	22
Molison, Poweshiek.....	43	Watson, Pottawattamie.....	15
Myrland, Monona.....	40	Weichman, Benton.....	28
Nesmith, Jasper.....	38	West, Appanoose.....	35
Oltman, Buena Vista.....	10	Whitehead, Dallas.....	27
O'Malley, Polk.....	13	Zastrow, Floyd.....	12

#### COMMITTEE TO NOTIFY THE GOVERNOR

Senator Henningsen moved that a committee of three be appointed to notify the Governor that the Senate was 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 Henningsen, Van Patten and Molison.

#### COMMITTEE TO NOTIFY THE HOUSE

Senator Weichman 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 Weichman, Anderson and Hedin.

#### COMMITTEE ON SUPPLIES AND EQUIPMENT

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

The motion prevailed and the President named as such committee Senators McCarville, Mercer and Jacobson.

#### BADGES

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

## COMMITTEE ON CHAPLAINS

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

## COMMITTEE ON MILEAGE

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

The motion prevailed and the President appointed as such committee Senators Parker, Tudor and Augustine.

## ASSIGNMENT OF SEATS IN THE PRESS GALLERY

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

The motion prevailed and the Secretary assigned the following:

51. C. C. Clifton, Des Moines Register.
52. Cliff Millen, Des Moines Tribune.
53. Kenneth Hopping, Associated Press.
54. Robert F. Bonomi, United Press.
55. Otto Weber, International News Service.
56. Robert Hogan, Iowa Daily Press.
57. Don Reid, Iowa Press Association.
58. Frank T. Nye, Cedar Rapids Gazette—KCRG.
59. Gerald Bogan, Republican State Central Committee.
60. Frank G. Moorhead, Democratic State Central Committee.
61. Al F. Faber, Iowa Legionnaire.

## RESOLUTION FOR CLERKS

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

## SENATE RESOLUTION 1

*Be It Resolved by the Senate:* 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 President appointed Senators Zastrow, Prentis and West.

## RESOLUTION FOR INAUGURAL COMMITTEE

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

## SENATE CONCURRENT RESOLUTION 1

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

The motion prevailed and the resolution was adopted, and the President appointed as such committee on the part of the Senate Senators Elthon, Lynes, Hattery, Nesmith, Lord and O'Malley.

Senator Colburn 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 1950 Code of Iowa and also copies of the laws of the Fifty-third General Assembly to such members of the Fifty-fourth General Assembly of Iowa who may request the same. House members to leave orders for Codes and laws at the Chief Clerk's desk and Senate members by leaving orders at the Secretary's desk.

That the superintendent of printing be directed to furnish copies of the 1950 Code of Iowa and session laws of the Fifty-third General Assembly as requested by the Chief Clerk of the House of Representatives and by the Secretary of the Senate for use of the staffs in their respective offices.

The superintendent of printing is further directed to furnish copies of the 1950 Code of Iowa and session laws of the Fifty-third General Assembly to members of the press assigned seats in the Senate and House press galleries, to be requested by the Chief Clerk of the House for members of the press with seats there assigned and by the Secretary of the Senate for copies to be furnished members of the press assigned seats in the Senate chamber.

The motion prevailed and the resolution was adopted.

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

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

The motion prevailed and the resolution was adopted.

#### COMMITTEE FROM THE HOUSE

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

#### REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

Senator Henningsen 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 Weichman 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 accepted and the committee discharged.

#### TELLERS OF JOINT CONVENTION

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

The motion prevailed and the President appointed as such committee Senators Berg, Bateson and Dailey.

#### ADOPTION OF RULES

Senator Hart moved that the rules of the Fifty-third General Assembly be made the temporary rules of the Senate of the Fifty-fourth General Assembly, which motion prevailed.

#### ELECTION OF PRESIDENT PRO TEMPORE

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

There being no further nominations, Lieutenant Governor Evans declared Senator Hart unanimously elected President pro tempore of the Fifty-fourth General Assembly, and asked Senators Byers and Bekman to escort Senator Hart to the rostrum.

Senator Hart appeared before the President, took the oath of office, and was presented to the Senate by President Evans.

In accepting the office Senator Hart said:

The heart of this Hart was heartily gladdened this morning upon my election as President pro tempore of the Iowa Senate of the Fifty-fourth General Assembly. The high honor conferred upon me is greatly appreciated, and when called upon to preside, I shall do so to the very best of my ability, showing favoritism or partiality to no one. You may depend upon me to cooperate with each of you members of the Senate to the fullest extent.

Because of the international situation, I foresee grim days ahead of us. The future is fraught with many uncertainties. During this Senate session of the Fifty-fourth General Assembly, we will be called upon to make important decisions. However, I was born an optimist and I remain an optimist. I am sure that when the record of the acts of this session is written, you will have added another constructive chapter to the great history of Iowa.

Again, my hearty thanks for the confidence which you have placed in me, and the high honor conferred upon me. It is genuinely appreciated.

President Evans presented the gavel to President pro tempore Hart who immediately took the chair.

#### COMMITTEE ON COMMITTEE ROOMS

Senator Van Eaton 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 meetings.

The motion prevailed and the President appointed as such committee Senators Van Eaton, Knudson and Vest.

#### ELECTION OF PERMANENT OFFICERS

Senator Henningsen 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—Carroll Lane, Carroll County.

Assistant Secretary and Journal Clerk—Edna Gillespie, Polk County.

Assistant Reading and Law Clerk—James L. Bennett, Polk County.

Secretary's Stenographer—Ruth Fisher, Polk County.



Reading and Law Clerk—Hines Mount, Cerro Gordo County.  
 Assistant Journal Clerk—Leona Story, Polk County.  
 Engrossing Clerk—Maretta Blanchard, Polk County.  
 Enrolling Clerk—Dorothy Johnson, Polk County.  
 Special Clerks—Marie Spencer, Polk County; Ruth Patty, Page County.  
 Enrolled Bills Clerks—Ada Jolley, Dallas County; Laura Scherf, Warren County, and Lillian Kanealy, Polk County.  
 Payroll Clerk—Helen Jansen, Lyon County.  
 Secretary's Clerk—Sylvia Weeks, Polk County.  
 Supply Clerk—Frank Sacco, Polk County.  
 Sergeant-at-Arms—Frank Buck, Story County.  
 Assistant Sergeant-at-Arms—Walter A. Keith, Polk County.  
 Bill Clerk—Harry Upham, Chickasaw County.  
 File Clerk—Robert Scarborough, Polk County.  
 Assistant File Clerk—Florence Manning, Polk County.  
 Chief Doorkeeper—Wilbur Hathaway, Polk County.  
 Assistant Doorkeepers—John Sarafin, Lee County; Wm. Slack, Muscatine County; Emil Schnabel, Polk County; W. R. Williams, Howard County; James G. Hamilton, Keokuk County; Ora Ingram, Ringgold County; Victor Lindquist, Lucas County; Ira Roush, Black Hawk County.  
 Postmistress—Lillian M. Fiero, Polk County.  
 Head Porter—Floyd Pruitt, Polk County.  
 Porter—....., Polk County.  
 Matrons—Kathryn Shelton, Polk County; Maizie Allen, Dallas County; Elizabeth Jones, Page County.  
 Cloakroom Attendants—Horace Coles, Jasper County; Charles H. Harston, Wapello County; Margaret Coles, Jasper County.  
 Telephone Messengers—Carrie Randle, Polk County; Mary Pruitt, Polk County.  
 Pages—Daniel Smith, Winnebago County; Billy Ridout, Emmet County; Anthony Funaro, Jr., Polk County; Dennis Montgomery, Polk County; Dave Abram, Polk County; Don Abram, 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 oaths of office.

On motion of Senator Elthon, 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 following Concurrent Resolution, in which the concurrence of the Senate is asked:

House Concurrent Resolution 1, providing for a joint convention of the Fifty-fourth General Assembly to be held on January 9, 1951, at 2:00 p.m., to which Governor Beardsley will be invited to read his message, and at which time the vote for Governor and Lieutenant Governor in the last general election will be canvassed.

Also: That the House has adopted the following House Concurrent Resolution, in which the concurrence of the Senate is asked:

House Concurrent Resolution 2, requesting that a joint committee of six members be appointed to nominate such additional employees as may be necessary for the work of the session, and the Speaker of the House has appointed such committee on the part of the House: Sloane of Polk, Young of Union and Walter of Hardin.

Also: That the House has adopted the following House Concurrent Resolution, in which the concurrence of the Senate is asked:

House Concurrent Resolution 3, directing the Secretary of the Senate and the Chief Clerk of the House to prepare a daily clip sheet, and that the joint committee on rules prepare a rule covering the foregoing procedure, and that printed amendments correspond line for line with original copies.

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-fourth General Assembly be held on January 9, 1951, at 2:00 p.m.

*Be It Further Resolved:* That Governor Beardsley be invited to read his message at this joint convention of the two houses of the General Assembly and that the President of the Senate and the Speaker of the House be designated to deliver the invitation to him.

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

## HOUSE CONCURRENT RESOLUTION 2

*Be It Resolved by the House, the Senate Concurring:* That a joint committee of six members be appointed, three from the Senate to be appointed by the President and three from the House to be appointed by the Speaker, to nominate such additional employees 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:* That the joint committee on rules prepare a suitable rule covering the foregoing procedure and determine whether amendments filed shall be printed in the Journal at the time of filing or when the bill to which they apply is up for consideration.

*Be It Further Resolved:* That printed amendments shall correspond line for line with original copies.

Senator Elthon asked and received unanimous consent to take up House Concurrent Resolution 1, and moved its adoption.

The motion prevailed and the resolution was adopted.

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 President appointed on the part of the Senate Senators Henning- sen, Bekman and Watson of O'Brien.

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

The motion prevailed and the resolution was adopted.

## SENATE CONCURRENT RESOLUTION 4

By Henningsen

*Whereas,* the former Schick General Hospital, Clinton, Iowa, now being used exclusively for domiciliary purposes by the Veterans Administration, and

*Whereas,* the said veterans domiciliary at Clinton, Iowa, is now being operated at less than one-fourth the capacity of the institution, resulting in inefficient, costly and wasteful administration, and

*Whereas,* thousands of veterans in the central United States are now urgently in need of hospitalization, convalescence and rehabilitation, and

*Whereas,* many more thousands of disabled and sick veterans will soon be added, as a result of the fighting in Korea, and

*Whereas,* the Schick Hospital should be opened to full capacity to provide care for the many thousand veterans and veterans-to-be, who are now in need of hospitalization, convalescence and rehabilitation, and

*Whereas,* the Iowa Senate and House of the Fifty-second General Assembly, by Senate Concurrent Resolution 10, passed a resolution on February 3, 1947, requesting the Veterans Administration to utilize Schick Hospital at Clinton, Iowa, with its suitable facilities and very desirable location for the permanent care of veterans, and

*Whereas*, in the interests of economy and in the interest of the veterans of the central United States, we deem it advisable and necessary that the veterans domiciliary at Clinton, Iowa, be used to full capacity, and

*Whereas*, the Veterans Administration has been deaf to the plea of veterans that the Schick Hospital at Clinton, Iowa, be opened to full bed capacity thereby utilizing present existing facilities, therefore,

*Be It Resolved by the Senate, the House Concurring*: That the Congress of the United States take immediate action to cause the Veterans Administration to increase the use of Schick Hospital at Clinton, Iowa, from the present limited 500 domiciliary beds to also include an additional minimum of 1,000 beds for hospitalization, convalescence and rehabilitation, and

*Be It Further Resolved*, That copies of this resolution be prepared and forwarded by the Secretary of State to the President of the United States, to the President of the United States Senate, to the Speaker of the House of Representatives and to the Iowa members of the United States Senate and the Iowa members of the House of Representatives of the Congress, and General Carl R. Gray, the Administrator of Veterans Affairs.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 9, 1951.

The Senate met in regular session, Lieutenant Governor Evans presiding.

Prayer was offered by Reverend Elmer Johnson, pastor of the St. Luke's Episcopal Church, Des Moines, 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 adopted the following Concurrent Resolution, in which the concurrence of the House was asked:

Senate Concurrent Resolution 1, providing for the appointment of a joint committee to arrange for the inauguration of the Governor and Lieutenant Governor, and the Speaker of the House has appointed as members of such committee on the part of the House Representatives Stiffler of Warren, Tate of Cerro Gordo, Hanson of Lyon, Loss of Kossuth and Olson of Mitchell.

Also: 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 additional distribution of codes and session laws.

Also: 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 distribution of bills and journals of the Fifty-fourth General Assembly to the county auditors of the state.

A. C. GUSTAFSON, *Chief Clerk.*

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

## SENATE CONCURRENT RESOLUTION 5

*Be It Resolved by the Senate, the House Concurring:* That when adjournment is had on Thursday, January 11, 1951, it be to reconvene on Tuesday, January 16, 1951, at 2:00 o'clock p.m.

The motion prevailed and the resolution was adopted.

Senator Parker asked and received unanimous consent to take 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
Lieutenant Governor Kenneth A. Evans .....	139	\$13.90
Lieutenant Governor-Elect W. H. Nicholas .....	130	13.00
Anderson, Carl T. ....	125	12.50
Augustine, A. E. ....	60	6.00
Bateson, R. R. ....	75	7.50
Bekman, E. K. ....	90	9.00
Berg, John P. ....	106	10.60
Byers, Frank C. ....	118	11.80
Colburn, J. C. ....	100	10.00
Dailey, Thomas J. ....	160	16.00
Doud, Alden L. ....	117	11.70
Dykhouse, J. T. ....	260	26.00
Elthon, Leo .....	135	13.50
Fishbaugh, Earl C., Jr. ....	145	14.50
Fletcher, Ray .....	75	7.50
Gillespie, Raymond .....	55	5.50
Hart, Stanley L. ....	186	18.60
Hattery, John R. ....	40	4.00
Hedin, Phillip T. ....	186	18.60
Henningsen, O. H. ....	225	22.50
Hultman, O. N. ....	132	13.20
Humbert, Ernest L. ....	105	10.50
Jacobson, Arthur H. ....	205	20.50
Knudson, Herman M. ....	125	12.50
Linnevold, William .....	200	20.00
Lord, Herman B. ....	165	16.50
Lynes, J. Kendall .....	142	14.20
McCarville, Paul E. ....	92	9.20
Mercer, Leroy S. ....	120	12.00
Molison, W. C. ....	65	6.50
Myrland, E. C. ....	165	16.50
Nesmith, James H. ....	45	4.50
O'Malley, George E. ....	No claim for mileage	
Oltman, R. J. ....	150	15.00
Parker, Edward S. ....	150	15.00
Prentis, X. T. ....	88	8.80
Ridout, Burl N. ....	200	20.00
Risk, Don .....	145	14.50
Roberts, Dr. F. M. ....	40	4.00
Sharp, F. E. ....	190	19.00
Tudor, J. M. ....	160	16.00
Utzig, Arnold .....	225	22.50
Van Eaton, Charles S. ....	210	21.00
Van Patten, Loyd .....	18	1.80
Vest, Alan .....	135	13.50

Walter, W. Eldon .....	66	6.60
Watson, DeVere .....	140	14.00
Watson, Harry E. ....	225	22.50
Weichman, Harry E. ....	100	10.00
West, Sherman .....	97	9.70
Whitehead, G. E. ....	42	4.20
Zastrow, Ralph W. ....	145	14.50

EDWARD S. PARKER, *Chairman*.

A. E. AUGUSTINE.

J. M. TUDOR.

The motion prevailed and the resolution was adopted.

Senator Henningsen called up the following resolution, and moved its adoption:

#### SENATE CONCURRENT RESOLUTION 4

*Whereas*, the former Schick General Hospital, Clinton, Iowa, now being used exclusively for domiciliary purposes by the Veterans Administration, and

*Whereas*, the said veterans domiciliary at Clinton, Iowa, is now being operated at less than one-fourth the capacity of the institution, resulting in inefficient, costly and wasteful administration, and

*Whereas*, thousands of veterans in the central United States are now urgently in need of hospitalization, convalescence and rehabilitation, and

*Whereas*, many more thousands of disabled and sick veterans will soon be added, as a result of the fighting in Korea, and

*Whereas*, the Schick Hospital should be opened to full capacity to provide care for the many thousand veterans and veterans-to-be, who are now in need of hospitalization, convalescence and rehabilitation, and

*Whereas*, the Iowa Senate and House of the Fifty-second General Assembly, by Senate Concurrent Resolution 10, passed a resolution on February 3, 1947, requesting the Veterans Administration to utilize Schick Hospital at Clinton, Iowa, with its suitable facilities and very desirable location for the permanent care of veterans, and

*Whereas*, in the interests of economy and in the interest of the veterans of the central United States, we deem it advisable and necessary that the veterans domiciliary at Clinton, Iowa, be used to full capacity, and

*Whereas*, the Veterans Administration has been deaf to the plea of veterans that the Schick Hospital at Clinton, Iowa, be opened to full bed capacity thereby utilizing present existing facilities, therefore,

*Be It Resolved by the Senate, the House Concurring*: That the Congress of the United States take immediate action to cause the Veterans Administration to increase the use of Schick Hospital at Clinton, Iowa, from the present limited 500 domiciliary beds to also include an additional minimum of 1,000 beds for hospitalization, convalescence and rehabilitation, and

*Be It Further Resolved*, That copies of this resolution be prepared and forwarded by the Secretary of State to the President of the United States, to the President of the United States Senate, to the Speaker of the House

of Representatives and to the Iowa members of the United States Senate and the Iowa members of the House of Representatives of the Congress, and General Carl R. Gray, the Administrator of Veterans Affairs.

The motion prevailed and the resolution was adopted.

On motion of Senator Elthon, 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 Byers for the balance of the day on request of Senator Hart;  
Senator Knudson for the balance of the day on request of Senator Walter.

President pro tempore Hart took the chair at 1:57 p.m.

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

### JOINT CONVENTION

In accordance with law and concurrent resolution duly adopted, the joint convention was called to order, President Hart presiding.

The roll was called. Those present were, 151:

Abel	Darrington	Jones	Morris
Anderson	Davis	Judd	Munger
Aubrey	Doud	Klemesrud	Myrland
Augustine	Dykhouse	Koch	Nelson of Jasper
Bass	Eckels	Kosek	Nelson of
Bateson	Elthon	Kuester	Woodbury
Bekman	Fairchild	Langland	Nesmith
Berg	Fiene	Linnevold	Nicholson
Berry	Fishbaugh	Lisle	Norland
Bloedel	Fletcher	Lord	Nystrom
Boothby	Frey	Loss	Oberman
Brockmeyer	Gallup	Lucken	Oeth
Brookings	Gillespie	Ludwig	Olson
Brown	Goode	Lynes, J. K.	Oltman
Brownlie	Hanna	Martin	O'Malley
Buck	Hansen	McCarville	Oppedahl
Burris	Hanson	McEleney	Palmer
Burrows	Harris	McNeal	Parker
Butler	Hart	Mensing	Patrick
Byers	Hattery	Mercer	Paul
Clark of	Hedin	Metz	Pedrick
Appanoose	Heinz	Meyer	Pendleton
Clark of Marion	Hendrix	Miller of	Pieper
Cooksey	Henningsen	Black Hawk	Poston
Cornick	Huisman	Miller of Shelby	Prentis
Crabb	Hultman	Molison	Putney
Crosier	Humbert	Moore of Butler	Ramseyer
Dailey	Jacobson	Moore of Louisa	Ridout



Ringgenberg	Shifflett	Van Eaton	Watson of
Risk	Sloane	Van Patten	Pottawattamie
Roberts	Smith	Van Zwol	Weichman
Robinson	Soeth	Vest	Weiss
Ryan	Stevens	Voigtmann	West
Sar	Stiffler	Walker	Weston
Schroeder	Strawman	Walter, P. M.	White
Schwengel	Tate	Walter, W. E.	Whitehead
Sharp	Tierney	Washburn	Young
Shepard	Uhlenhopp	Watson of	Zastrow
Sherod	Utzig	O'Brien	Mr. Speaker

Those absent were, 7:

Colburn	Mallonee	Mooty	Tudor
Knudson	McFarlane	Nielsen	

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

Senator Van Patten moved that a committee of six, consisting of three members from the Senate and three members from the House, be appointed to notify Governor Beardsley that the joint convention was ready to receive him.

Motion prevailed and the President appointed as such committee Senators Van Patten of Warren, Jacobson of Allamakee and Oltman of Buena Vista on the part of the Senate, and Representatives Van Zwol of O'Brien, Uhlenhopp of Franklin and Crabb of Guthrie on the part of the House.

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

President Hart then presented Governor Beardsley, who delivered the following address:

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE HOUSE AND SENATE,  
LADIES AND GENTLEMEN:

On the occasion of your assuming your duties as members of the Fifty-fourth General Assembly, I am indeed happy to extend my personal greetings and best wishes to all of you. And I should like, especially, to congratulate each and every one of you on your preferment in being chosen to serve and represent the people of Iowa in this Assembly. This is a great honor, and with it come great responsibilities.

As one who, in former years, had the privilege of serving in both the Senate and House at different times, I am mindful of the responsibilities and prerogatives of your offices. Furthermore, I have the most profound respect for the representative form of government—the American, the Iowa form of government—as exemplified by the work of this Assembly and the balance of responsibility and power between this and other branches of our government.

For the past two years, it has been my privilege to serve the great state of Iowa as Governor. I am deeply appreciative of the cooperation I have received from the people of the state, and particularly from those of you in the legislative branch of government. I am grateful, too, for the constant cooperation and assistance of department heads and other persons who hold positions of responsibility in the state government. And I want to express my appreciation to the many individuals who, responding to the call of duty, have taken important places and heavy responsibilities in administering the affairs of our state.

Without your cooperation—without the help of the various department administrators—without the loyalty and support of the people of our great state—we could not have made the substantial progress we have made here in Iowa in these past two years.

In the final analysis, we are all servants of the people. We must be motivated always by a sincere desire to serve the best interests of all of the people all of the time, and thus prove ourselves worthy of the honor and responsibilities conferred upon us. We need to dedicate our every effort to the highest type of service it is possible to render.

In the light of this high obligation, it is gratifying to review today the gains and progress made in the past two years by our state and our people. Truly, these have been fruitful years. Our great agricultural industry and our great industrial establishment have moved steadily forward, making an ever greater contribution to the economic strength and development of our state and nation. In the field of education, in the field of science, in the professions, in every avenue of human endeavor, we have continued to make substantial progress. And today, in this historic Assembly, we have occasion to review in a general way the material progress we have made in the field of government and public administration.

### EDUCATION

In many fields of governmental activity, developments of these two years have richly justified the broad programs and wise decisions enacted by the Fifty-third General Assembly.

One outstanding example is the increased program of state aid to schools. I am happy to report to you that this program has been carried out with efficiency and dispatch, and already has proven its great benefits to the people of our state. As a result of this program, educational opportunities have been improved. The children of our state now enjoy the advantages of better schools and better teaching. At the same time, by this same program, the burden of educational costs has been equalized by the easing of local property taxes for the upkeep of our schools.

As the state aid program continues, we can look forward with confidence to still better schools and school equipment and an adequate and balanced supply of well-trained teachers.

### HIGHWAYS

In the field of highway construction, the program enacted by the last legislature has placed Iowa at the head of the parade of states in high-

way modernization. No state in the Midwest—no state in the Union has a more comprehensive and constructive program. No state is doing more to meet the needs of our people in an age when highway transportation is both a social and an economic necessity.

We have improved five times as many miles of farm-to-market roads in the past two years as we did in the preceding two years. It is entirely possible that within the next two years, an additional 25,000 Iowa farm homes will have all-weather roads. And this will have importance, not only in our economy in general, but in aiding and accelerating the development of better educational facilities.

In the field of primary road construction, we have likewise made great advancement. Last year, the construction program really got under way. This year, in 1951, the program calls for five times as many miles of new and modernized permanent primary roads as were built in 1950.

Thus our entire road program—primary and secondary roads alike—is going forward at a constantly accelerating pace. The only uncertainty in the continued expansion of this program is the danger of new and more critical developments in the national defense emergency. Up to the present time, it has not been necessary to slow up our progress in any material way. And there is encouraging evidence that highway improvement will be given military priorities as a critical requirement of the national defense.

Our progress in modernizing Iowa's fine network of highways has been accomplished on a pay-as-you-go basis. In November 1950 the last primary road bond issued by the state of Iowa was paid off in full. Now, we are carrying on with current revenue a program of construction and modernization that will give our people, in succeeding years, the new and better highways they will need.

#### LAW ENFORCEMENT

From the standpoint of law enforcement, too, I am glad to report that Iowa compares very favorably with other states of the nation. In this field, too, we have made notable progress during the past two years.

Early in the summer of 1949 the Attorney General, who is the chief constitutional law enforcement officer of the state, apprised me of the fact that syndicate gamblers were moving into our state. He feared a condition might develop similar to the disgraceful conditions we have observed in certain other states.

I canvassed with the Attorney General the impossibility of the state alone coping with this problem successfully with a force of only about a dozen state agents. Furthermore, in our state, we are dedicated to the principle of local self-government. Enforcement of the laws is the responsibility of local law enforcement officers.

It was necessary, therefore, that the cooperation of local officers throughout the state be secured. This was done, and the results of this drive against gambling in our state are well known to all of you. No doubt you are as gratified as I am that this was accomplished under the existing laws of our state.

The Attorney General and all of the local law enforcement officers are

entitled to much credit for their good work. Today, we have one of the finest and cleanest states in the Union. And we must be diligent in seeing that this condition is maintained and even further improved.

### CONSERVATION

In the field of conservation, new programs are going forward. Today we have a coordinating program which, in my judgment, holds much promise to our people for the intelligent development and conservation of our natural resources. Under this program, we are dealing with all aspects of the conservation problem in a scientific and natural way. We are working with nature, not against nature. We are coordinating the closely related problems of flood control, soil conservation, stream and lake pollution control, and natural recreational facilities. Through all of these avenues of endeavor, we are taking important steps to provide wholesome recreation for our people and preserve the precious soil and water resources which are so necessary for a productive agriculture and a strong Iowa.

### ADMINISTRATION

I would be derelict, indeed, if I did not report to you that the State of Iowa is in a sound financial position. It must be reassuring to you, as it is gratifying to me, to know that we have maintained a sound business administration of state affairs. Your state government is comparable in size to the largest private business operations in the state. Good sound business practices are just as necessary here as in the management of any private business. We have constantly sought to bring sounder and more economical methods into operation, and we shall continue to do so.

In this connection, I especially want to call your attention to the work of our budget examiners. Provision for these examiners was made in the appropriation for the Comptroller's office two years ago. This step has made a marked improvement in the administration of public affairs. The savings resulting from the work of these examiners have been tremendous. It is almost unbelievable that savings of such magnitude could be accomplished at so little expense. This work, along with intensified application on the part of administrators, has brought not only many economies but also a high degree of added efficiency.

Further, I wish to point out for your consideration the special importance of our budget laws—the importance of budgetary control in its application to your government.

Among all the states of the Union, Iowa stands at or near the top in the healthy condition of its finances. We are operating, as you know, on current income, and levying no state property tax. Surplus funds were drawn upon for prompt payment of 50 million dollars in bonus money to the veterans of World War II—thus saving the taxpayers the millions of dollars in interest that a bond issue of that size would have required. We have a 30 million dollar tax stabilization reserve—a rainy day fund to insure our citizens against the danger of sharply increased taxes at some future time of economic emergency.

## HUMAN RESOURCES

In the field of human resources we have made constant advancement. Especially in our board of control institutions our progress in the past two years has been outstanding.

Under the programs now being carried out in our mental institutions, the children's institutions, and the training schools, we are making tremendous strides in restoring unfortunate individuals to normal, useful places in society.

We have succeeded in reversing the trend in mental treatment. In spite of the fact that more patients were admitted to our mental hospitals during the past year, we have less patients in these institutions today than we had a year ago.

Institution staffs have been increased. Facilities have been expanded and improved. Modern methods of diagnosis and treatment have been provided. We have stopped the practice of placing curable patients with incurable patients and thereby rendering them all incurable.

Under the screening-center program, persons with mental and nervous disturbances now come to our institutions of their own accord and receive the highest type of psychiatric and neuro-psychiatric treatment on a voluntary basis. Their relationship with the hospital physician is the same as their relationship with their family physician. Happily, these patients can now receive consultation and treatment either on an in-patient basis or an out-patient basis.

As a result of these improvements, more and more of the patients who come to these institutions are very soon restored to their loved ones and to their normal pursuits in their home communities.

In our children's institutions and training schools, too, the professional staffs have been enlarged and facilities have been improved. Vocational programs have been modernized and expanded.

All of this progress is going forward continually, and I know of no function of government which holds more promise for the people of our great state.

In dealing with the affairs of government, as a rule we think of problems relating to the people as a group. However, in these programs I have just mentioned and in many others, the function of the state is a matter of helpful service to individual citizens. Actually, we have many highly specialized departments of government which deal almost exclusively with the individual. As another illustration, I should like to mention the work of the vocational rehabilitation division of your state government. During the past year this division has helped to restore almost a thousand individuals to vigor and activity. Vocational rehabilitation has made these individuals self-supporting citizens again, contributing to the productive power and over-all well-being of our state.

In measuring our programs and our plans for the future, let us keep in mind that we must be sure those activities of our state are administered with due consideration for the need to preserve the dignity of the individual citizen.

## GENERAL

Our time today does not permit a complete review of all the functions of our government. On the occasion of my second inauguration and in my budget message, I shall offer certain recommendations and suggestions.

Your decisions, as members of this Fifty-fourth General Assembly, will be vitally important to the further advancement of existing programs and the initiation of new programs to assure an ever brighter future for our great state.

Meanwhile, on this occasion, I am pleased to have had the privilege of giving you this report of the condition of your state government. I have enjoyed working with these problems of government for the past two years. It has been a rich experience for me, and I am deeply grateful to you people of this great state for your interest in and loyal support of these broad programs. This interest and support should be a source of inspiration to you, too. Because, in the final analysis, it is the General Assembly that makes the appropriations and performs a most important function in planning and developing a better state.

The next 100 days will be busy days for all of us. But they can be productive days. I shall deem it an honor to work with you in fulfillment of the responsibility we share—the responsibility of serving all the people of Iowa to the very best of our combined abilities.

The full resources of the executive department will be available to you to assist you in working out the problems ahead of us. To each and every one, I extend a sincere invitation to come to the Governor's office at any time to canvass any matters of public importance. You will always be welcome. This is a sincere expression, to you of the opposition as well as those of my party.

In reviewing today the progress and problems of your state government, I am cognizant that in this critical mid-century year, the overwhelming urgency of national and international affairs is uppermost in the minds and hearts of all of us. However gratifying our gains at home may be, every loyal and patriotic citizen must give heed to the growing threat to our national security and our way of life.

It is tragic indeed that in this Twentieth Century all nations of the world are not willing to take their proper places in the society of nations; assume their proper responsibilities; and make their proper contributions to the peace and betterment of mankind.

From its arsenals of tyranny behind the Iron Curtain, the communistic world is challenging our very right of survival. All of our gains since the birth of our republic are imperiled by the sinister forces across the seas.

Communism poses as the benefactor of the masses. It embellishes its false and dangerous propaganda with all the promise of democracy and freedom. Yet its iniquitous plan is not only to stop the march of human progress, but to turn back the clock of time to the age of tyranny, when the people were cruelly exploited and hopelessly enchained in slavery. If communism is successful in its aims, humanity will forfeit every spiritual advancement and every social gain since the Renaissance.

It is regrettable indeed that our military establishment has become so

impaired that the enemy has dared to challenge our leadership. It is regrettable that so many of our officials and leaders in the nation appear to be busy playing the political fiddle. It is regrettable that fear is clutching at the hearts and minds of so many of our people.

This is no time for political bickering. This is no time for anyone to seek temporary political gain at the expense of national security. This is no time to squander our energies, in Iowa or at the national capital, in jockeying for personal or political advantage at the expense of the public interest.

These are days of decision. We must be realistic. We must put first things first. We must look well to our duties of citizenship and our responsibilities to the people. This is a time to give the very best that is in us to meet the communist threat.

Today the people of this state and the entire nation are looking for leadership—honest, courageous, intelligent leadership. In this legislative assembly are the men and women of Iowa who, with similar bodies in other states and the nation, furnish the political leadership of today.

Almost daily I walk through the stately corridors of this state capitol. Inscribed over an arch near the Governor's office are these words: "Nothing is politically right which is morally wrong."

There, in eight words, is the standard for our political leadership if it is to succeed. "Nothing is politically right which is morally wrong."

Let us dedicate ourselves to the great task before us, bearing our course upon the highest standards of moral conduct. Let us dedicate our every effort and our constant attention to the building up of the military and economic and moral strength of our nation. Toward that end, let us do everything in our power to maintain the economic integrity and spiritual traditions of our state. As men and women, as public servants, as free citizens, let us unite in a common endeavor to preserve the American way of life.

Then our leadership will be fruitful. Then we shall have done our duty. Then, future generations will say that in this year of 1951, we did not fail our people in a time of critical need. Then, our state and nation, our daily pursuits, our spiritual lives, our children, will survive and go on to greater days which must surely lie over the horizon just ahead.

Truly, we have a tremendous job to do. Together, let us see it through.

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

#### COMMUNICATION FROM THE SECRETARY OF STATE

The following communication was received from the Secretary of State:

January 8, 1951.

*To the Honorable General Assembly:*

In accordance with provisions of Article IV of the Constitution of the state of Iowa, and section 50.35 of the Code of Iowa, 1950, we transmit

herewith the abstract of votes cast for Governor and Lieutenant Governor in the General Election, November 7, 1950.

Respectfully submitted,  
MELVIN D. SYNHORST,  
*Secretary of State.*

#### CANVASS OF VOTES

President Hart 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, 1950, and announced as teller on the part of the Senate Senator Berg of Black Hawk, and as assistant tellers Senators Bateson of Hardin and Dailey of Des Moines.

Speaker Lynes announced as teller on the part of the House Robinson of Delaware, and as assistant tellers Burrows of Benton and Hansen of Carroll.

President Hart further announced that, in accordance with statute, tellers Senator Berg and Representative Robinson would constitute the judges of said canvass.

Speaker Lynes 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, 1950.

On motion by Goode of Davis, the joint convention recessed until 1:45 p.m., January 11, 1951.

The Senate returned to the Senate chamber and resumed regular session, President pro tempore Hart presiding.

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



# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 10, 1951.

The Senate met in regular session, President Evans presiding.

Prayer was offered by Reverend Eugene Ogradowski, pastor of the Christian Church, Spencer, Iowa.

## PETITIONS AND MEMORIALS

The following petition was presented and placed on file:

By Senator Fishbaugh, from residents of Fremont County, relating to hunting from airplanes.

## MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Senate Concurrent Resolution 5, providing for a recess adjournment of the Fifty-fourth General Assembly from January 11, 1951, to Tuesday, January 16, 1951, at 2:00 p.m.

A. C. GUSTAFSON, *Chief Clerk.*

## INTRODUCTION OF BILLS

Senate File 1, by Senators Watson of Pottawattamie, Prentis, Lynes and Elthon, a bill for an act to create a budget and financial control committee with certain powers relating to state budget and finance, and to abolish the retrenchment and reform committee and transfer its powers to the budget and financial control committee.

Read first and second times, and passed on file.

Senate File 2, by Senators Watson of Pottawattamie, Prentis, Lynes and Elthon, a bill for an act relating to the administration of state budget and finances and to assign or transfer certain duties relating thereto to the auditor of state, state comptroller, or treasurer of state.

Read first and second times, and passed on file.

Senate File 3, by Senators Lynes, Knudson, Vest, Zastrow, O'Malley, Jacobson, Berg and Hattery, a bill for an act providing

for revocation of licenses for carrying on, or used in carrying on of any business, trade, vocation, commercial enterprise or undertaking, by reason of the possession of gambling devices, and prohibiting the issuance of licenses in certain instances.

Read first and second times, and passed on file.

Senate File 4, by Senators Jacobson, McCarville and Bateson, a bill for an act relating to the procedure for release of chattel mortgages, conditional sales contracts, and pledges of personal property.

Read first and second times, and passed on file.

Senate File 5, by Senators Mercer, Berg and Tudor, a bill for an act relating to the issuance of stock and the payment thereof of certain corporations.

Read first and second times, and passed on file.

Senate File 6, by Senators Mercer, Berg and Tudor, a bill for an act to amend section four hundred ninety-one point twenty-five (491.25), Code 1950, relating to renewal of articles of incorporation and by defining the words "real value of the stock."

Read first and second times, and passed on file.

Senate File 7, by Senator Mercer, a bill for an act to amend chapter sixteen (16), Code 1950, by increasing the number of copies of the Code, acts of the General Assembly, annotations to the Code and supplements thereto, and reports of the supreme court that are distributed to the law library of the state university.

Read first and second times, and passed on file.

Senate File 8, by Senator Utzig, a bill for an act relating to teachers' pension and annuity retirement systems created under chapter two hundred ninety-four (294), Code 1950, to permit payment of accumulated funds to predesignated beneficiaries in the event of death prior to retirement.

Read first and second times, and passed on file.

Senate File 9, by Senator Watson of Pottawattamie, a bill for an act to amend chapter six hundred twenty-two (622), Code 1950, relating to the admission in evidence of copies of any memorandum, writing, entry print, representation or combination thereof, of any act, transaction, occurrence or event in the regular course of busi-

ness, reproduced by any photographic, photostatic, microfilm, micro-card, miniature photographic, or other process which accurately reproduces or forms a durable medium for so reproducing the original.

Read first and second times, and passed on file.

Senate File 10, by Senator Walter, a bill for an act to authorize the state board of control to construct a domiciliary dormitory of not less than two hundred fifty (250) bed capacity to replace obsolete building at the Iowa Soldiers Home, and to appropriate money therefor.

Read first and second times, and passed on file.

Senate File 11, by Senators Bateson and McCarville, a bill for an act to amend section three hundred twenty-one point four hundred ninety-nine (321.499), Code 1950, relating to the definition of the word "person."

Read first and second times, and passed on file.

Senate File 12, by Senators Bateson and Bekman, a bill for an act to amend section eighty-five point thirty-one (85.31), Code 1950, relating to payment of injury compensation to dependents.

Read first and second times, and passed on file.

Senate File 13, by Senators Bateson, Fishbaugh, Jacobson and Zastrow, a bill for an act to amend sections seventy-five point two (75.2) and seventy-five point nine (75.9), Code 1950, relating to the sale of public bonds.

Read first and second times, and passed on file.

Senate File 14, by Senators Dykhouse and Hattery, a bill for an act relating to the procedure to be followed by municipal corporations in the construction of street improvements, and to amend chapter three hundred eighty-nine (389), Code 1950, relating thereto.

Read first and second times, and passed on file.

Senate File 15, by Senators Dykhouse and Hattery, a bill for an act to amend section three hundred twenty-one point four hundred seventy-three (321.473), Code 1950, relating to the powers of municipal corporations to regulate the use of streets.

Read first and second times, and passed on file.

Senate File 16, by Senators Hattery and Dykhouse, a bill for an act to amend section four hundred twelve point five (412.5), Code 1950, relating to municipal utilities retirement systems.

Read first and second times, and passed on file.

Senate File 17, by Senators Hattery and Dykhouse, a bill for an act to amend chapter three hundred sixty-five (365), Code 1950, relating to civil service in municipal corporations.

Read first and second times, and passed on file.

Senate File 18, by Senators Dykhouse and Hattery, a bill for an act to provide for the government of municipal corporations under the council-manager by popular election form of municipal government, and to repeal various sections of chapter four hundred nineteen (419), Code 1950, relating thereto, and to enact substitutes therefor.

Read first and second times, and passed on file.

Senate File 19, by Senators Hattery and Dykhouse, a bill for an act to repeal section three hundred thirteen point twenty-one (313.21), Code 1950, relating to the width of primary road extensions in cities and towns.

Read first and second times, and passed on file.

Senate File 20, by Senators Dykhouse and Hattery, a bill for an act to provide for the government of cities and towns under the commission form of municipal government, and to repeal various sections of chapter four hundred sixteen (416), Code 1950, relating thereto and to enact a substitute therefor.

Read first and second times, and passed on file.

Senate File 21, by Senators Hattery and Dykhouse, a bill for an act relating to the payment of sales and use tax by tax certifying or levying bodies and to repeal certain sections of chapter four hundred twenty-two (422) of the Code relating thereto and enact substitutes therefor.

Read first and second times, and passed on file.

Senate File 22, by Senators Hattery and Dykhouse, a bill for an act to repeal chapter six hundred three (603), Code 1950, relating to the superior court, and to amend various sections of the Code relating thereto.

Read first and second times, and passed on file.

Senate File 23, by Senators Hattery and Dykhouse, a bill for an act relating to the mayors and police courts of cities and towns, and to repeal various sections of chapters three hundred sixty-three (363), four hundred sixteen (416), four hundred nineteen (419), and four hundred twenty (420), Code 1950, and to amend chapter three hundred sixty-seven (367), Code 1950.

Read first and second times, and passed on file.

Senate File 24, by Senators Dykhouse and Hattery, a bill for an act relating to municipal platting, planning, and zoning and to amend chapters four hundred nine (409), four hundred fourteen (414), three hundred seventy-three (373), and three hundred fifty-eight-A (358A), Code 1950, relating thereto.

Read first and second times, and passed on file.

Senate File 25, by Senators Hattery and Dykhouse, a bill for an act to amend sections four hundred eighteen point one (418.1), and four hundred eighteen point three (418.3), Code 1950, relating to the council-manager plan of municipal government by ordinance.

Read first and second times, and passed on file.

Senate File 26, by Senators Dykhouse and Hattery, a bill for an act to amend section four hundred twenty-seven point one (427.1), Code 1950, relating to exemptions from taxation.

Read first and second times, and passed on file.

Senate File 27, by Senators Hattery and Dykhouse, a bill for an act to amend section three hundred ninety-seven point twenty-six (397.26), Code 1950, relating to protection of municipal water supplies.

Read first and second times, and passed on file.

Senate File 28, by Senators Hattery and Dykhouse, a bill for an act to provide for the government of cities and towns under the mayor-council form of municipal government, and to repeal various sections of chapter three hundred sixty-three (363), Code 1950, relating thereto and to enact a substitute therefor.

Read first and second times, and passed on file.

Senate File 29, by Senators Dykhouse and Hattery, a bill for an act to abolish river front commissions and to repeal chapter three

hundred seventy-two (372), Code 1950, and other sections of the Code relating thereto and to transfer powers relating to river front improvements in municipal corporations to the council.

Read first and second times, and passed on file.

Senate File 30, by Senators Hattery and Dykhouse, a bill for an act to define the powers of municipal corporations in respect to carriers of passengers or merchandise for hire operating within such municipal corporations and upon the streets thereof and to amend certain sections of the Code relating thereto and to repeal certain sections of the Code relating thereto and to enact substitutes therefor.

Read first and second times, and passed on file.

Senate File 31, by Senators Dykhouse and Hattery, a bill for an act to amend section thirteen point two (13.2), Code 1950, relating to the duties of the attorney general.

Read first and second times, and passed on file.

Senate File 32, by Senators Dykhouse and Hattery, a bill for an act to make all general laws pertaining to municipal corporations applicable to cities organized under special charter and other specific forms of municipal government and to repeal sections four hundred twenty point forty (420.40), and four hundred twenty point forty-one (420.41) of the Code relating thereto and enact substitutes therefor, and to repeal all other sections of chapter four hundred twenty (420) and various other sections of the Code relating exclusively to cities organized under special charter.

Read first and second times, and passed on file.

Senate File 33, by Senators Dykhouse and Hattery, a bill for an act relating to the ordinances of municipal corporations, and to repeal certain sections of chapter three hundred sixty-six (366), Code 1950, relating thereto, and to amend certain sections of said chapter.

Read first and second times, and passed on file.

Senate File 34, by Senator Doud, a bill for an act to amend section forty-four point two (44.2), and section forty-four point thirteen (44.13), Code 1950, relating to nominations by non-party organizations.

Read first and second times, and passed on file.

Senate File 35, by Senator Doud, a bill for an act to amend section four hundred fifty point sixty-three (450.63), Code 1950, relating to the payment of interest on inheritance tax.

Read first and second times, and passed on file.

Senate File 36, by Senators Doud and Fishbaugh, a bill for an act to amend section forty-three point forty-one (43.41), Code 1950, and repeal section forty-three point forty-four (43.44), Code 1950, relating to the change of party affiliation at primary elections.

Read first and second times, and passed on file.

On motion of Senator Elthon, 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 Byers for the balance of the day on request of Senator Hart;  
Senator Humbert for the balance of the day on request of Senator Tudor.

#### INTRODUCTION OF BILLS

Senate File 37, by Senator Utzig, a bill for an act to provide for the care and control of trees, shrubbery, flowers and grass upon the parking along streets and driveways in certain cities under the manager plan by election, and to amend chapter four hundred nineteen (419), Code 1950.

Read first and second times, and passed on file.

Senate File 38, by Senator Gillespie, a bill for an act to amend section three hundred twenty-one point two hundred eighty-five (321.285), Code 1950, relating to speed restrictions on highways.

Read first and second times, and passed on file.

Senate File 39, by Senator Gillespie, a bill for an act to amend section three hundred twenty-one point two hundred eighty-nine (321.289), Code 1950, relating to the placing of signs designating safe speed on hills and curves.

Read first and second times, and passed on file.

Senate File 40, by Senator Gillespie, a bill for an act to amend

section three hundred twenty-one point one hundred seventy-four (321.174), Code 1950, relating to issuance of drivers license upon signed consent to the taking of tests to determine intoxication.

Read first and second times, and passed on file.

Senate File 41, by Senators Doud, Molison, Prentis, Weichman, Berg and Anderson, a bill for an act to amend section twenty-four point three (24.3), subsection three (3), Code 1950, relating to the requirements in preparing the local budget.

Read first and second times, and passed on file.

Senate File 42, by Senator Doud, a bill for an act to amend section fifty-one point four (51.4), Code 1950, relating to the selection of counting boards duties.

Read first and second times, and passed on file.

Senate File 43, by Senators Colburn and Doud, a bill for an act transferring any unallocated balance of appropriation made by chapter two (2), Acts of the Forty-eighth General Assembly, to the state board of control, and any unallocated balance of appropriation made to the state board of control by chapter three (3), Acts of the Forty-ninth General Assembly, to the capitol improvement fund created by chapter three (3), Acts of the Fifty-first General Assembly.

Read first and second times, and passed on file.

Senate File 44, by Senators Bateson, Fletcher and Nesmith, a bill for an act to amend section four hundred twenty-five point two (425.2), Code 1950, relating to the filing of claim for homestead exemption with the county assessor or the county auditor, and to place such filing exclusively in the office of the county assessor.

Read first and second times, and passed on file.

Senate File 45, by Senators Bateson and Watson of O'Brien, a bill for an act to amend section two hundred forty-nine point thirty-six (249.36), Code 1950, relating to payment of old-age assistance per capita taxes for the years 1934, 1935 and 1936.

Read first and second times, and passed on file.

Senate File 46, by Senators Berg, Zastrow and Doud, a bill for an act providing a deduction from taxable moneys and credits in an amount equal to taxes to be paid in the current tax year and to



amend section four hundred twenty-nine point four (429.4), Code 1950.

Read first and second times, and passed on file.

#### ADDITIONAL COPIES

Senator Hattery asked and received unanimous consent to have 500 additional copies of Senate Files 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33 printed.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 11, 1951.

The Senate met in regular session, President Evans presiding.

Prayer was offered by Reverend James Angell, pastor of the First Presbyterian Church, Indianola, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Byers for the day on request of Senator Hart; Senator Ridout for the day on request of Senator Doud.

## INTRODUCTION OF BILLS

Senate File 47, by Senators Bateson, Byers, Doud, Linnevold, Van Patten, Fletcher, Knudson, Parker, Gillespie and Watson of O'Brien, a bill for an act to repeal chapter five hundred fifty-one A (551A), Code 1950, relating to cigarette sales.

Read first and second times, and passed on file.

Senate File 48, by Senator Watson of O'Brien, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of hospital bonds by the city of Spencer, Iowa, and the provisions made for the levy of 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 49, by Senators Bekman, Jacobson and McCarville, a bill for an act to amend section six hundred thirty-six point thirty-eight (636.38), Code 1950, relating to the amount of property a spouse may select from the property in estates of intestates.

Read first and second times, and passed on file.

Senate File 50, by Senators Bekman, Jacobson and McCarville, a bill for an act to amend section four hundred fifty point fifty-nine (450.59), Code 1950, relating to jurisdiction of the court in the release of real or personal property from the lien of inheritance tax.

Read first and second times, and passed on file.

Senate File 51, by Senators Jacobson, Bekman, Sharp, Bateson, McCarville, Vest, Hattery and Hedin, a bill for an act to amend and revise section seven hundred twenty-five point two (725.2), Code of 1950, relating to lascivious enticing of a child and the penalty therefor.

Read first and second times, and passed on file.

Senate File 52, by Senators Jacobson, Bekman, Sharp, Bateson, McCarville, Vest, Hattery and Hedin, a bill for an act to amend section three hundred twenty-one point two hundred eighty-one (321.281), Code 1950, relating to the criminal operation of a motor vehicle while intoxicated.

Read first and second times, and passed on file.

Senate File 53, by Senators Jacobson, Bekman, Sharp, Bateson, McCarville, Vest, Hattery and Hedin, a bill for an act to amend section seven hundred eighty-nine point thirteen (789.13), Code 1950, relating to the imposition of sentences for crimes the maximum punishment for which is life imprisonment.

Read first and second times, and passed on file.

Senate File 54, by Senators Jacobson, Bekman, Sharp, Bateson, McCarville, Hattery, Vest and Hedin, a bill for an act relating to mileage for grand jurors.

Read first and second times, and passed on file.

Senate File 55, by Senators Jacobson, Bekman, Sharp, Bateson, McCarville, Vest, Hattery and Hedin, a bill for an act to amend section seven hundred thirteen point three (713.3), Code 1950, relating to the punishment for false drawing or uttering of checks, drafts, or written orders.

Read first and second times, and passed on file.

Senate File 56, by Senators Jacobson, Bekman, Sharp, Bateson, McCarville, Vest, Hattery and Hedin, a bill for an act to amend and revise section seven hundred nine point two (709.2), Code 1950, relating to the punishment for larceny.

Read first and second times, and passed on file.

Senate File 57, by Senators Jacobson, Bekman, Sharp, Bateson, McCarville, Vest, Hattery and Hedin, a bill for an act to amend

and revise section seven hundred nine point four (709.4), Code 1950, relating to larceny in the night time and the penalty therefor.

Read first and second times, and passed on file.

Senate File 58, by Senators Jacobson, Bekman, Sharp, Bateson, McCarville, Hattery, Vest and Hedin, a bill for an act to amend and revise section seven hundred nine point five (709.5), Code 1950, relating to larceny in the day time and the penalty therefor.

Read first and second times, and passed on file.

Senate File 59, by Senators Jacobson, Bekman, Sharp, Bateson, McCarville, Vest, Hattery and Hedin, a bill for an act to amend and revise section seven hundred nine point nine (709.9), Code 1950, relating to taking goods from an officer and the penalty therefor.

Read first and second times, and passed on file.

Senate File 60, by Senator Dykhouse, a bill for an act to permit trolling from power boats and sail boats on the waters of the state of Iowa where the use of outboard motors is permitted.

Read first and second times, and passed on file.

Senate File 61, by Senator Watson of O'Brien, a bill for an act to amend section two hundred thirty-one point eight (231.8), Code 1950, relating to the appointment of probation officers (in juvenile court) and their salaries and expenses.

Read first and second times, and passed on file.

Senate File 62, by Senators Bekman, Jacobson and McCarville, a bill for an act to amend section four hundred thirty-two point one (432.1), Code 1950, relating to gross premium tax payable by life insurance companies and associations.

Read first and second times, and passed on file.

Senate File 63, by Senators Bekman, Jacobson and McCarville, a bill for an act to amend section five hundred eleven point eight (511.8), Code 1950, relating to the investment of funds of life insurance companies and associations.

Read first and second times, and passed on file.

Senate File 64, by Senator O'Malley, a bill for an act to authorize the executive council to sell certain land belonging to the state of Iowa situated in block three (3), H. Lyons Addition to

the town of Demoiné, now included in and forming a part of the city of Des Moines, Polk County, Iowa.

Read first and second times, and passed on file.

#### SPECIAL ANNOUNCEMENT

Senator Elthon, majority floor leader, arose on a point of personal privilege and extended to Lieutenant Governor Evans deep appreciation for his valuable and fair service rendered to the members of the Senate, and also for the privilege of serving and working with him.

Senator Augustine, minority floor leader, expressed to Lieutenant Governor Evans, and to the members of the Senate, that he had never seen "Ken" Evans do anything unfair to the minority party.

Other Senators joined in the ceremony stating that "Kenneth Evans was trustworthy, loyal, friendly and kind, and from time immemorial it has been truly said, 'That he who wins the grateful mention of his brothers has really all the honor that he needs.'"

Lieutenant Governor Evans expressed his grateful appreciation to the members of the Senate.

#### PRESENTATION OF VISITOR

Senator Berg asked and received unanimous consent to present to the Senate a former member of the Senate from Polk County, long time friend and admirer of Lieutenant Governor Evans, the Honorable George M. Faul.

Senator Faul expressed his appreciation for the privilege of being presented to the members of the Senate, for the privilege of having served with Lieutenant Governor Evans and other members of the Senate.

On motion of Senator Elthon, the Senate recessed until 1:00 p.m.

#### AFTERNOON SESSION

The Senate reconvened, President pro tempore Hart presiding.

#### COMMITTEE FROM THE HOUSE

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

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

### JOINT CONVENTION

The joint convention reconvened, Senator Hart, President of the joint convention, presiding.

The roll was called.

Those present were, 138:

Abel	Fletcher	Meyer	Schwengel
Anderson	Frey	Miller of	Sharp
Aubrey	Gallup	Black Hawk	Shepard
Augustine	Gillespie	Molison	Sherod
Bass	Goode	Moore of Butler	Shiflett
Bateson	Hansen	Moore of Louisa	Soeth
Bekman	Hanson	Munger	Stevens
Berg	Harris	Nelson of Jasper	Stiffler
Berry	Hart	Nelson of	Strawman
Bloedel	Hattery	Woodbury	Tate
Boothby	Hedin	Nesmith	Tierney
Brockmeyer	Heinz	Nicholson	Tudor
Brookings	Hendrix	Nielsen	Uhlenhopp
Brown	Henningesen	Norland	Utzig
Brownlie	Hultman	Nystrom	Van Eaton
Buck	Jacobson	Oberman	Van Patten
Burris	Jones	Oeth	Van Zwol
Burrows	Klemesrud	Olson	Voigtmann
Butler	Knudson	Oltman	Walker
Clark of	Koch	O'Malley	Walter, P. M.
Appanoose	Kosek	Oppedahl	Walter, W. E.
Clark of Marion	Kuester	Parker	Washburn
Colburn	Langland	Patrick	Watson of
Cooksey	Linnevold	Paul	O'Brien
Cornick	Lord	Pedrick	Watson of
Crabb	Loss	Pieper	Pottawattamie
Crosier	Lucken	Poston	Weichman
Dailey	Ludwig	Prentis	Weiss
Darrington	Lynes, J. K.	Putney	West
Davis	Martin	Ringgenberg	Weston
Doud	McCarville	Risk	White
Dykhouse	McEleney	Roberts	Whitehead
Eckels	McNeal	Robinson	Young
Elthon	Mensing	Ryan	Zastrow
Fairchild	Mercer	Sar	Mr. Speaker
Fiene	Metz	Schroeder	

Those absent were, 20:

Byers	Judd	Mooty	Ramseyer
Fishbaugh	Lisle	Morris	Ridout
Hanna	Mallonee	Myriand	Sloane
Huisman	McFarlane	Palmer	Smith
Humbert	Miller of Shelby	Pendleton	Vest

The President 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, 1951.

**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, 1950, beg leave to make the following report of the total vote cast for Governor:

William S. Beardsley.....	506,742
Lester S. Gillette.....	350,176
W. Raymond Picken.....	2,802
Howard H. Tyler.....	550

And the total vote cast for Lieutenant Governor at the election held November 7, 1950:

W. H. Nicholas.....	473,577
Iver Christoffersen .....	327,561
E. L. Tarr.....	2,960
John Solyst .....	559

All of which is most respectfully submitted.

JOHN P. BERG,  
GLENN E. ROBINSON,  
*Judges.*

R. R. BATESON,  
THOMAS J. DAILEY,  
J. E. HANSEN,  
R. O. BURROWS, SR.,  
*Tellers.*

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

Senator Berg of Black Hawk moved that the report be adopted. Robinson of Delaware seconded the motion that the report be adopted. Motion prevailed and the report was adopted.

President Hart of the joint convention announced that William S. Beardsley, 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 W. H. Nicholas, having received the highest number of votes cast for Lieutenant Governor, was duly elected to the office of Lieutenant Governor for the ensuing term, or until his successor is duly elected and qualified.

The following certificates were signed in the presence of the joint convention:

CERTIFICATE OF ELECTION  
STATE OF IOWA  
GENERAL ASSEMBLY

Hall of the House of Representatives,  
Des Moines, Iowa, January 11, 1951.

This is to certify that upon a canvass in joint convention of the two houses of the Fifty-fourth General Assembly of the state of Iowa, of all the votes cast at the general election held November 7, 1950, for the office of Governor of the state of Iowa, it appeared that William S. Beardsley 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 11th day of January, A. D. 1951.

STANLEY L. HART,  
*President Pro Tempore of the  
Senate and President of the  
Joint Convention.*

WILLIAM S. LYNES,  
*Speaker of the House.*

JOHN P. BERG,  
*Teller of the Senate.*

GLENN E. ROBINSON,  
*Teller of the House.*

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

CERTIFICATE OF ELECTION  
STATE OF IOWA  
GENERAL ASSEMBLY

Hall of the House of Representatives,  
Des Moines, Iowa, January 11, 1951.

This is to certify that upon a canvass in joint convention of the two houses of the Fifty-fourth General Assembly of the state of Iowa, of all the votes cast at the general election held November 7, 1950, for the office of Lieutenant Governor of the state of Iowa, it appeared that W. H. Nicholas 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 11th day of January,  
A. D. 1951.

STANLEY L. HART,  
*President Pro Tempore of the  
Senate and President of the  
Joint Convention.*

WILLIAM S. LYNES,  
*Speaker of the House.*

JOHN P. BERG,  
*Teller of the Senate.*

GLENN E. ROBINSON,  
*Teller of the House.*

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

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

Elthon of Worth moved that a committee of five, consisting of two from the Senate and three from the House, be appointed to notify Governor-elect William S. Beardsley and Lieutenant Governor-elect W. H. Nicholas of the official result of the canvass of votes.

Motion prevailed and President Hart named as such committee Senators Elthon of Worth and Watson of O'Brien, and Representatives Robinson of Delaware, Darrington of Harrison and Norland of Worth.

#### REPORT OF COMMITTEE

Senator Elthon from the joint committee appointed to notify William S. Beardsley and W. H. Nicholas of their election to the offices of Governor and Lieutenant Governor, respectively, submitted the following report and moved its adoption:

**MR. PRESIDENT:** As a committee appointed at the joint convention to notify the Honorable William S. Beardsley and the Honorable W. H. Nicholas 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,

LEO ELTHON,  
HARRY E. WATSON,  
*On the part of the Senate.*

GLENN E. ROBINSON,  
WM. E. DARRINGTON,  
NORMAN NORLAND,  
*On the part of the House.*

Report adopted.

Stiffer of Warren moved that a committee of five, two from the Senate and three from the House, be appointed to escort Governor-elect Beardsley and Lieutenant Governor-elect Nicholas to the House chamber.

Motion prevailed and President Hart of the joint convention appointed Representatives Stiffer of Warren, Burriss of Jackson and Tate of Cerro Gordo and Senators Van Patten of Warren and Knudson of Cerro Gordo as such committee.

A musical concert was presented by Bill Austin's string ensemble.

The sergeant-at-arms announced the arrival of Governor-elect Beardsley and Lieutenant Governor-elect Nicholas, accompanied by the Governor's staff.

Governor-elect Beardsley and Lieutenant Governor-elect Nicholas were escorted to the Speaker's station.

The following invocation was delivered by the Reverend Raoul C. Calkins, Superintendent Des Moines District, Methodist Church:

Almighty God, with whom there is no variableness, nor shadow of turning, we look to Thee in these days of national and international uncertainty, and pray that we may be steadfast to know Thy will and to do it. Thou unto whom all hearts are open, all desires known, and from whom no secrets are hid, cleanse the thoughts of our hearts by the inspiration of Thy holy spirit, that we may perfectly love Thee, and worthily magnify Thy holy name. Thou who are the source of all righteousness, we remember that righteousness exalts a nation, but sin is a reproach to any people.

Almighty God, we pray for all those in whom the public has placed its trust; may these leaders put their trust not so much in the people as in Thee. May the slogan, "In God We Trust," not be just a slogan on a dollar but a reality practiced in this building in all departments.

We pray especially for this Thy servant who is being inaugurated as Governor. Give to him steadfastness of purpose because it is in accord with Thy purposes; in the midst of confusion without give him peace within; in the midst of the multiplicity of details give to him a sense of the important; in the midst of many selfish interests help him to work for the welfare of all.

We pray that these same blessings shall be bestowed upon him who takes the oath of Lieutenant Governor. May they together have a sense of doing Thy will.

We thank Thee for our rich natural resources in Iowa, may they be conserved and used for the good of mankind; we thank Thee for our citizenry, may its actions be exemplary to the nation; we thank Thee for young people, may they be properly trained and protected as our greatest asset; we thank Thee for public leaders who fearlessly strive to create clean conditions. O Thou great lawgiver, may our lawmakers test each law by Thine; may evil be exposed and morality exalted.

We pray that the affairs of our state shall be so conducted that we will be co-workers with the Carpenter of Nazareth, that we shall so build that it shall speed the coming to pass of Thy will being done on earth as it is in heaven."

Harriet Moore of Des Moines sang "The Star Spangled Banner" and "Homing," accompanied by Bill Austin and his string ensemble, of radio station WHO, Des Moines.

The oath of office was administered to Governor-elect William S. Beardsley by the Honorable Charles S. Wennerstrum, Chief Justice of the Supreme Court of Iowa.

The oath of office was administered to Lieutenant Governor-elect W. H. Nicholas by the Honorable Charles S. Wennerstrum, Chief Justice of the Supreme Court of Iowa.

Lieutenant Governor Nicholas, President of the Senate presiding, presented Governor Beardsley, who delivered the following inaugural address:

MR. PRESIDENT, MR. SPEAKER, SENATORS AND REPRESENTATIVES OF THE FIFTY-FOURTH GENERAL ASSEMBLY, MR. CHIEF JUSTICE AND JUSTICES OF THE SUPREME COURT OF IOWA, LADIES AND GENTLEMEN:

On this occasion when we begin a two year period of association together in the service of the citizens of Iowa, we are in the midst of a national emergency. The two million six hundred thousand citizens of Iowa, associated together as one of the forty-eight states of our nation, must bear their full share of responsibility in sustaining our American way of life.

It is beyond the scope of our assigned responsibilities in this legislative session to determine the policies which are to be followed by our nation in the international field. Our task is to make Iowa strong.

The governmental affairs of the state of Iowa basically are in sound condition. Building upon the contributions of legislative and executive work of our predecessors, we have pursued diligently the work of giving to Iowans the maximum in good government.

Notwithstanding the achievements of the past, we would be unwise to rest on our laurels and claim that we had arrived at a state of near perfection.

The fact is that in a changing world good government is a continuing process of study, adjustment and decision. Keeping in mind the stern necessities of the hour, let us examine the areas of action which are afforded to us in our program to make Iowa strong.

#### CIVIL DEFENSE

Special legislation will be required at this session in order to make secure the civilian defense of our state. My associates and I in the executive branch of the government have been working diligently in cooperation with officials of our adjoining states and officials of the

national government to determine the methods by which civilian defense can be achieved in the most efficient manner. These plans are being completed and will be transmitted to you for your consideration at the earliest possible moment.

### SOLDIER'S BONUS

By an overwhelming vote the citizens of Iowa approved the payment of a soldier's bonus to those individuals from Iowa who served our nation during World War II.

Pursuant to this authorization and the action of the Fifty-third General Assembly, 229,208 claims for payment of soldier's bonus in the aggregate amount of \$84,609,126.35 have been made. There still remain unpaid claims aggregating approximately \$7,768,918.73. I recommend the immediate enactment of enabling legislation authorizing the payment of the balance due on the soldier's bonus out of unappropriated funds in the State Treasury. It is my hope that this legislation can be enacted in time to permit the mailing of all approved checks in connection with the payment of the soldier's bonus before January 31, 1951. Payment of these claims will discharge debts of honor incurred in the dangerous hours of World War II.

### FINANCE AND BUDGETARY MATTERS

My recommendations with respect to budget estimates and the report of the financial condition of the State of Iowa are ready. These recommendations have been based upon an intensive study of the requirements of our individual departments and agencies. Because of the very large number of vital matters which will require your attention, I trust you will be able to conclude your consideration of appropriation matters early in the session. In order to accomplish this objective, I am pleased to advise that the budget recommendations, appropriation bills, and pertinent matters relating thereto will be submitted to you on your reconvening next week.

### EFFICIENCY IN GOVERNMENT

Your present state administration is committed in principle to the proposition that tax monies should be wisely and efficiently spent. The reports of the Governmental Reorganization Commission and the Municipal Code Study Committee, authorized by the Fifty-third General Assembly, have been transmitted to you for your consideration.

In your deliberations on these reports and recommendations related to them, there are certain fundamental principles which should be considered.

First, we need to set up targets and objectives which we seek to accomplish. Reorganization or code revision, for reorganization's sake only, would change the mechanics of government and might result in no improvement. Any adjustments in the organization of our state government and municipal government should be designed to accomplish the maximum reduction in expenditures which will result in the maintenance of and improvement in service to our citizens.

Second, economies must be achieved while at the same time we assure adequate compensation to our loyal public employees.

Third, services of the state government and its political subdivisions to the citizens of Iowa should be reexamined to see that the state performs those services which it is equipped to do well, leaving to the individual citizens and other branches of government responsibilities which they can best perform.

Fourth, we need continuing study and effort in a program of personnel improvement. Decisions as to reorganization and methods of securing efficiency in government can be made only by legislative processes. Those decisions can be put into operation *only* by employees of government. We must move forward in a program which will train our people to do their job better. We must reward the efficient by adequate promotions and compensation. We must encourage introduction of improved methods and new techniques.

I must be frank with you in stating that I do not seek personal power through any reorganization of government. Many, many times during the past two years citizens of Iowa have written me requesting affirmative action to correct certain problems. In some of these situations, powers granted to me did not permit me to be of help in working out solutions. You will in your deliberations examine our governmental structure and determine the extent to which modifications will be wise in our program of reaching the goals mentioned herein.

#### MODERNIZING IOWA LABOR LAWS

The growth of Iowa industry in recent years has been a source of gratification and pride to all of us. It has meant for us a more balanced economy. In the critical days immediately ahead it appears certain that further expansion of our industries will occur. In the program of making Iowa strong, industrial peace is of primary importance. Iowa must take all steps necessary to improve relations between management and labor.

We recognize fully the useful place of labor organizations in our economy. The right to collective bargaining is inherent. It seems clear that when any given labor organization has been chosen in a free and secret election by the employees of any individual industry to represent them in dealing with their employers, then all the employees of such industry should contribute to the cost of maintaining such organization or union. I, therefore, recommend that the union shop be legalized. I further recommend that the individual workers be protected against arbitrary expulsion from unions and consequent loss of jobs. The inherent right of the individual American working man to think for himself and his constitutional right to express himself must be protected.

During the biennium just closed through the help of public spirited citizens we have demonstrated that conciliation of labor disputes by state action can be helpful in solving industrial disputes. I renew my former recommendation that a state conciliation service be established.

### KEEPING IOWA AGRICULTURE AT PEAK EFFICIENCY

In this hour of emergency, it is already apparent that our nation will be dependent to a great extent upon the productive resources of our great agricultural industry. In World War II all-out production was a top priority. Conservation and rotation practices were to some extent deferred or neglected. The present crisis may last for years. Lack of attention to the preservation of our soil may be seriously detrimental to the long range future of our state. Therefore, I recommend that you consider ways and means by which our conservation of natural resources can be accelerated even in this hour of national crisis.

### EDUCATION

Two years ago I clearly stated my belief in the need of increased state aid for schools—to assure equal and adequate educational opportunities for all the boys and girls in Iowa. Today, one-fourth of the costs of operating Iowa's public schools are covered by state funds provided by the Fifty-third General Assembly which supported me in this program. It is difficult to measure how much this state aid for schools program has meant in terms of improved education for the children in many areas of the state—and in relieving the burden from many property tax payers. Because our schools reflect the quality of our teachers—this administration also recognizes the necessity of taking the proper steps to assure better qualified teachers—and to attract the most capable people to the teaching profession.

Our institutions of higher learning—the State University, the State College at Ames, and the State Teachers College—have all received substantial appropriation increases. The by-products of the work of these institutions in the form of applied research and the development of improved techniques of production and distribution, which are being used by the citizens of our state and nation, clearly demonstrate the need for adequate support of higher education.

In this field, the State Board of Education conducted last year the Strayer investigation. And, while the state institutions of higher learning are of great importance, we also have more than 20 private institutions which likewise serve the citizenry of the state in the very important field of higher education. Moreover, a survey has been under way, dealing with the work of junior colleges, which also form an important segment of advanced education in many areas of the state.

In my judgment, we cannot properly survey the future needs and the proper use of advanced educational facilities until we see all three segments in their proper proportions and know of their future plans. Therefore, I recommend that during the next biennium a study committee be appointed to make the necessary survey in this very important field, that we may more wisely plan our advanced educational program for the future.

### SCHOOL REORGANIZATION

Four years ago the General Assembly enacted legislation which established a procedure for the reorganization of school districts. The results have been disappointing, in that reorganization has moved very slowly.

There has been much controversy in the state, and much concern, and probably much misunderstanding, about the goals of this reorganization program. The people of Iowa are overwhelmingly of the opinion, and rightly so, that control of the schools should remain in the local communities. Nevertheless, the people are conscious of the importance of education and have a sincere desire to improve the educational facilities of the state. There is a widespread realization of the importance of improvement through reorganization.

Therefore, I recommend that this General Assembly carefully canvass this very important field of public service; that it simplify the laws providing for reorganization and, in doing so, maintain the fundamental principle of local self-determination. The people themselves must continue to have, as they now have, the final voice of approval in any program affecting their own local schools.

### ANNUITY AND RETIREMENT BENEFITS FOR PUBLIC EMPLOYEES

Bearing in mind the importance of our public employees, and the benefits to which they are entitled under our state employees' retirement program, we must review this program periodically to determine the extent to which it can be improved.

I recommend that the present law be amended to enlarge the benefits to public employees, to at least equal the benefits which they would receive by reason of the present provisions of the federal law.

Likewise, I recommend that casual employees be relieved from the operation of the fund, either through exclusion from the payment of employee's portion, or by adequate provision so that casual employees will be entitled to receive refunds upon leaving public employment. I am advised the actuarial estimates show no increases in contributions will be required if we liberalize the state retirement program in accordance with these recommendations.

### LAW ENFORCEMENT

In my biennial message earlier this week, I observed that our state has been freed of syndicate gamblers and the federal government has enacted recently a law forbidding the interstate shipment of slot machines. Still, in my judgment, it is desirable to lock the barn while the horse is out by enacting a state law providing for the cancellation of all business licenses, in cases where gambling equipment is found in any business establishment.

Another urgent problem in the field of law enforcement and legal justice is the problem of sex crimes and all criminal convictions of like nature. I recommend that before the convicted parties in such cases

are sentenced, that they be properly screened by the state staff of psychiatric physicians. These physicians, who are competent to properly diagnose the individual cases, are now doing this work in our penal institutions *after* the offenders have been sentenced and committed. In my judgment, it would be highly desirable for the courts to have the benefit of these case reports before determining the sentence and the place of incarceration.

#### AID TO PERMANENTLY AND TOTALLY DISABLED

Recent federal Social Security legislation has made provision for a new type of public assistance—Aid to the Permanently and Totally Disabled.

In my two years as Governor, many cases of a pitiful and distressing nature in this category have been called to my attention. This new aid program can be set up on a basis similar to the Aid to Blind program, and I seriously recommend that this General Assembly enact legislation to provide for aid to these very worthy and unfortunate citizens—the permanently and totally disabled. I am pleased to advise that the necessary information is available for the consideration of the proper legislative committees.

#### CHILD WELFARE

While we have made definite progress in the field of Child Welfare in the past two years, it is desirable that we accelerate our program of placing boys and girls from our two children's institutions in the homes of citizens of our state. Scores of children, who today are wards of the state in these institutions, will be far better off in the homes of citizens who yearn for the admission of these children to family life.

In our Aid to Dependent Children program, we should provide for 100 per cent aid, and I am so advising the State Board of Social Welfare, which is charged with the responsibility of administering this very important program.

During the past two years, an average of approximately 100 unfortunate children each month have become dependents of the state because of desertion by their parents. In order to check this deplorable condition and require parents to assume their proper responsibilities to their children, I suggest that the State Board of Social Welfare be granted authority to direct the county attorneys to prosecute deserting parents in those cases where, after due consideration, such prosecution seems advisable. Unless this or some alternative solution is found, the next General Assembly will find it necessary to appropriate an additional one million dollars a year for support of dependent children.

Two years ago, when the Assembly adopted the uniform criminal extradition law, we hoped we had found a measure of remedy for the problem of child desertion. But this legislation was not as effective a remedy as we expected. Experience during the past two years has demonstrated that further legislation is necessary.

Appropriation recommendations in connection with Aid to Dependent



Children, Old Age Assistance and other social welfare responsibilities will be dealt with further in my budget message to you next week.

### HIGHWAY SAFETY

Although Iowa has achieved a high standard of traffic safety, compared with other states, the continuing tragedies on our highways require affirmative action for the further protection of the safety of our citizens.

Almost 600 persons were killed, and 17,873 more were injured, as a result of highway accidents last year. The main contributing factors to these fatalities and the great number of accidents are: Driving while under the influence of intoxicating liquor, speeding and reckless driving, misjudgment of distance in passing, and mechanical defects. This legislature should take every possible step to correct these conditions.

Toward that end, I recommend that the number of state highway patrolmen be increased from 160 to 225. As a means of meeting the additional cost of this increase in the patrol force, I recommend that you increase the annual charge for a driver's license from the nominal sum of 25 cents to 50 cents a year. This will be a good investment in greater safety on our streets and highways.

Within the limits of its manpower, our Highway Patrol has attained a high peak in efficiency and performance. Its fine personnel merits and enjoys the confidence and respect of our entire state. It is vital to the enforcement of the law of the road.

However, there are other aspects of highway safety which are the responsibility of every citizen of our state. I refer to the importance of Safety Education.

Actually, safety begins between the ears. We must inculcate safer driving habits in the people of Iowa through broad programs of safety education, such as the work now carried forward by the Iowa Safety Congress and numerous cooperating organizations in the state. We must all work to the end that everyone in our state becomes a safe, prudent and careful driver. The Highway Patrol alone cannot accomplish this task.

In regard to the correction of mechanical defects in motor vehicles, there has been proposed the establishment of safety inspection stations throughout the state. However great are the merits of this proposal, it would necessitate the hiring of hundreds of additional state employees.

At the same time, in every county in the state, there are well-equipped garages which are qualified to do this work. I urge that you seriously consider the adoption of a program which would make use of these existing facilities. The responsibility for administration of such a program should be placed in the proper enforcement agency, the office of the Public Safety Commissioner. He should be directed to license established firms in the hundreds of communities throughout the state where adequate facilities exist, and to require a bond from these firms to insure adequate standards of safety inspection.

It would be a relatively simple matter and a great convenience to the public to make use of existing garages for this purpose. And it could be done at a nominal cost.

## TAXATION

The subject of taxation is always of importance in the deliberations of the General Assembly. Primarily, we should always seek to equally distribute the tax burden, for, surely, the power to tax is the power to destroy, and in your deliberations it is well to constantly bear this fact in mind. It is necessary to provide the tax funds for the support of the government. However, as the taxing power of government is a paralyzing force on the economy and further development of the nation, we must proceed cautiously and wisely in all tax matters.

It is of paramount importance that we maintain the present sound condition of the financial affairs of the state. We must continue to operate the state government within the current income of the state, and avoid the necessity of levying new taxes or increasing the tax burden of the people. This can be done and should be the number one goal of this General Assembly.

In a few words, my recommendations are: a sound budget; no new taxes; and no increases in taxes.

## HIGHWAYS

Highway legislation is also of great importance. We live in an age when transportation is a modern necessity. The highway legislation enacted by the last legislature placed Iowa ahead in the parade of states in highway and road programs, and is proving so beneficial, as the program develops, that in my judgment, we need no major highway legislation in this session, and the work can properly be limited to minor corrective measures.

## GENERAL

As legislators, it is your duty and responsibility to serve the best interests of all the people of Iowa. That is also my duty and responsibility.

You are the duly elected and constituted representatives of the people in the General Assembly. In that capacity, it is your obligation to make laws for all of the people and constantly bear in mind your responsibility to all of the people.

In your deliberations, I am sure that you will approach all public questions which come before you with open minds and considered judgment. By so doing, you can do the greatest good, and fully discharge your high duty to the citizenry of our great state.

On the one hand, let us have a minimum of contention and division. On the other, let us have a maximum of good will and understanding, tolerance and consideration.

If we would be worthy of our trust we must serve these lofty purposes. Only on the exalted plane of public service and devotion to duty can we merit the confidence which the people have reposed in us.

## BE FAIR

**Be fair! It is not pity that men need  
But a revival of the shining creed**

Of chivalry and honor through the earth.  
Be fair! He who would rightly know another's worth  
Must see in him the man he strives to be,  
Possessed of courage, truth and loyalty.  
Be fair! Give faith for faith, meet trust with trust.  
Who best serves his state must first of all be just!

Let us be eminently fair and just. Let us be considerate to the nth degree of the interests and the welfare of all the people. And if, by precept and example, we meet the challenge of the day, we shall deserve the gratitude of all our fellow citizens. We shall win, moreover, a place of respect and appreciation in the memories of those who follow us.

At this hour of inaugural I am very humble before God and man. I appreciate the confidence which the people have reposed in me. My fervent wish is to serve the interests of the people and may Almighty God in His infinite goodness give me strength and wisdom to do my duty.

The Songfellows sang "Stout Hearted Men" and "Student Prince Serenade," accompanied by Bill Austin.

Governor William S. Beardsley was escorted from the chamber by the committee previously appointed.

The minutes of the joint convention were read and approved.

Butler of Pocahontas moved that the joint convention be now dissolved.

Motion prevailed.

The Senate returned to the Senate chamber and resumed regular session, President pro tempore Hart presiding.

Senator Elthon moved that a committee of three be appointed to escort Lieutenant Governor Nicholas to his station.

The motion prevailed and the chair appointed as such committee Senators Knudson, Colburn and Oltman.

President pro tempore Hart presented Lieutenant Governor Nicholas to the Senate.

President Nicholas:

This is one of the most important moments of my life. I am entering this two years' of service for my state in a humble and cooperative spirit. I have a lot of admiration for all the members of the Senate and I want to make you a good presiding officer.

As your presiding officer, sometimes I may find it necessary to make decisions somewhat distasteful to you. I hope by doing so I do not lose your friendship.

A few years ago, the then Governor of Iowa told me that the greatest disappointment he had, when he was elected to the speakership of the

House and later to the office of Lieutenant Governor, was that he seemed to lose contact with his friends—that they seemed to have built an invisible stone wall between them and him. Now, if any one of you is of the opinion that you are going to build an invisible stone wall between you and me, you might as well throw your trowels away, because there are no such designs on your trestle board. The Lieutenant Governor's office will be open at all times and I want you to come in and see me frequently, not for what I can do for you but for what you and I can do for the good of the state of Iowa.

I am grateful for your permission to appoint the committees. I have worked hard on them. I have combined two of them and I have formed two new ones. Because of the importance of the Dairy Industry to our state and also of the Poultry Industry, especially the Turkey Industry, I have formed a special committee called the dairy and poultry committee. The committees have been appointed and the Secretary will read them soon.

And may I say in conclusion that I am fortunate in having all my family, including my nice new daughter-in-law with me. They will be in the Lieutenant Governor's office and those of you who have the time, I would be happy to have you meet them and visit awhile.

#### APPOINTMENT OF SECRETARY AND PAGE TO LIEUTENANT GOVERNOR

Lieutenant Governor Nicholas announced the appointment of L. Viola Towle of Linn County as his secretary and the appointment of David Abram of Polk County as his page. Miss Towle and David Abram appeared before the bar of the Senate and were duly sworn.

#### APPOINTMENT OF PAGE TO SECRETARY

The Secretary of the Senate announced the appointment of Donald Abram of Polk County as his page.

#### INTRODUCTION OF BILLS

Senate File 65, by Senator West, a bill for an act relating to the sales tax and to exempt the gross receipts from sales of certain items from the provisions thereof and to amend section four hundred twenty-two point forty-five (422.45), Code 1950, relating thereto.

Read first and second times, and passed on file.

Senate File 66, by Senator West, a bill for an act relating to witness fees and mileage in courts of record and to amend section six hundred twenty-two point sixty-nine (622.69), Code 1950.

Read first and second times, and passed on file.

Senate File 67, by Senator West, a bill for an act relating to the fees and mileage allowed jurors in general, and to amend section six hundred seven point five (607.5), Code 1950.

Read first and second times, and passed on file.

Senate File 68, by Senators Berg, Bateson, Fishbaugh, Bekman, Oltman and Hultman, a bill for an act providing for an appropriation to the service compensation fund existing under section thirty-five A point three (35A.3), Code 1950, for the purpose of paying unpaid claims to veterans of World War II and the expenses of administration of the Service Compensation Board.

Read first and second times, and passed on file.

Senate File 69, by Senator Anderson, a bill for an act to legalize and validate the proceedings of the board of directors of the Consolidated School District of Ainsworth, in the county of Washington, state of Iowa (sometimes known and identified as the Ainsworth Consolidated School District of Washington County, Iowa), authorizing and providing for the issuance and delivery of school building bonds and for the levy of taxes for the payment of said bonds, and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

Read first and second times, and passed on file.

Senate File 70, by Senators Bekman, Byers, Jacobson, Mercer, Sharp and Watson of Pottawattamie, a bill for an act to repeal sections six hundred eighty-two point twenty-three (682.23), six hundred eighty-two point twenty-four (682.24) and six hundred eighty-two point twenty-five (682.25), Code 1950, 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.

President Nicholas announced the appointment of the following standing committees:

**APPOINTMENT OF SENATE COMMITTEES  
FIFTY-FOURTH GENERAL ASSEMBLY**

AERONAUTICS

Risk— Chairman	Ridout* Dailey	Hedin Van Patten	Whitehead
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\*Indicates ranking member

	<b>AGRICULTURE</b>		
Bateson—	Linnevold	Ridout	Watson of
Chairman	Lord	Sharp	Pottawattamie
Walter*	Lynes	Tudor	Weichman
Augustine	Molison	Van Patten	West
Gillespie	O'Malley	Watson of	Zastrow
Humbert	Prentis	O'Brien	
	<b>APPROPRIATIONS</b>		
Colburn—	Fishbaugh	Lynes	Van Patten
Chairman	Hattery	Mercer	Walter
Tudor*	Hedin	Molison	Watson of
Augustine	Henningsen	Myrland	Pottawattamie
Bateson	Hultman	Oltman	Weichman
Berg	Jacobson	Parker	West
Doud	Knudson	Prentis	Whitehead
Dykhouse	Lord	Risk	
	<b>BANKS, BUILDING AND LOAN</b>		
Hattery—	Colburn	McCarville	Risk
Chairman	Fishbaugh	Oltman	Sharp
Mercer*	Hart	O'Malley	Walter
Berg	Lord	Prentis	Zastrow
Byers			
	<b>BOARD OF CONTROL</b>		
Watson of	Anderson	Humbert	Roberts
Pottawattamie	Doud	Knudson	Vest
—Chairman	Hart	Linnevold	Weichman
McCarville*	Henningsen	Risk	
	<b>CITIES AND TOWNS</b>		
Dykhouse—	Gillespie	Knudson	Sharp
Chairman	Hart	Lord	Van Eaton
Hattery*	Hedin	McCarville	Watson of
Berg	Henningsen	Myrland	O'Brien
Colburn	Hultman	O'Malley	
Fishbaugh	Jacobson	Parker	
	<b>CLAIMS</b>		
Walter—	Vest*	Humbert	West
Chairman	Anderson	Van Patten	
	<b>COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES</b>		
Weichman—	Fletcher	Molison	Utzig
Chairman	Henningsen	Myrland	West
Van Eaton*	Lynes	Roberts	Zastrow
Bateson			
	<b>CONSERVATION</b>		
Hultman—	Dykhouse	Linnevold	Ridout
Chairman	Fletcher	Lord	Sharp
Watson of	Gillespie	McCarville	Van Eaton
O'Brien*	Hattery	Molison	Van Patten
Augustine	Humbert	Oltman	Watson of
Dailey		Parker	Pottawattamie
	<b>DAIRY AND POULTRY</b>		
Anderson—	Gillespie	O'Malley	Van Patten
Chairman	Lynes	Sharp	Whitehead
Hultman*	Molison		
	<b>ELECTION REFORM</b>		
Linnevold—	Colburn*	Humbert	Jacobson
Chairman	Hattery		
	<b>ENROLLED BILLS</b>		
Nesmith—	Risk*	Dailey	
Chairman			
	<b>GOVERNMENTAL AFFAIRS</b>		
Prentis—	Augustine	Elthon	Lynes
Chairman	Bateson	Fishbaugh	O'Malley
Watson of	Colburn	Hattery	Risk
Pottawattamie*	Doud	Knudson	Van Patten

	<b>HIGHWAYS</b>		
Watson of O'Brien— Chairman Sharp* Anderson	Augustine Dykhouse Fishbaugh Henningsen Hultman	McCarville Knudson Oltman Ridout Tudor	Van Eaton Vest Weichman Whitehead
	<b>INSURANCE</b>		
Bekman— Chairman Henningsen* Berg	Byers Fletcher Jacobson	Linnevold McCarville Mercer	O'Malley Vest Zastrow
	<b>INTERSTATE COOPERATION</b>		
McCarville— Chairman	Knudson* Nesmith	Parker	Walter
	<b>IOWA DEVELOPMENT</b>		
Henningsen— Chairman	Gillespie* Bekman	Oltman Parker	Utzig Van Eaton
	<b>JUDICIARY 1</b>		
Fishbaugh— Chairman Jacobson* Bateson	Doud Elthon Knudson	O'Malley Prentis Walter	Watson of O'Brien Zastrow
	<b>JUDICIARY 2</b>		
Byers— Chairman Bekman*	Dailey Hart Hattery	Lynes McCarville Mercer	Nesmith Watson of Pottawattamie
	<b>LABOR</b>		
Van Patten— Chairman Lynes* Anderson	Colburn Doud Elthon Hart	Hedin Hultman Lord Mercer	O'Malley Risk Walter Whitehead
	<b>MANUFACTURING, COMMERCE AND TRADE</b>		
Jacobson— Chairman	Berg* Hart	Hultman Mercer	Nesmith Van Eaton
	<b>MILITARY AFFAIRS</b>		
Berg— Chairman Fishbaugh*	Bekman Dailey Oltman	Ridout Sharp	Tudor Walter
	<b>MINES AND MINING</b>		
Hedin— Chairman	Fletcher* Bekman	Doud	Roberts
	<b>MOTOR VEHICLES</b>		
Van Eaton— Chairman Myrland* Bateson	Bekman Fletcher Hedin Lynes	McCarville Mercer Risk	Roberts Tudor Van Patten
	<b>PRINTING</b>		
Whitehead— Chairman	Linnevold* Colburn	Dykhouse	Mercer
	<b>PRIVATE CORPORATIONS</b>		
Zastrow— Chairman	Byers* Jacobson	Lord	Vest
	<b>PUBLIC HEALTH</b>		
Parker— Chairman Oltman* Bateson	Berg Elthon Jacobson McCarville	Molison Myrland O'Malley Risk	Roberts Vest Whitehead
	<b>PUBLIC LANDS AND BUILDINGS</b>		
Sharp— Chairman Hedin*	Anderson Hart	Henningsen Hultman	Utzig Weichman
	<b>PUBLIC LIBRARIES</b>		
Humbert— Chairman	Van Patten* Dailey	Fletcher Nesmith	Utzig

		<b>PUBLIC UTILITIES</b>		
Myrland—	Bekman	Dykhouse	Knudson	
Chairman	Byers	Hedin	Nesmith	
Watson of	Colburn	Jacobson	Parker	
Pottawattamie*	Doud		Tudor	
		<b>RAILROADS</b>		
Lynes—	Bateson	Dykhouse	Molison	
Chairman	Berg	Hultman	Oltman	
Weichman*	Byers	Mercer		
		<b>RULES</b>		
Hart—	Elthon*	Fishbaugh	Van Eaton	
Chairman	Byers			
		<b>SCHOOLS AND EDUCATIONAL INSTITUTIONS</b>		
Doud—	Dykhouse	Linnevoid	Ridout	
Chairman	Elthon	Lynes	Tudor	
Bateson*	Fishbaugh	Molison	Walter	
Anderson	Gillespie	Nesmith	Weichman	
Berg	Hattery	Oltman	West	
Colburn	Jacobson	Prentis	Whitehead	
		<b>SOCIAL SECURITY</b>		
Lord—	Doud	Myrland	Van Eaton	
Chairman	Elthon	O'Malley	Watson of	
Zastrow*	Hart	Prentis	Pottawattamie	
Augustine	Linnevoid	Tudor	Weichman	
Bekman		Utzig	Whitehead	
		<b>TAX REVISION</b>		
Tudor—	Gillespie	Lord	Van Eaton	
Chairman	Humbert	Sharp	Vest	
Dykhouse*	Knudson			
		<b>WAYS AND MEANS</b>		
Knudson—	Hedin	Mercer	Van Eaton	
Chairman	Henningsen	Molison	Walter	
Doud*	Hultman	Parker	Watson of	
Augustine	Jacobson	Prentis	O'Brien	
Dykhouse	Linnevoid	Sharp	Weichman	
Gillespie	McCarville	Tudor		

### SENATORS AND THEIR RESPECTIVE COMMITTEES FIFTY-FOURTH GENERAL ASSEMBLY

	<b>SENATOR ANDERSON</b>		
Dairy and poultry—	Highways		Schools and educational
Chairman	Labor		institutions
Board of control	Public lands and build-		
Claims	ings		
	<b>SENATOR AUGUSTINE</b>		
Agriculture	Governmental affairs		Social security
Appropriations	Highways		Ways and means
Conservation			
	<b>SENATOR BATESON</b>		
Agriculture—	Compensation of public		Judiciary 1
Chairman	officers and em-		Motor vehicles
Schools and educational	ployees		Public health
institutions*	Governmental affairs		Railroads
Appropriations			
	<b>SENATOR BEKMAN</b>		
Insurance—Chairman	Military affairs		Public utilities
Judiciary 2*	Mines and mining		Social security
Iowa development	Motor vehicles		

\*Indicates ranking member



	SENATOR BERG	
Military affairs— Chairman	Banks, building and loan	Public health
Manufacturing, com- merce and trade*	Cities and towns	Railroads
Appropriations	Insurance	Schools and educational institutions
	SENATOR BYERS	
Judiciary 2—Chairman	Insurance	Railroads
Private corporations*	Public utilities	Rules
Banks, building and loan		
	SENATOR COLBURN	
Appropriations— Chairman	Cities and towns	Public utilities
Election reform*	Governmental affairs	Schools and educational institutions
Banks, building and loan	Labor	
	Printing	
	SENATOR DAILEY	
Aeronautics	Enrolled bills	Military affairs
Conservation	Judiciary 2	Public libraries
	SENATOR DOUD	
Schools and educational institutions— Chairman	Appropriations	Labor
Ways and means*	Board of control	Mines and mining
	Governmental affairs	Public utilities
	Judiciary 1	Social security
	SENATOR DYKHOUSE	
Cities and towns— Chairman	Conservation	Railroads
Tax revision*	Highways	Schools and educational institutions
Appropriations	Printing	Ways and means
	Public utilities	
	SENATOR ELTHON	
Rules*	Labor	Schools and educational institutions
Governmental affairs	Public health	Social security
Judiciary 1		
	SENATOR FISHBAUGH	
Judiciary 1—Chairman	Banks, building and loan	Highways
Military affairs*	Cities and towns	Rules
Appropriations	Governmental affairs	Schools and educational institutions
	SENATOR FLETCHER	
Mines and mining*	Conservation	Public libraries
Compensation of public officers and em- ployees	Insurance	
	Motor vehicles	
	SENATOR GILLESPIE	
Iowa development*	Dairy and poultry	Tax revision
Agriculture	Schools and educational institutions	Ways and means
Cities and towns		
Conservation		
	SENATOR HART	
Rules—Chairman	Judiciary 2	Public lands and build- ings
Banks, building and loan	Labor	Social security
Board of control	Manufacturing, com- merce and trade	
Cities and towns		
	SENATOR HATTERY	
Banks, building and loan—Chairman	Appropriations	Judiciary 2
Cities and towns*	Conservation	Schools and educational institutions
	Election reform	
	Governmental affairs	

	<b>SENATOR HEDIN</b>	
Mines and mining— Chairman	Aeronautics	Motor vehicles
Public lands and build- ings*	Appropriations	Public utilities
	Cities and towns	Ways and means
	Labor	
	<b>SENATOR HENNINGSEN</b>	
Iowa development— Chairman	Cities and towns	Highways
Insurance*	Compensation of public officers and em- ployees	Public lands and build- ings
Appropriations		Ways and means
Board of control		
	<b>SENATOR HULTMAN</b>	
Conservation— Chairman	Highways	Public lands and build- ings
Dairy and poultry*	Labor	Ways and means
Appropriations	Manufacturing, com- merce and trade	
Cities and towns		
	<b>SENATOR HUMBERT</b>	
Public libraries— Chairman	Board of control	Election reform
Agriculture	Claims	Tax revision
	Conservation	
	<b>SENATOR JACOBSON</b>	
Manufacturing, com- merce and trade— Chairman	Cities and towns	Public utilities
Judiciary 1*	Election reform	Schools and educational institutions
Appropriations	Insurance	Ways and means
	Private corporations	
	Public health	
	<b>SENATOR KNUDSON</b>	
Ways and means— Chairman	Board of control	Judiciary 1
Interstate cooperation*	Cities and towns	Public utilities
Appropriations	Governmental affairs	Tax revision
	Highways	
	<b>SENATOR LINNEVOLD</b>	
Election reform— chairman	Board of control	⊙ Schools and educational institutions
Printing*	Conservation	Social security
Agriculture	Insurance	Ways and means
	<b>SENATOR LORD</b>	
Social security— Chairman	Banks, building and loan	Labor
Agriculture	Cities and towns	Private corporations
Appropriations	Conservation	Tax revision
	<b>SENATOR LYNES</b>	
Railroads—Chairman	Compensation of public officers and em- ployees	Governmental affairs
Labor*	Dairy and poultry	Judiciary 2
Agriculture		Motor vehicles
Appropriations		Schools and educational institutions
	<b>SENATOR McCARVILLE</b>	
Interstate coopera- tion—Chairman	Cities and towns	Judiciary 2
Board of control*	Conservation	Motor vehicles
Banks, building and loan	Highways	Public health
	Insurance	Ways and means
	<b>SENATOR MERCER</b>	
Banks, building and loan*	Judiciary 2	Motor vehicles
Appropriations	Labor	Printing
Insurance	Manufacturing, com- merce and trade	Railroads
		Ways and means

Agriculture	<b>SENATOR MOLISON</b>	Schools and educational institutions
Appropriations	Conservation	Ways and means
Compensation of public officers and employees	Dairy and poultry	
	Public health	
	Railroads	
	<b>SENATOR MYRLAND</b>	
Public Utilities—	Cities and towns	Manufacturing, commerce and trade
Chairman	Compensation of public officers and employees	Public health
Motor vehicles*		Social security
Appropriations		
	<b>SENATOR NESMITH</b>	
Enrolled bills—	Manufacturing, commerce and trade	Public utilities
Chairman	Public libraries	Schools and educational institutions
Interstate cooperation		
Judiciary 2		
	<b>SENATOR OLTMAN</b>	
Public health*	Conservation	Railroads
Appropriations	Highways	Schools and educational institutions
Banks, building and loan	Iowa development	
	Military affairs	
	<b>SENATOR O'MALLEY</b>	
Agriculture	Dairy and poultry	Labor
Banks, building and loan	Governmental affairs	Public health
Cities and towns	Insurance	Social security
	Judiciary 1	
	<b>SENATOR PARKER</b>	
Public Health—	Cities and towns	Iowa development
Chairman	Conservation	Public utilities
Appropriations	Interstate cooperation	Ways and means
	<b>SENATOR PRENTIS</b>	
Governmental affairs—	Banks, building and loan	Schools and educational institutions
Chairman	Judiciary 1	Social security
Agriculture		Ways and means
Appropriations		
	<b>SENATOR RIDOUT</b>	
Aeronautics*	Highways	Schools and educational institutions
Agriculture	Military affairs	
Conservation		
	<b>SENATOR RISK</b>	
Aeronautics—	Banks, building and loan	Labor
Chairman	Board of control	Motor vehicles
Enrolled bills*	Governmental affairs	Public health
Appropriations		
	<b>SENATOR ROBERTS</b>	
Board of control	Compensation of public officers and employees	Mines and mining
		Motor vehicles
		Public health
	<b>SENATOR SHARP</b>	
Public lands and buildings—Chairman	Banks, building and loan	Dairy and poultry
Highways*	Cities and towns	Military affairs
Agriculture	Conservation	Tax revision
		Ways and means
	<b>SENATOR TUDOR</b>	
Tax revision—	Highways	Schools and educational institutions
Chairman	Military affairs	Social security
Appropriations*	Motor vehicles	Ways and means
Agriculture	Public utilities	

Compensation of public officers and employees	SENATOR UTZIG Iowa development Public lands and buildings	Public libraries Social security
Motor vehicles— Chairman	SENATOR VAN EATON Conservation Highways	Rules Social security
Compensation of public officers and employees*	Iowa development Manufacturing, commerce and trade	Tax revision Ways and means
Cities and towns		
Labor—Chairman Public libraries* Aeronautics Agriculture	SENATOR VAN PATTEN Appropriations Claims Conservation	Dairy and poultry Governmental affairs Motor vehicles
Claims* Board of control Highways	SENATOR VEST Insurance Private corporations	Public health Tax revision
Claims—Chairman Agriculture* Appropriations Banks, building and loan	SENATOR WALTER Interstate cooperation Judiciary 1 Labor Military affairs	Schools and educational institutions Ways and means
Highways—Chairman Conservation* Agriculture	SENATOR WATSON of O'Brien Cities and towns Judiciary 1	Ways and means
Board of control— Chairman Governmental affairs*	SENATOR WATSON of Pottawattamie Public utilities* Agriculture Appropriations	Conservation Judiciary 2 Social security
Compensation of public officers and employees—Chairman Railroads* Agriculture	SENATOR WEICHMAN Appropriations Board of control Highways Public lands and buildings	Schools and educational institutions Social security Ways and means
Agriculture Appropriations Claims	SENATOR WEST Compensation of public officers and employees	Schools and educational institutions
Printing—Chairman Aeronautics Appropriations Dairy and poultry	SENATOR WHITEHEAD Highways Labor Public health	Schools and educational institutions Social security
Private corporations— Chairman Social security* Agriculture	SENATOR ZASTROW Banks, building and loan Compensation of public officers and employees	Insurance Judiciary 1

## SENATE RESOLUTION 2

By Van Eaton

*Whereas*, A certain organization by the name of United World Federalists, Inc., has been organized on a nation-wide basis, advocating a

world state, with an organization in the state of Iowa that has or claims to have many members, and

*Whereas*, Many good citizens of Iowa, who are acting in good faith, have joined the said organization and are active workers in the same in the futile hope that such a scheme will prevent war, and

*Whereas*, The doctrines of the said organization as proclaimed by it are un-American in:

1. That a super world state would be created that would have greater or superior power over our country and our citizens than the government of the United States;

2. That in order to be a member of such a world state our country would have to surrender, in whole or in part, its sovereignty as a nation;

3. That in a world congress or legislature, such as is advocated, our country would be hopelessly outvoted by communistic countries;

4. That such a world congress or legislature would have independent and direct taxing power upon American citizens;

5. That our military power would be reduced to such a level set by the said world state as it would deem necessary for internal policing.

6. That the Constitution of the United States of America would no longer be "the supreme law of the land," and

*Whereas*, The National Society of the Sons of the American Revolution, together with many other patriotic organizations, have denounced such a world state as un-American.

*Therefore Be It Resolved*: By the Iowa Society, Sons of the American Revolution, in State Convention assembled, that we denounce the doctrines of the United World Federalists, Inc., as un-American, and urge all loyal citizens of our state to have no connection with the said organization.

*Be It Further Resolved*: That this resolution be made public and presented to the next session of the Iowa legislature and that copies of the same be mailed to all members of the Iowa delegation in Congress and to the Governor of this state.

Passed and approved by the Iowa Society, Sons of the American Revolution in State Convention assembled, at Ames, Iowa, April 15, 1950.

MILTON M. LORY, *President*,

Iowa Society, Sons of the American Revolution,  
3809 Third Avenue, Sioux City, Iowa.

Attest:

CHARLES E. ZINK, *Secretary*,

Iowa Society, Sons of the American Revolution.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 16, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend David Beggs, pastor of the Congregational Church, Hampton, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Linnevold for the day on request of Senator Whitehead; Senator Hultman for the day on request of Senator Berg; Senator Watson of O'Brien for the day on request of Senator Berg; Senator Sharp for the day on request of Senator Van Patten; Senator Risk for the day on request of Senator West; Senator Van Eaton for the day on request of Senator Hattery.

## PETITION

The following petition was presented and placed on file:

By Senator Doud, from members of the Izaak Walton League of Jefferson County, in opposition to the report of the committee on reorganization pertaining to the conservation commission.

## INTRODUCTION OF BILLS

Senate Joint Resolution 1, by Senator Humbert, a joint 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 word "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.

Senate File 71, by Senator Weichman, a bill for an act to legalize and validate the special election and the proceedings authorizing and providing for the issuance, sale and delivery of school building bonds of the consolidated school district of Newhall, in the county of Benton, State of Iowa, and declaring said bonds issued and sold

pursuant to said proceedings to be enforceable obligations of said school district.

Read first and second times, and passed on file.

Senate File 72, by Senators Zastrow and Lynes, a bill for an act to legalize and validate the proceedings taken by the town council of the town of Greene, Butler County, Iowa, for the construction of extensions and improvements to the municipal waterworks and to authorize the provisions made for the levy of taxes for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said town.

Read first and second times, and passed on file.

Senate File 73, by Senator Gillespie, a bill for an act to amend section three hundred twenty-one point three hundred forty-two (321.342), Code 1950, relating to railroads erecting and maintaining appropriate signs at all of their highway grade crossings outside cities and towns.

Read first and second times, and passed on file.

Senate File 74, by Senator Dykhouse, a bill for an act to repeal chapter two hundred fifty (250), Code 1950, relating to relief for soldiers, sailors and marines, and creating in lieu thereof the county war veterans commissions of Iowa.

Read first and second times, and passed on file.

Senate File 75, by Senator Dailey, a bill for an act to amend section forty-three point thirty-two (43.32), Code 1950, relating to the compensation to be paid judges and clerks of primary elections.

Read first and second times, and passed on file.

Senate File 76, by Senator West, a bill for an act relating to the compensation of appointive members of the state printing board and to amend section fifteen point five (15.5), Code 1950, relating thereto.

Read first and second times, and passed on file.

Senate File 77, by Senators McCarville and Oltman, a bill for an act to amend sections ninety-seven point seven (97.7), and ninety-seven point forty-five (97.45), Code 1950, relating to old age and survivors insurance.

Read first and second times, and passed on file.

Senate File 78, by Senators Jacobson, Berg, Tudor, Anderson and Molison, a bill for an act to amend section one hundred sixty-nine point ten (169.10), and chapter one hundred sixty-nine (169), Code 1950, relating to veterinary medicine and surgery, to provide an additional requirement for license of citizenship and to provide for an injunction for violation of the provisions of said chapter.

Read first and second times, and passed on file.

Senate File 79, by Senators Anderson, Molison, Whitehead and Knudson, a bill for an act to amend sections one hundred seventy-nine point two (179.2), one hundred seventy-nine point five (179.5) and one hundred seventy-nine point six (179.6), Code 1950, relating to the compensation of appointive members of the Iowa Dairy Industry Commission and to the extension of the annual butterfat tax period.

Read first and second times, and passed on file.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate Concurrent Resolution 4, memorializing Congress to take appropriate action relative to Schick Hospital at Clinton, Iowa.

Also: That the House has adopted the following Concurrent Resolution, in which the concurrence of the Senate is asked:

House Concurrent Resolution 4, providing for a joint convention to be held January 17, 1951, at 11:00 o'clock, to hear the Governor's budget message.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION 4

*Be It Resolved by the House, the Senate concurring:* That a joint convention of the two houses of the Fifty-fourth General Assembly be held Wednesday morning, January 17, 1951, at 11:00 o'clock, for the purpose of hearing the Governor's budget message.

#### PRESENTATION OF VISITOR

Senator Watson of Pottawattamie asked and received unanimous consent to present to the Senate the Honorable W. H. O'Gara of Lincoln, Nebraska, former Speaker of the House of Representatives who was present in the Senate chamber.



Mr. O'Gara addressed the Senate briefly.

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

The motion prevailed and the resolution was adopted.

#### REPORT OF COMMITTEE ON COMMITTEE ROOMS

**MR. PRESIDENT:** Your committee on assignment of committee rooms has considered the time and place for the meetings of the standing committees of the Senate and begs leave to make recommendations and report as follows:

- Aeronautics—Monday, 1:00 p.m., Room 24
- Agriculture—Tuesday and Thursday, 9:00 a.m., Room 22
- Appropriations—Tuesday and Thursday, 3:00 p.m., Room 22
- Banks, building and loan—Monday and Wednesday, 1:00 p.m., Room 22
- Board of control—Monday, 2:00 p.m., Room 22
- Cities and towns—Monday and Wednesday, 3:00 p.m., Room 22
- Claims—On call of chairman
- Compensation of public officers and employees—Wednesday, 1:00 p.m., Room 24
- Conservation—Tuesday, 2:00 p.m., Room 22
- Dairy and poultry—Thursday, 1:00 p.m., Room 24
- Election reform—On call of chairman
- Enrolled bills—On call of chairman
- Governmental affairs—Thursday, 1:00 p.m., Room 23
- Highways—Tuesday and Thursday, 1:30 p.m., Room 22
- Insurance—Tuesday and Thursday, 1:00 p.m., Room 22
- Interstate cooperation—On call of chairman
- Iowa development—On call of chairman
- Judiciary 1—Monday and Wednesday, 1:30 p.m., Room 22
- Judiciary 2—Monday and Wednesday, 1:30 p.m., Room 24
- Labor—Tuesday, 1:30 p.m., Room 24
- Manufacturing, commerce and trade—Thursday, 2:00 p.m., Room 24
- Military affairs—Monday, 2:00 p.m., Room 24
- Motor vehicles—Wednesday, 2:00 p.m., Room 22
- Printing—On call of chairman
- Private corporations—Monday, 2:00 p.m., Room 23
- Public health—Tuesday, 1:00 p.m., Room 24
- Public lands and buildings—On call of chairman
- Public libraries—Thursday, 1:30 p.m., Room 24
- Public utilities—Tuesday, 9:00 a.m., Room 24
- Railroads—Thursday, 2:00 p.m., Room 22
- Rules—On call of chairman
- Schools and educational institutions—Wednesday and Friday, 9:00 a.m., Room 22
- Social security—Monday and Wednesday, 2:30 p.m., Room 22

Tax revision—Wednesday, 2:00 p.m., Room 24

Ways and means—Tuesday and Thursday, 2:30 p.m., Room 22

CHARLES S. VAN EATON

HERMAN M. KNUDSON.

ALAN VEST.

On motion of Senator Knudson, the report was adopted.

#### REPORT OF COMMITTEE ON CLERKS

Senator Zastrow 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 as stenographers for the positions to which they have been appointed. Assignments have been made as follows:

Senator Anderson—Katherine E. Mills  
 Senator Augustine—Maurine M. Lewis  
 Senator Bateson—Winifred Dalrymple  
 Senator Bekman—Jeanne Raher  
 Senator Berg—Ruth McGhee  
 Senator Byers—Wilma K. Lotz  
 Senator Colburn—Marie H. Randall  
 Senator Dailey—Kathryn Doran  
 Senator Doud—June Kullander  
 Senator Dykhouse—Anna S. Benton  
 Senator Elthon—Dorothy Elthon  
 Senator Fishbaugh—Florence W. Ohme  
 Senator Fletcher—Lawrence E. Johnson  
 Senator Gillespie—Dorothy Kelley  
 Senator Hart—Eunice Mills  
 Senator Hattery—Gladys L. Hattery  
 Senator Hedin—Gladys M. Astley  
 Senator Henningsen—Pat Carlson  
 Senator Hultman—Maxine E. Smith  
 Senator Humbert—Mabel Saverude  
 Senator Jacobson—Irene G. Williams  
 Senator Knudson—Ruth Utter  
 Senator Linnevoold—Nora L. Richards  
 Senator Lord—Mabel Elwood  
 Senator Lynes—Marie Capper  
 Senator McCarville—Kathryn M. Geil  
 Senator Mercer—Doris H. Giles  
 Senator Molison—Elaine Langer  
 Senator Myrland—Alice Tjaden  
 Senator Nesmith—Gladys Nesmith  
 Senator Oltman—Helyne Lawrence  
 Senator O'Malley—Ada Silletto  
 Senator Parker—Sue Reed

Senator Prentis—Marguerite M. Ash  
 Senator Ridout—Dorothy Ling  
 Senator Risk—Betty O'Brien  
 Senator Roberts—Edith Hockersmith  
 Senator Sharp—Laura M. Roehlk  
 Senator Tudor—Ardith Martin  
 Senator Utzig—Hilda Utzig  
 Senator Van Eaton—Lois Dailey  
 Senator Van Patten—Dorothy J. Nepstad  
 Senator Vest—Lois Downing  
 Senator Walter—Mary Davis  
 Senator DeVere Watson—Lois Reedquist  
 Senator Harry Watson—Zoe Stalker  
 Senator Weichman—Ethel V. Hansen  
 Senator West—Phyllis Morrow  
 Senator Whitehead—Elaine G. Booth  
 Senator Zastrow—Jewell Snider

RALPH ZASTROW, *Chairman.*  
 X. T. PRENTIS.  
 SHERMAN WEST.

On motion of Senator Zastrow, the report was adopted.

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

#### SENATE CONCURRENT RESOLUTION 6

By Elthon and Hart (Kuester)

For retention and advancement of spiritual values in American life and to promote harmony, unity and cooperation between Catholics, Protestants and Jews.

*Whereas*, today our boys in the armed service have laid away such religious prejudices as they may have had, and in a foreign land, Protestants, Catholics and Jews are fighting our battles shoulder to shoulder and are together ready to make the supreme sacrifice to maintain and protect those principles, precious to every true American citizen, and

*Whereas*, chaplains of all denominations are administering to these boys injured in battle, or otherwise requiring religious guidance, comfort or service irrespective of denominations or faiths, and

*Whereas*, the American way of life and the government which administers it cannot exist if the majority of American citizens deny in thought or deed the existence of a Supreme Being, Creator of man and universe, and

*Whereas*, the American philosophy of living and law are definitely and clearly stated in the preamble to the Declaration of Independence in these words:

“We hold these truths to be self-evident, that all men are created equal and are endowed by their Creator with certain unalienable rights, and among these are the right to life, liberty, and the pursuit of happiness,” and

*Whereas*, the American way of life, its government and law are threatened from within and without by Soviet Russia who with her unscrupulous methods has her agents and spies make every possible effort to destroy harmony, good will and cooperation among our people, and

*Whereas*, the way of life of all freedom loving peoples who acknowledge the authority of a Supreme Being, Creator of man and the universe, is threatened by those foes who would substitute man-made authority for that of the Creator, the current example being of Russia, and

*Whereas*, noted and respected American leaders among the Catholics, Protestants and Jews, and among those who hold to no religious group have warned that our spiritual advancement has not kept pace with our material advancements, and

*Whereas*, our lag in spiritual advancement has caused us to be weakened by unfounded fears, hatreds and prejudices which our enemies, within and without, use to destroy our unity, harmony, and good will thus dividing us and hastening the day of our destruction, and

*Whereas*, there are many God-fearing men and women all over the world who seek a medium through which they may unite in giving expression through a word and a deed to their belief in a Creator and His authority; and who wish to advance the spiritual life of the American people and all others which reasonably join in promoting the fundamental principles upon which the American way of life is founded.

*Now Therefore Be It Resolved by the Senate of the State of Iowa and the House of Representatives Concurring:* That Catholics, Protestants, Jews, and all freedom loving and well intentioned people who do not conform to any religious beliefs unite and pledge themselves to take such action as may be deemed right and just to hasten the spiritual advancement of American people by peacefully removing unfounded hatreds, prejudices and fears: by respecting each man's religious faith: by working together to remove injustice imposed by force or conniving: and by steadfastly furthering the obvious aims and intentions of those illustrious men who signed the Declaration of Independence and the Constitution of the United States, and

*Be It Further Resolved* that those who hold important executive, legislative and judicial positions in our country and in our state do everything in their power to eliminate the tendency toward the slow but gradual deterioration of spiritual values that we see being brought about through indifference and Godlessness.

#### PROOF OF PUBLICATION

Published copy of Senate File 71 and verified proof of publication of said bill in the Cedar Valley Daily Times on December 28, 1950, and January 4, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE, *Secretary of Senate.*

#### BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following assignment of bills to committee:

- S. F. 1 Governmental affairs
- S. F. 2 Governmental affairs
- S. F. 3 Judiciary 1
- S. F. 4 Judiciary 2
- S. F. 5 Private corporations
- S. F. 6 Private corporations
- S. F. 7 Judiciary 2
- S. F. 8 Social security
- S. F. 9 Banks, building and loan
- S. F. 10 Board of control
- S. F. 11 Judiciary 1
- S. F. 12 Social security
- S. F. 13 Judiciary 1
- S. F. 14 Cities and towns
- S. F. 15 Cities and towns
- S. F. 16 Cities and towns
- S. F. 17 Cities and towns
- S. F. 18 Cities and towns
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- S. F. 30 Cities and towns
- S. F. 31 Cities and towns
- S. F. 32 Cities and towns
- S. F. 33 Cities and towns
- S. F. 34 Election reform
- S. F. 35 Tax revision
- S. F. 36 Election reform
- S. F. 37 Conservation
- S. F. 38 Motor vehicles
- S. F. 39 Highways
- S. F. 40 Judiciary 1
- S. F. 41 Ways and means

- S. F. 42 Election reform
- S. F. 43 Board of control
- S. F. 44 Tax revision
- S. F. 45 Social security
- S. F. 46 Tax revision
- S. F. 47 Judiciary 1
- S. F. 48 Judiciary 1
- S. F. 49 Judiciary 1
- S. F. 50 Judiciary 2
- S. F. 51 Judiciary 2
- S. F. 52 Judiciary 2
- S. F. 53 Judiciary 1
- S. F. 54 Judiciary 1
- S. F. 55 Judiciary 2
- S. F. 56 Judiciary 2
- S. F. 57 Judiciary 1
- S. F. 58 Judiciary 1
- S. F. 59 Judiciary 1
- S. F. 60 Conservation
- S. F. 61 Compensation of public officers and employees
- S. F. 62 Insurance
- S. F. 63 Insurance
- S. F. 64 Public lands and buildings
- S. F. 65 Ways and means
- S. F. 66 Compensation of public officers and employees
- S. F. 67 Compensation of public officers and employees
- S. F. 68 Military affairs
- S. F. 69 Judiciary 1
- S. F. 70 Judiciary 2

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 17, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Duane U. Farris, assistant pastor of the Highland Park Presbyterian Church, Des Moines, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hedin for the day on account of illness on request of Senator Henningsen; Senator Risk for the day on request of Senator West.

## INTRODUCTION OF BILLS

Senate File 80, by Senators Hattery, McCarville, Walter, Mercer, Bateson, Bekman, Zastrow, Byers, Henningsen, Jacobson, Berg and Whitehead, a bill for an act to amend section eighty point four (80.4), Code 1950, relating to members of the Iowa highway safety patrol.

Read first and second times, and passed on file.

Senate File 81, by Senators Hattery, Knudson, Byers, Parker, Zastrow, Jacobson, Berg, McCarville, Walter, Mercer, Bateson, Bekman and Whitehead, a bill for an act to amend section three hundred twenty-one point one hundred ninety-one (321.191), Code 1950, relating to fees for operator's and chauffeur's licenses.

Read first and second times, and passed on file.

Senate File 82, by Senator Jacobson, a bill for an act to appropriate from the general fund of the state the sum of eight hundred ninety-one dollars and twenty cents (\$891.20) to the agricultural land credit fund for the purpose of refund to Allamakee County.

Read first and second times, and passed on file.

Senate File 83, by Senator Whitehead, a bill for an act to amend section two hundred seventy-nine point fourteen (279.14), Code 1950, relating to powers and duties of directors and superintendents of school boards.

Read first and second times, and passed on file.

Senate File 84, by Senators Whitehead and Gillespie, a bill for an act to amend section four hundred forty-one point six (441.6), Code 1950, providing for the salary of county assessors, and to provide for the fixing of the salary of the assessor annually.

Read first and second times, and passed on file.

Senate File 85, by Senators Oltman and McCarville, a bill for an act to amend subsection three (3), section one hundred eighty-eight point one (188.1), Code 1950, relating to animals.

Read first and second times, and passed on file.

Senate File 86, by Senators Oltman and McCarville, a bill for an act to amend section three hundred fifty-two point one (352.1), Code 1950, relating to the domestic animal fund.

Read first and second times, and passed on file.

Senate File 87, by Senators McCarville and Walter, a bill for an act to amend section three hundred twenty-one point four hundred sixty-seven (321.467), Code 1950, relating to permits for excess size and weight.

Read first and second times, and passed on file.

Senate File 88, by Senator Fishbaugh, a bill for an act to amend chapter one hundred nine (109), Code 1950, relating to hunting from aircraft.

Read first and second times, and passed on file.

Senate File 89, by Senators McCarville, Whitehead, Hedin, Oltman, Henningsen, O'Malley, Utzig and Mercer, a bill for an act to amend section four hundred seventy-seven point twenty-two (477.22), Code 1950, relating to headlights for rail employees when using track power cars at night.

Read first and second times, and passed on file.

Senate File 90, by Senators Augustine, Dailey, Mercer, O'Malley, Ridout, Roberts, Utzig and West, a bill for an act to repeal chapter seven hundred thirty-six B (736B), Code 1950, relating to labor boycotts and strikes.

Read first and second times, and passed on file.

Senate File 91, by Senators Augustine, Dailey, Mercer, O'Malley,



Ridout, Roberts, Utzig and West, a bill for an act to repeal chapter seven hundred thirty-six A (736A), Code 1950, relating to labor union membership.

Read first and second times, and passed on file.

Senate File 92, by Senator Vest, a bill for an act to amend section six hundred twenty-two point thirty-two (622.32), Code 1950, relating to the statute of frauds.

Read first and second times, and passed on file.

Senate File 93, by Senators Dykhouse and Hattery, a bill for an act relating to municipal corporations, including their incorporation, discontinuance, annexation or severance of territory and the changing of names thereof and to repeal various sections of chapter three hundred sixty-two (362), Code 1950, relating thereto and to enact substitutes therefor.

Read first and second times, and passed on file.

Senate File 94, by Senators Van Eaton, Linnevold, Dykhouse, Lynes, Hattery and Parker, a bill for an act to amend chapter three hundred fifty-eight B (358B), Code 1950, relating to county libraries.

Read first and second times, and passed on file.

Senate File 95, by Senator West, a bill for an act to amend chapter three hundred forty (340), Code 1950, relating to compensation of county officers, deputies and clerks; and to establish the population basis for fixing such compensation.

Read first and second times, and passed on file.

Senate File 96, by Senators Bateson, Colburn, Berg, Risk, O'Malley and Utzig, a bill for an act to amend chapter one hundred fifty-one (151), Code 1950, relating to the practice of chiropractic.

Read first and second times, and passed on file.

Senate File 97, by Senator O'Malley, a bill for an act to amend chapter three hundred ninety-seven (397), Code 1950.

Read first and second times, and passed on file.

Senate File 98, by Senators Byers, Berg, O'Malley, Hedin, Van Eaton and Watson of Pottawattamie, a bill for an act to amend section four hundred five point six (405.6) to provide for the re-

appointment of an incumbent city assessor to a new term without reexamination.

Read first and second times, and passed on file.

Senate File 99, by Senators Watson of O'Brien, Knudson, Berg, McCarville, Watson of Pottawattamie and Van Eaton, a bill for an act relating to anti-pollution and sanitary districts, creating such district, providing for its establishment, boundaries, name and legal entity, also providing for the election of trustees to administer the functions of the anti-pollution and sanitary district, describing the powers, duties and functions of the trustees, providing for the classification and assessments against lands and waters within the boundaries of the district according to the benefits received from the establishment of the improvements of the district and providing for the levy of taxes against all persons owning property within the district including the State of Iowa and its agencies and to provide for the payment and collection of such taxes levied. Further providing for an adjudication by the district court and reserving the right of appeal to all persons and providing for procedure for dismissal of proceedings.

Read first and second times, and passed on file.

Senate File 100, by Senator Whitehead, a bill for an act to amend chapter three hundred six (306), Code 1950, relating to establishment, alteration and vacation of highways.

Read first and second times, and passed on file.

Senate File 101, by Senators Bekman, Dykhouse and Henningsen, a bill for an act to amend chapter five hundred twenty-two (522), Code 1950, relating to the licensing of insurance agents.

Read first and second times, and passed on file.

Senate File 102, by Senators Bekman and Augustine, a bill for an act to amend section one hundred sixteen point six (116.6) and section one hundred sixteen point eleven (116.11), Code 1950, relating to the practice of accountancy.

Read first and second times, and passed on file.

#### PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate forty-seven members of the senior class of Ankeny

High School who were present in the balcony with their government instructor, Merritt Parsons.

Senator O'Malley asked and received unanimous consent to present to the Senate thirty-nine members of the class in government of Roosevelt High School who were present in the balcony with their instructor, Corwin Walters.

Senator O'Malley asked and received unanimous consent to present to the Senate the members of the junior class of the Alleman High School who were present in the balcony with their instructor, W. H. Eliason.

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

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

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

Motion prevailed and the President appointed as such committee Senator Hattery of Story on the part of the Senate, and Representatives Ryan of Polk and Tate of Cerro Gordo on the part of the House.

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

President Nicholas then presented Governor Beardsley who delivered the following budget address:

**MR. PRESIDENT, MR. SPEAKER, SENATORS AND REPRESENTATIVES OF THE FIFTY-FOURTH GENERAL ASSEMBLY, LADIES AND GENTLEMEN:**

In presenting this proposed budget for the biennium from July 1, 1951, through June 30, 1953, I wish to point once more to the tremendous importance of sound business management in the administration of public affairs.

The first premise of sound business management is a sound budget. And a sound budget, if it is to be sound in principle and practice as well as in name, limits expenditures to current income.

Deficit spending is undesirable at any time, and it is most certainly unwise in a period of economic expansion and growth. Likewise, the incurring of public debt in a period of economic expansion is fraught with danger to our future financial stability.

In my judgment, if we are to do the greatest service possible to the people of this great state in this General Assembly, we must continue to cut our pattern to our cloth. We must have no deficit spending. We must limit our appropriations to anticipated income.

Moreover, we must continue the policy of levying no state property tax. And I say this, in spite of the fact that a large per cent of the tax funds collected by your state government goes to the support of functions which, otherwise, would have to be financed by local property taxes.

As you are aware, your state government has for all practical purposes yielded the field of property taxation to the local taxing bodies—the county governments, cities, towns and school districts. The state government derives revenue only from the state income tax, sales tax and certain special levies.

This balance of equality, through diversified sources of income and a divided exercise of taxing powers, would be undone in large measure if we returned to a state property tax. This balance, in my opinion, must be preserved.

In my previous messages to this Fifty-fourth General Assembly, I have referred to the urgent importance of keeping Iowa strong.

True, we are only one of the forty-eight states of the Union. But because of our great natural resources, our great agricultural establishment, our constantly growing industrial development—and because of our ingenious and able people—we represent a far greater proportion of the economic strength of our nation. It behooves us, therefore, to keep our house in order.

At this time especially, because of greatly increased federal taxes and the increased cost of federal government, we must avoid burdening the citizens of Iowa with any additional or unnecessary tax levies. It is of paramount importance that we proceed in a sound and business-like way in providing for the support of government at the state and local levels.

With that thought, and yet recognizing the responsibility of your state government to carry forward its very necessary functions, the budget estimates which I am submitting to you today have been prepared.

In the Iowa State budget report for the 1951-53 biennium, now in your hands, you will observe that the recommended appropriations for administration of departments amount to \$8,554,321.00, as compared to \$8,270,343.50 during each year of the current biennium. This is an increase of \$283,977.00 per year.

Recommendations for State Board of Control institutions amount to \$9,368,200.00, as compared with appropriations of \$8,654,235.00 for each year of the current biennium. This is an increase of \$713,965.00 per year. Also, the appropriation for screening centers for the observance of mentally ill and disturbed persons is continued in the same amount as

during the current biennium. This program is making a major and measurable contribution to the mental health of our people, and I am confident that it meets with the approval of the entire citizenry of our state.

Recommendations for State Board of Education institutions are in the total amount of \$18,544,318.00, as compared to \$16,973,177.00 for each year of the current biennium. This is an increase of \$1,571,141.00 per year, and in this instance the recommendations provide the amount of support funds requested by the Board of Education for the State University and the State College at Ames; and provide a basis of support to maintain the current operations of hospitals and other institutions under this board. In view of the fact that enrollments are 20 per cent less than two years ago, and quite likely will decline much more, it would seem that these recommended sums and askings are entirely adequate.

Recommended appropriations for the State Board of Social Welfare, with standing appropriations, total \$17,210,000.00, as compared with \$15,175,000.00 for each of the current biennium. This provides the additional \$600,000.00 per year needed to maintain the Aid to Dependent Children program and restore it to a 100 per cent basis. This also provides an additional \$1,500,000.00 a year for Old Age Assistance, in order to allow for the continuing gradual increase in number of recipients and also cover the increased cost of living for the 49,000 recipients.

For the Aid to Schools program, the same amount is recommended for each year of the next biennium as for each year of the current biennium. This program has been of substantial aid to all of the public schools of the state.

The recommended appropriation for the State Soil Conservation Commission has been increased in the amount of \$50,000.00 per year, sufficient to maintain the work of that commission on the basis of its current operations.

Because of the present building conditions and restrictive orders of the federal government, I have made no specific recommendations for capital improvements.

It is quite likely that this field will be restricted in a major degree, and it is entirely possible that you, as legislators, may determine that the building program can continue with the use of appropriated but unused funds now available for that purpose.

This matter should be canvassed thoroughly by the General Assembly.

In the past few months the Executive Council has made adjustments in salaries, except for those statutory salaries which are fixed by law for approximately 160 employees of the state.

In making up the appropriation bills, which are submitted as a part of this budget, according to section 8.22 of the Code the statutory salaries are not included. After consultation with the comptroller, it seemed desirable that these salaries should be taken up with the appropriation committees of the House and Senate.

In this instance, as in other instances, you will find the comptroller and his able staff ready to give you any assistance and information you may require at any time.

Proposals will be offered to abolish the Homestead Tax Credit. I counsel the members of the House and Senate against the advisability of such action, and I am frank to state that I am opposed to the abolishing of the Homestead Tax Credit. As one who assisted in enacting the Homestead Tax Credit into law, I have a deep appreciation of the importance of this legislation. I do not hesitate to continue to espouse its cause. Basically it is certainly desirable to have a nation or state of homeowners, and everything that we can do to make the people secure in the ownership of their homes we should do. However, the Homestead Tax Credit appropriation is an open appropriation, as well as others, and in my judgment this General Assembly may well canvass the necessity of limiting these open appropriations and diversions from the general fund to the end that we protect the general fund too, for by so doing we are protecting the interest of the homeowners and all of the citizens of our state.

It is of great importance that we always conserve the financial strength and the cash position of the state government. In this consideration you can assure a proper balance in the disposal of funds; the protection of such other vital functions as Old Age Assistance, Aid to Dependent Children, Aid to Schools, and the support of the state institutions, both under the Board of Control and the State Board of Education. It is on this broad plane of financial management that we can continue a balanced budget, and a healthy financial condition of the state treasury.

Referring to schedule four of the Iowa State budget report, which contains the estimated income for the ensuing biennium, it is logical to believe that these are reasonable and justifiable estimates.

We recognize the fact that in all likelihood the next two years will be a period of great business activity. Nevertheless, the levying of additional federal taxes will consume a larger part of the income of our people and will thus reduce the amount of income available to the state.

In view of this fact, it would be unwise to estimate our income at any higher figures than those contained in this report.

Again, in conclusion, I recognize, as you do, that it would be penny-wise and pound-foolish to neglect the responsibilities of the state in its relationship to the citizens—the people of our state.

Our institutions, our schools, all of our programs of vital importance to the people of the state and the further development of our state—all of these must be adequately provided for. None must be neglected. At the same time, the cost of government must be maintained on a sound and reasonable basis—and a realistic basis in fair relationship to the economic conditions which prevail.

Because of the importance of the budget work and appropriation bills, I have recommended that these matters be considered and disposed of early in the session. By doing so, you will also allow sufficient time for careful consideration of the municipal code study committee bills, the reorganization bills, and all other measures which you deem pertinent and essential.

Again, may I say to you that I look forward with sincere pleasure to the privilege of working with you in all these endeavors—for the better-

ment of state government and in the interests of the people of our great state.

Thank you.

Governor Beardsley was escorted from the House chamber by the committee previously appointed.

The minutes of the joint convention were read and approved.

Senator Elthon of Worth moved that the joint convention be now dissolved.

Motion prevailed.

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

On motion of Senator Elthon, the Senate recessed until 1:00 p.m.

#### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

Senator Doud asked and received unanimous consent to have the following report printed in the Journal:

#### REPORT OF COMMITTEE ON RETRENCHMENT AND REFORM TO THE FIFTY-FOURTH GENERAL ASSEMBLY

TO THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND MEMBERS OF THE FIFTY-FOURTH GENERAL ASSEMBLY OF THE STATE OF IOWA:

The legislative committee on retrenchment and reform of the Fifty-third General Assembly herewith submits its report and recommendations.

The work of this committee during the biennium has consisted of twenty-nine sessions of various duration, during which the customary visits to institutions under the State Board of Education and the State Board of Control were made, as well as inspections of capital expenditure projects and maintenance of the same under the State Conservation Commission. The General Assembly has given this committee the duty of releasing funds for capital expenditures when, in this committee's judgment, it was for the best interests of the State of Iowa and to carry out the intentions of the legislature. It is the considered judgment of this committee that such policy has been followed in making every allocation or release of funds.

Progress has been made in the institutions under the Board of Control and the Board of Education in better administration, in capital improvements and in advancements in the special fields in which each institution operates.

The General Assembly entrusted to this committee \$1,000,000, and there still remains unallocated for the use of the newly appointed committee as of this date the sum of \$449,036.12.

The General Assembly is to be commended for providing funds to establish screening centers at our four mental hospitals. An in-patient screening center has been established at Independence, and an out-patient center at each of the following hospitals: Clarinda, Cherokee and Independence. Provisions have been made for an additional center at Mount Pleasant. The results being obtained have justified the action of the General Assembly and the project should be continued.

We recommend to the Fifty-fourth General Assembly that the following matters be given study and action:

1. That there be cooperation between the schools under the Board of Education and Board of Control to the end that vocational and occupational specially trained personnel be made available to the Board of Control institutions to carry on an accelerated vocational, psychiatric and occupational program.

2. That, due to the emergency and the prospective shortage of labor and materials, new projects under the Conservation Commission be not started, and that no development, unless of an urgent nature, be undertaken.

3. It is our observation that there is certain duplication in the activities of the Board of Control with reference to the care of juveniles, and duplication of federal government activities in the care furnished to veterans of the various wars, that can be eliminated without hardship to the persons involved, and with consequent economy to the State of Iowa. In order to facilitate the elimination of these duplications, we recommend consultation with the proper federal authorities with the objective of removing state activities from the field of federal activities. To avoid duplication of state activities we recommend a program for the licensing of private homes in which to place neglected children, the state paying for the care on a monthly basis, and the possible transfer of older children to another institution.

4. We recommend that the Liquor Control Act be amended to provide that re-purchases of liquor be arrived at by customer demand and the inventory, and that such records be open to the public, and that purchases of new liquor brands should be made by open hearings to determine the same.

5. We recommend that the University Hospital be modernized and improved for more efficiency in operation with resulting reduction in cost.

6. We recommend that this committee be consulted by all commissions and boards to which capital improvement appropriations have been made before such board or commission makes any financial commitment.

7. This committee established a program for the training of deaf-blind children at the School for the Deaf in Council Bluffs. We appropriated an initial sum of \$7,500 to inaugurate the program and an additional sum of \$10,000 to continue it. The results have been so overwhelmingly satisfactory that we recommend the continuance of this program, and if funds for this purpose are not requested by the State Board of Education, the appropriations committees of the Fifty-fourth General Assembly could wisely earmark funds for this purpose.



8. We recommend a revision of the commitment laws for persons adjudged to be insane, by giving to the courts and the county commissions of insanity power to send patients to the in-patient screening centers at our state mental hospitals before commitment as insane.

9. We recommend that all state operated institutions which conduct farming operations set up a separate accounting system so that a more accurate picture of the value of such farm operations could be had.

10. We recommend that the State Department of Health report to the State Sanatorium at Oakdale all cases of tuberculosis which come to the attention of the Department of Health.

11. We urge the cooperation of the staff and advanced students in the psychiatric departments of our State Hospital and College of Medicine with the staff of our mental institutions which are operating screening centers.

12. We call the attention of our district court judges to the marked improvement in the operation of the Boys' Training School at Eldora, and the Girls' Training School at Mitchellville, and we recommend wherever possible the commitment of juveniles to these institutions, rather than penal institutions.

13. We recommend to the district court judges that they familiarize themselves with the various corrective and penal institutions of the state, if possible by personal visits shortly after qualifying for office, to the end that the court may be personally familiar with the type of institution to which a person may be committed.

14. We recommend that the members of the county commissions of insanity visit the mental hospital to which patients are committed from their respective counties.

15. We recommend that the Fifty-fourth General Assembly earmark appropriations for the institutions under the Board of Control for the purpose of instituting or improving a program of vocational education and occupational therapy.

16. We recommend that every department of government operate at a rate of expenditure in line with the amount appropriated by the General Assembly. Each department knows to a considerable extent the appropriations which are available, and the demands made upon it, and the expenditures should be made in a manner consistent with such a policy.

This committee has attempted to conscientiously follow the intent of the General Assembly in releasing funds for capital improvements. In view of the present international emergency, and in the interests of securing dollar value, we recommend that the General Assembly consider whether or not all unobligated funds allocated by this committee should be placed under the jurisdiction of a future committee of this type. We recommend that no new capital expenditure projects be approved or appropriations made therefor, unless it be shown beyond any question that it is necessary and important for national defense.

We recommend that the Iowa Anti-Freeze Act should be so amended as to require the approval of the United States Bureau of Standards or the Department of Chemistry at Iowa State College before a license can be issued by the Secretary of Agriculture, and the law should be further amended to permit the issuance of a temporary license for field testing

purposes only under the direct supervision of the Secretary of Agriculture.

This committee has had the cooperation and assistance of the state officers, commissions and boards, and their staffs, at all times, and we wish to make acknowledgment of this cooperation in our report. Our minutes are on file in the office of the Secretary of State, and are available for public inspection.

We commend the State Board of Education and the University College of Medicine in carrying out the desires of the Fifty-third General Assembly in increasing enrollment of first year medical students to one hundred twenty and also in enlarging upper classes to the end that communities of this state will have available to them medical assistance.

W. J. JOHANNES.

ALDEN L. DOUD.

J. KENDALL LYNES.

A. E. AUGUSTINE.

J. C. COLBURN, *Chairman.*

CLIFFORD M. STRAWMAN.

HARRY E. WEICHMAN.

LEROY S. MERCER.

THEO. S. KLEMESBUD.

GENE POSTON, *Secretary.*

#### PROOF OF PUBLICATION

Published copy of Senate File 48 and verified proof of publication of said bill in the Spencer Times on January 11, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE, *Secretary of Senate.*

#### BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following assignment of bills to committee:

- S. F. 71 Judiciary 1
- S. F. 72 Judiciary 1
- S. F. 73 Highways
- S. F. 74 Military affairs
- S. F. 75 Compensation of public officers and employees
- S. F. 76 Compensation of public officers and employees
- S. F. 77 Social security
- S. F. 78 Agriculture
- S. F. 79 Dairy and poultry
- S.J.R. 1 Judiciary 2

## AMENDMENTS FILED

Amend Senate File 1 by striking from lines 1 and 2 of section 13 the words and figures "two hundred eight point fifty-eight (208.58)" and inserting in lieu thereof the words and figures "two hundred eighteen point fifty-eight (218.58)".

DEVERE WATSON of Pottawattamie.

Amend Senate File 2 by striking from lines 1 and 2 of section 117 the words and figures "two hundred eighty-three point twenty-three (283.23)" and inserting in lieu thereof the words and figures "two hundred eighty-two point twenty-three (282.23)".

DEVERE WATSON of Pottawattamie.

Amend Senate File 63 by striking all of section 1 and substituting in lieu thereof the following:

Section 1. Section five hundred eleven point eight (511.8), Code 1950, is amended by inserting after the word "notes," in line one (1) of subsection eight (8), paragraph a., the word "obligations," and by inserting after the word "property" in line four (4) of subsection eight (8), paragraph a., the words "and appurtenances thereto", and by inserting after the word "America," in line five (5) of subsection eight (8), paragraph a., the words "or any insular or territorial possession of the United States," and by inserting after the word "Canada," in line five (5) of subsection eight (8), paragraph a., the words "and upon leasehold estates in real property where fifty years or more of the term including renewals is unexpired," and by substituting a comma (,) for the word "and" in line eleven (11) of subsection eight (8), paragraph a., and by inserting after the letter "d" in line twelve (12) of subsection eight (8), paragraph a., the words and letters " 'e' and 'f' ", and by inserting after the word "Improvements" in line thirteen (13) of subsection eight (8), paragraph a., the words "and appurtenances".

E. K. BEKMAN, ARTHUR H. JACOBSON  
and PAUL E. MCCARVILLE.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 18, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Claude Risinger, pastor of the First Christian Church, Kellogg, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Lord, from residents of Muscatine County favoring liquor legislation; also, from residents of Muscatine County relating to public utility management.

By Senator Sharp, from residents of Clayton County relating to exclusive right for use of identification lights to volunteer firemen.

By Senator Van Eaton, from residents of Woodbury County in opposition to proposed legislation pertaining to civil service in municipal corporations.

By Senator Watson of Pottawattamie, from residents of Pottawattamie County relating to defining and licensing of children's boarding homes.

Senator Elthon asked and received unanimous consent that the following resolution be printed in the Senate Journal, and that the Secretary of the Senate and the Clerk of the House of Representatives of the State of Michigan be sent copies of the Journal:

## STATE OF MICHIGAN MICHIGAN LEGISLATURE HOUSE CONCURRENT RESOLUTION 31

Offered by Representatives Thomson, Acker, Anderson, Bannasch, Bauer, Beardsley, Betz, Bolt, Borgman, Brigham, Broomfield, Carroll, Cavanagh, Christman, Conlin, Cooper, Cramton, Davidson, Deadman, de-Boom, Decker, Dickerson, Engstrom, Estes, Geerlings, Graebner, Haley, Hermann, Hoxie, Hungerford, Hutchinson, Johnston, Karel, Kirk, Kruse, Lindquist, Montgomery, Morgan, Morrison, Nelson, O'Connor, Peltz, Phillips, Post, Preston, Richards, Robinson, Schepers, Schooley, Van Valkenburg, Warner, Werner, David E. Young and Zanglin.

*A Concurrent Resolution in Opposition to World Government.*

*Whereas, "World Government," so-called, is a movement on the part of*

certain persons and groups in this country who seek, under the guise of peace, to subjugate this country to the rule of a World Government which would be operated by representatives of nations whose theories and practice of government are opposed to the fundamental freedoms which have been the foundation upon which this country has grown great; and

*Whereas*, "World Government" would mean that our freedoms would be outvoted 5 to 1 by the dictators of the slave states; and

*Whereas*, Under World Government the American people would surrender their own sovereignty irrevocably and would no longer be permitted to write their own laws; and

*Whereas*, Through the past 150 years this country has grown into a great nation because of the idea of individual freedom and initiative, and because of that success has proven to be the rock upon which the two world wars have been won against the two dictators and would-be world conquerors; and

*Whereas*, This country has never been the aggressor in any world war, but under this plan would be subject to and outvoted by those nations which have been aggressors, and if this plan succeeds the last hope of the world for freedom of the individual would be irrevocably lost; and

*Whereas*, Since this country has demonstrated that it cannot be enslaved by force, the willing adherents of a World Government idea (in pursuit of a will o' the wisp of peace, at any cost) have become tools in the hands of those who wish to conquer this great nation by other means; and

*Whereas*, This country has demonstrated in four great wars that individual liberty and freedom are worth any sacrifice; and

*Whereas*, All the great patriotic organizations of this country are opposed to the movement; now therefore be it

*Resolved by the House of Representatives* (the Senate concurring), That the legislature of the state of Michigan is in opposition to the movement for World Government as being intended to reduce all the peoples of the world to the slavery of the state-dominated nations behind the iron curtain and the destruction of all the ideas of freedom of the individual upon which this country has become a great nation; and be it further

*Resolved*, That copies of this resolution be sent to each member of the Michigan delegation in Congress and to the legislature of each state.

Adopted by the House May 18, 1950.

Adopted by the Senate May 19, 1950.

FRED I. CHASE,  
*Secretary of the Senate.*

NORMAN E. PHILLEO, *Clerk of  
the House of Representatives.*

#### INTRODUCTION OF BILLS

Senate File 103, by Senator Bateson, a bill for an act to legalize and validate proceedings taken by the town council of the town of Ellsworth, Iowa, authorizing and providing for the issuance and sale of \$12,500 worth of general obligation bonds of said incorporated town.

Read first and second times, and passed on file.

Senate File 104, by Senators McCarville, Vest and Utzig, a bill for an act to amend sections sixty-four point eight (64.8), sixty-four point fifteen (64.15) and three hundred nine point nineteen (309.19), Code 1950, relating to bonds of deputy state officers, county officers, their deputies and county engineers.

Read first and second times, and passed on file.

Senate File 105, by Senator Mercer, a bill for an act to amend section forty-nine point fifty-four (49.54), Code 1950, relating to the publication of official ballots.

Read first and second times, and passed on file.

Senate File 106, by committee on public lands and buildings, a bill for an act creating a legislative advisory committee to carry out the provisions of chapter three hundred seven (307), Acts of the Fifty-second General Assembly, chapter sixteen (16), Acts of the Forty-ninth General Assembly, chapter ten (10), Acts of the Fifty-first General Assembly, and chapter seventeen (17), Acts of the Fifty-third General Assembly, relating to the construction of the state office building.

Read first and second times, and placed on the calendar.

Senate File 107, by Senators Jacobson, Zastrow, O'Malley and Vest, a bill for an act relating to actions against the State of Iowa and amending sections six hundred thirteen point eight (613.8) and six hundred thirteen point nine (613.9), Code 1950.

Read first and second times, and passed on file.

Senate File 108, by Senators Doud, Augustine, Colburn, Lynes, Mercer and Weichman, a bill for an act to amend section two hundred twenty-nine point nine (229.9), Code 1950, relating to the findings and orders of the county commission of insanity.

Read first and second times, and passed on file.

Senate File 109, by Senator Vest, a bill for an act to amend section three hundred fifty-nine point thirty-five (359.35), Code 1950, relating to use of cemetery funds by township trustees.

Read first and second times, and passed on file.

Senate File 110, by Senators McCarville, Whitehead, Knudson and Hattery, a bill for an act to amend section six hundred eighteen

point two (618.2), Code 1950, relating to the publication of notices, reports of proceedings and similar matter.

Read first and second times, and passed on file.

Senate File 111, by Senator Anderson, a bill for an act to legalize and validate the proceedings of the board of directors of the Consolidated School District of Winfield, in the counties of Henry and Louisa, State of Iowa, authorizing and providing for the issuance and delivery of schoolhouse fund bonds and for the levy of taxes for the payment of said bonds, and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

Read first and second times, and passed on file.

Senate File 112, by Senators Bateson, Knudson and Zastrow, a bill for an act to amend section four hundred forty-one point three (441.3), Code 1950, relating to the appointment of a county assessor or deputy county assessor.

Read first and second times, and passed on file.

Senate File 113, by Senator Bateson, a bill for an act to amend section four hundred forty-one point nine (441.9), Code 1950, relating to the duties of the county assessor, and to provide for the county assessor to be clerk of the county conference board.

Read first and second times, and passed on file.

Senate File 114, by Senator Vest, a bill for an act relating to the form of publication of the Acts of the General Assembly.

Read first and second times, and passed on file.

Senate File 115, by Senators Bateson and Hedin, a bill for an act to amend section one hundred forty-seven point three (147.3), Code 1950, relating to qualifications to practice a profession, and providing that men, as well as women, may be licensed as practitioners of cosmetology upon reaching eighteen years of age.

Read first and second times, and passed on file.

Senate File 116, by Senators Jacobson, Myrland, Nesmith and Dailey, a bill for an act to amend section three hundred thirty-five point fourteen (335.14), Code 1950, relating to increase in fees to be collected by county recorder.

Read first and second times, and passed on file.

Senate File 117, by Senators Jacobson, Myrland, Nesmith and Dailey, a bill for an act to amend chapter five hundred fifty-seven (557), Code 1950, relating to fees charged by county recorder with reference to registration of farms.

Read first and second times, and passed on file.

Senate File 118, by Senators Jacobson, Myrland, Nesmith and Dailey, a bill for an act to amend section five hundred forty-seven point three (547.3), Code 1950, relating to fees charged by county recorder with reference to trade name.

Read first and second times, and passed on file.

Senate File 119, by Senators Jacobson, Myrland, Nesmith and Dailey, a bill for an act to amend section five hundred forty-four point thirty-seven (544.37), Code 1950, relating to increase in fees to be collected by county recorder for filing warehouse receipts.

Read first and second times, and passed on file.

Senate File 120, by Senators Jacobson, Myrland, Nesmith and Dailey, a bill for an act to amend section five hundred fifty-six point twenty (556.20), Code 1950, relating to increase in fees to be collected by county recorder.

Read first and second times, and passed on file.

Senate File 121, by Senators Utzig, Dailey O'Malley and West, a bill for an act to amend chapter thirty-five A (35A), Code 1950, relating to World War II service compensation board.

Read first and second times, and passed on file.

Senate File 122, by Senators Walter, Knudson, Fletcher, Dailey, Berg, Gillespie and Doud, a bill for an act to amend chapter one hundred thirty-five B (135B), Code 1950, relating to licensure and regulation of hospitals, and chapter one hundred thirty-five C (135C), Code 1950, relating to the regulation of nursing homes, and to provide that county homes shall be exempt from the provisions thereof.

Read first and second times, and passed on file.

Senate File 123, by Senators Whitehead, Knudson, Gillespie and Myrland, a bill for an act providing for supplemental returns and listings by owners of property subject to taxation in the State of Iowa; providing for the manner of use of such supplemental returns by assessors in the preparation of assessment rolls; and pro-



viding that such supplemental returns may be in lieu of certain procedures provided by law in the assessment of property.

Read first and second times, and passed on file.

Senate File 124, by Senators Whitehead and Lynes, a bill for an act repealing section two hundred eight A point four (208A.4) and section two hundred eight A point five (208A.5) and enacting substitutes therefor, and repealing sentence number two (2) of section two hundred eight A point three (208A.3) and enacting a substitute therefor, and repealing section two hundred eight A point six (208A.6), Code 1950, relating to the issuing of a written permit authorizing the sale of antifreeze.

Read first and second times, and passed on file.

Senate File 125, by Senators O'Malley and Bekman, a bill for an act to amend section two hundred seventy-nine point thirteen (279.13), Code 1950, relating to teachers' contracts and section two hundred sixty point ten (260.10), Code 1950, relating to the issuance of teachers' certificates by the board of educational examiners to foreign applicants and providing for the exchange of teachers between school districts and other schools, and providing for necessary regulations and rules governing the same.

Read first and second times, and passed on file.

Senate File 126, by Senator O'Malley, a bill for an act to amend sections three hundred twenty-one point one (321.1), three hundred twenty-one point four hundred fifty-seven (321.457), three hundred twenty-one point four hundred sixty-seven (321.467), and three hundred twenty-one point four hundred sixty-eight (321.468), Code 1950, relating to motor vehicles and law of road.

Read first and second times, and passed on file.

Senate File 127, by Senator O'Malley, a bill for an act to amend section four hundred two point three (402.3), Code 1950, relating to street railway regulations.

Read first and second times, and passed on file.

Senate File 128, by Senator Mercer, a bill for an act to amend chapter forty-three (43), Code 1950, relating to nominations by primary election.

Read first and second times, and passed on file.

Senate File 129, by Senators Bateson, Knudson and Zastrow, a bill for an act to amend section four hundred five point three (405.3), Code 1950, relating to the appointment of city assessors, and section four hundred five point eight (405.8) relating to the appointment of city deputy assessors.

Read first and second times, and passed on file.

Senate File 130, by Senators Van Eaton and O'Malley, a bill for an act to amend section six hundred two point forty-nine (602.49), Code 1950, relating to the salaries of the clerk and bailiff of the municipal court.

Read first and second times, and passed on file.

Senate Joint Resolution 2, by Senator Doud, a joint resolution creating a special committee to survey the present and future needs and the proposed use of advance education facilities in the State of Iowa, to review the services performed by the state institutions of higher learning and privately operated and endowed colleges and universities, to study the work of junior colleges, and make such recommendations as may bring about the fullest use of such educational facilities in connection with an advanced education program, defining the powers and duties of said committee, and providing for the payment of the expenses of said committee.

Read first and second times, and passed on file.

#### REPORT OF COMMITTEE

Senator Berg submitted the following report:

MR. PRESIDENT: Your committee on military affairs to which was referred Senate File 68, a bill for an act providing for an appropriation to the service compensation fund existing under section thirty-five A (35A), Code 1950, for the purpose of paying unpaid claims to veterans of World War II and the expenses of administration of the Service Compensation Board, begs leave to report it has had the same under consideration and unanimously recommends that the same be referred to the Senate appropriations committee for approval and passage.

JOHN P. BERG, *Chairman.*

Ordered passed on file.

#### BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following assignment of bills to committee:

- S. F. 68 Appropriations
- S. F. 80 Highways
- S. F. 81 Motor vehicles

- S. F. 82 Appropriations
- S. F. 83 Schools and educational institutions
- S. F. 84 Compensation of public officers and employees
- S. F. 85 Conservation
- S. F. 86 Agriculture
- S. F. 87 Motor vehicles
- S. F. 88 Conservation
- S. F. 89 Railroads
- S. F. 90 Labor
- S. F. 91 Labor
- S. F. 92 Judiciary 2
- S. F. 93 Cities and towns
- S. F. 94 Public libraries
- S. F. 95 Compensation of public officers and employees
- S. F. 96 Public health
- S. F. 97 Public utilities
- S. F. 98 Cities and towns
- S. F. 99 Conservation
- S. F. 100 Highways
- S. F. 101 Insurance
- S. F. 102 Manufacturing, commerce and trade

#### PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate members of the fifth, sixth, seventh and eighth grade classes of Babbitt School who were present in the balcony with their teacher, Mrs. Nell Gillam.

#### 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 5, fixing compensation of officers and employees of the Fifty-fourth General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION 5

*Whereas*, the Code provides that "The compensation of the chaplains, officers and employees of the General Assembly shall be fixed by joint action of the House and Senate by resolution at the opening of the session or as soon thereafter as conveniently can be done", and

*Whereas*, the cost of the basic commodities has increased, and because of the high cost of living in Des Moines, and the temporary nature of the

employment, all employees receiving under eight dollars per day have been increased fifty cents per day.

*Now, Therefore, Be It Resolved by the House, the Senate Concurring:* That the daily compensation of all officers and employees of the Fifty-fourth General Assembly shall be as follows, to be paid in accordance with the rules of the Senate and the House:

#### OFFICERS AND EMPLOYEES OF THE SENATE

Secretary of the Senate.....	\$20.00
Assistant Secretary and Journal Clerk of Senate.....	15.00
Law Clerk .....	12.50
Reading Clerk .....	10.00
Engrossing Clerk .....	10.00
Enrolling Clerk .....	10.00
Assistant Enrolled Bills Clerk .....	8.00
Assistant Journal Clerk .....	10.00
Secretary's Stenographer .....	12.50
Special Clerks .....	10.00
Clerk to Lieutenant Governor .....	10.00
Clerk to Secretary .....	8.00
Secretary's Committee Clerk .....	6.50
Bill Clerk .....	7.50
File Clerks .....	6.50
Supply Clerk .....	8.00
Payroll Clerk .....	8.00
Sergeant-at-Arms .....	8.00
Assistant Sergeant-at-Arms .....	7.00
Chief Doorkeeper .....	7.00
Doorkeepers .....	6.50
Postmasters .....	6.50
Stenographers .....	7.50
Clerks .....	6.50
Matrons .....	6.00
Cloakroom Attendants .....	6.00
Head Porter .....	7.00
Porters .....	6.00
Pages .....	5.00

#### OFFICERS AND EMPLOYEES OF THE HOUSE

Chief Clerk .....	\$20.00
Assistant Chief Clerk .....	15.00
Law Clerk .....	15.00
Reading Clerk .....	10.00
Journal Clerks .....	10.00
Engrossing Clerk .....	10.00
Enrolling Clerks .....	10.00
Payroll Clerk .....	10.00
Secretaries to Chief Clerk .....	12.50
Secretary to Law Clerk .....	10.00

Index Clerk .....	8.00
Supervisor of Clerks .....	10.00
Secretary to Speaker .....	8.00
Stenographers .....	7.50
Clerks .....	6.50
Postmasters .....	6.50
Bill Clerk .....	7.50
Assistant Bill Clerks .....	6.50
File Clerks .....	6.50
Sergeant-at-Arms .....	8.00
Assistant Sergeant-at-Arms .....	7.00
Supply Clerks .....	6.50
Chief Electrician .....	9.00
Assistant Electricians .....	6.50
Control Board Operator .....	7.50
Pages .....	5.00
Matrons .....	6.00
Porters .....	6.00
Chief Doorkeeper .....	7.00
Assistant Doorkeepers .....	6.50

*Be It Further Resolved:* That the President and Secretary of the Senate and the Speaker and Chief Clerk of the House shall be authorized to pay compensation to persons acting as temporary officers and employees, prior to the permanent organization of their respective houses, in the positions and at the same scale of compensation as set forth herein.

### EXECUTIVE SESSION

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

The Senate arose from executive session and resumed regular session.

On motion of Senator Elthon the Senate recessed until 1:00 p.m.

### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

### HOUSE CONCURRENT RESOLUTION 5

Senator Henningsen asked and received unanimous consent to take up House Concurrent Resolution 5 and offered the following amendment and moved its adoption:

Amend House Concurrent Resolution 5 as follows:

By striking the figure "15.00" following "Assistant Secretary and Journal Clerk" and inserting in lieu thereof the figure "17.50".

By combining "Law Clerk and Reading Clerk" and striking the figure "10.00" and inserting in lieu thereof "15.00".

By striking "Reading Clerk" and inserting in lieu thereof "Assistant Reading and Law Clerk" and by striking the figure "10.00" and inserting in lieu thereof the figure "15.00".

By striking "Clerk to the Lieutenant Governor" and inserting in lieu thereof "Secretary to the Lieutenant Governor" and by striking the figure "10.00" and inserting in lieu thereof the figure "12.50".

By striking the figure "8.00" after "Payroll Clerk" and inserting in lieu thereof "10.00".

The motion prevailed and the amendment was adopted.

On motion of Senator Henningsen the resolution as amended was adopted.

Senator Henningsen asked and received unanimous consent that House Concurrent Resolution 5 be immediately messaged to the House which request was complied with.

#### REPORT OF COMMITTEE

Senator Colburn submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 68, a bill for an act providing for an appropriation to the service compensation fund existing under section thirty-five A (35A), Code 1950, for the purpose of paying unpaid claims to veterans of World War II and the expenses of administration of the Service Compensation Board, begs leave to report it has had the same under consideration and recommends the same do pass.

JAY C. COLBURN, *Chairman.*

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 97 by striking the period (.) in line 4 after the word "systems".

GEORGE E. O'MALLEY.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 19, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Ralph Imes, pastor of the Congregational Church, Eldora, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Tudor for the day on request of Senator Hultman.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Dailey, from John C. Minton and eleven other residents of Des Moines County favoring a reduction in or the repeal of the Iowa state income tax; also, in opposition to the Iowa use tax.

By Senator Weichman, from county officials of Tama County favoring an increase in salary for county officials.

Senator Lynes asked and received unanimous consent to have the following printed in the Senate Journal:

Des Moines, Iowa,  
January 19, 1951.

Hon. X. T. Prentis, Chairman,  
Governmental Affairs Committee of the Senate,  
Robert P. Munger, Chairman,  
Consolidation and Coordination of State Government  
of the House of Representatives, and  
To the Members of Said Committees.  
Gentlemen:

The Fifty-third General Assembly assigned to the Governmental Reorganization Commission a task of examining our state government for the purpose of ascertaining wherein economy might be effected without impairing the efficiency of the government. Our commission has performed that task and has filed its report with the Governor, who, under the law, disseminated the same to the members of the legislature and others. That report, necessarily, was more of a synopsis of our work and findings. The detailed information gathered by our investigators and auditors is now transmitted to you for such action as you and the legislature may desire to take. These factual reports are the basis for our

summarized report and recommendations and you will find them beneficial for your study of better government for Iowa. We trust that you and the legislature will profit therefrom and that the benefit to the people of Iowa will be substantial.

At the time when the federal tax load is necessarily heavy it is our obligation to see that the Iowa tax dollar gives a maximum of service to the people of the state. They are in no mood for more and higher taxes. It is our opinion that the only course for us to pursue in economizing is to eliminate waste, combine and coordinate functions of government wherever possible and to put good business practices into effect. If this is done, a great savings in money and time can be effected. Efficient workers for the state can be paid better at a less expense, and service to the people will be improved.

The members of the commission have no particular pride of authorship for any of the bills that may be presented for your consideration; they submit the same only as suggestions and in the form of assistance. The legislature must adopt its own course in the light of the information furnished.

Strong government at the head, because of the need to fix responsibility, has been recommended by us. However, in order to safeguard the several divisions of government and to prevent any possible usurpation of power that might result therefrom, we have recommended the creation of a legislative budget and control committee. This committee, if given powers comparable to that which was given to this commission, could provide succeeding legislatures with factual information which would be of great help in preparing the budgets. As a matter of fact, it seems to the commission members that too much has been asked of legislators in the matter of passing upon appropriations. In the few days of a regular session, with all of their many other duties, they are asked to digest, understand and vote for appropriations running hundreds of millions. If these legislators had a committee of their own, from both houses, who would make an investigation and a report along legislative thinking, it should be invaluable when the session convenes.

In our general report and in the detailed reports of our assistants, there is nothing of a personal nature. There is critical language employed, but it is intended more toward the system which has grown up than it is the personnel. Our state government has grown into a big business under a sort of a "Topsy" fashion. The faults that are found are our faults, and the obligation to improve the situation is our obligation. With that thought in mind we present to the Fifty-fourth General Assembly, through your two committees, the written results of our efforts.

Respectfully submitted,  
GOVERNMENTAL REORGANIZATION COMMISSION,  
DEVERE WATSON, *Chairman.*

#### COMMUNICATION FROM SECRETARY OF STATE

The following communication was received from the Secretary of State:



State of Iowa  
Secretary of State.

I, Melvin D. Synhorst, Secretary of State of the State of Iowa, DO HEREBY CERTIFY that I selected the newspapers below named, being two in each congressional district in the State of Iowa, to publish Joint Resolution 2, as passed by the Fifty-third General Assembly, and referred to the Fifty-fourth General Assembly, proposing an amendment to the Constitution of the State of Iowa, relating to the succession of officers to the office of Governor.

First Congressional District.....	} Record-Republican West Liberty Index
Second Congressional District.....	{ The Coggon Monitor Fayette County Union
Third Congressional District.....	{ Clear Lake Reporter The Chronicle
Fourth Congressional District.....	{ The Eddyville Tribune Weekly Tribune
Fifth Congressional District.....	{ Record-Herald and Indianola Tribune The West Des Moines Express
Sixth Congressional District.....	{ The Humboldt Republican Lake Mills Graphic
Seventh Congressional District....	{ The Daily Times The Evening Sentinel
Eighth Congressional District.....	{ The Sioux County Capital The Lyon County Reporter

And I further certify that said Joint Resolution 2 was published in said newspapers for the period of three months previous to the general election for members of the Fifty-fourth General Assembly, as provided by law. Hereto attached are true photostatic copies of proofs of publication of Joint Resolution 2 as passed by the Fifty-third General Assembly.

(Seal)

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the Secretary of State of the State of Iowa. Done at Des Moines this 10th day of January, A.D. 1951.

MELVIN D. SYNHORST, *Secretary of State.*

#### INTRODUCTION OF BILLS

Senate File 131, by Senators Hart, Byers and Nesmith, a bill for an act to amend subsection twenty (20) of section four hundred twenty-seven point one (427.1), Code 1950, relating to exemptions from moneys and credits taxation of the capital stock in certain manufacturing corporations.

Read first and second times, and passed on file.

Senate File 132, by Senator Hart, Augustine, Tudor, Risk, Sharp and Humbert, a bill for an act to amend section one hundred

seventy-four point two (174.2), Code 1950, to clarify the powers of a "society" as defined in section one hundred seventy-four point two (174.2).

Read first and second times, and passed on file.

Senate File 133, by Senator Hart, a bill for an act to amend section two hundred twenty-three point sixteen (223.16), Code 1950, to provide for the creation of a lien for the cost of care of inmates in Woodward State Hospital and Glenwood State School.

Read first and second times, and passed on file.

Senate File 134, by Senators Gillespie and Whitehead, a bill for an act to amend section sixteen point twenty-four (16.24), Code 1950, relating to the free distribution by the state superintendent of printing of the Code and the Acts of each General Assembly, and to distribute such volumes to the assessor.

Read first and second times, and passed on file.

Senate File 135, by Senator Watson of Pottawattamie, a bill for an act to amend section three hundred ninety-eight point eight (398.8), Code 1950, relating to the compensation of waterworks trustees.

Read first and second times, and passed on file.

Senate File 136, by Senator Watson of Pottawattamie, a bill for an act to authorize and legalize the Iowa state tax commission refund to the Independent School District of Council Bluffs, Pottawattamie County, Iowa, funds in the amount of five hundred twenty-four dollars and fifty-two cents paid by said district for sales tax during a period from October 1, 1949, to December 31, 1949.

Read first and second times, and passed on file.

Senate File 137, by Senators Jacobson, Myrland, Nesmith and Vest, a bill for an act to amend section four hundred forty-six point twenty-nine (446.29), Code 1950, relating to fees charged by county treasurer with reference to tax certificates.

Read first and second times, and passed on file.

Senate File 138, by Senators Jacobson, Myrland, Nesmith and Vest, a bill for an act to amend chapter four hundred forty-five (445), Code 1950, relating to fees to be charged by county treasurer for certificates of taxes due.

Read first and second times, and passed on file.

Senate File 139, by Senators Jacobson, Myrland, Nesmith and Vest, a bill for an act to amend chapter five hundred fifty-eight (558), Code 1950, relating to fees charged by county auditor with reference to transfer of title to real property.

Read first and second times, and passed on file.

Senate File 140, by Senators Jacobson, Myrland, Nesmith and Vest, a bill for an act to amend section three hundred thirty-three point fifteen (333.15), Code 1950, relating to fees to be charged by county auditor with reference to land transfers, redemption certificates and tax certificates.

Read first and second times, and passed on file.

Senate File 141, by Senators Jacobson, Myrland, Nesmith and Vest, a bill for an act to amend section one hundred eighty-eight point forty-eight (188.48), Code 1950, relating to fee charged by county auditor with reference to estrays.

Read first and second times, and passed on file.

Senate File 142, by Senator Prentis, a bill for an act relating to the public archives and authorizing destruction of certain documents after custody for a fixed period and for amending section three hundred three point ten (303.10), Code 1950.

Read first and second times, and passed on file.

Senate File 143, by Senators Dailey, Vest and McCarville, a bill for an act relating to the rights of vendors and purchasers of realty, unless otherwise agreed, where all or a substantial part of the subject matter is destroyed or condemned before consumation of contract.

Read first and second times, and passed on file.

Senate File 144, by Senators Walter and Dykhouse, a bill for an act to amend section five hundred forty-four point sixteen (544.16), Code 1950, relating to funds of local warehouse boards.

Read first and second times, and passed on file.

Senate File 145, by Senators Berg, Byers, Dykhouse, Hattery, Henningsen, Hultman, Knudson and Zastrow, a bill for an act to promote and protect the life, health and safety of persons in the use and occupancy of buildings used by the public; to establish a state building code, under the requirements of this Act, prescribing minimum standards in the construction, reconstruction, alteration,

addition and repair of buildings used by the public; to define the scope of this Act and the state building code established hereunder; to create a state building code council, defining its powers and duties; and fixing the compensation of the members thereof; to provide for the appointment of a state building commissioner to administer the provisions of this Act, and defining his powers and duties; to provide for the registration and appointment of local building officials and licensed inspectors to carry out the local administration and enforcement of the provisions of this Act; to define the powers and duties of local authorities in the administration and enforcement of the provisions of this Act, and to permit the combination of cities, towns and counties in the appointment of a single building official under the provisions of this Act; to designate the county engineer as the acting building official in cities, towns and counties where no building official is otherwise appointed; to provide for the issuance of building permits for the construction, reconstruction, alteration, addition and repair of buildings used by the public; to provide for the issuance of certificates of occupancy; to provide for the collection of permit fees by cities, towns and counties; to grant the right of appeal from the action of the local building officials and of local boards of appeal; and to fix the penalties for violations of the provisions of this Act.

Read first and second times, and passed on file.

Senate File 146, by Senator O'Malley, a bill for an act to amend section three hundred sixty-eight point thirty-four (368.34), Code 1950, relating to the general powers of cities and towns providing for additional power to purchase and pay for liability and property damage insurance which shall insure against individual personal liability of city employees while in the performance of their duties.

Read first and second times, and passed on file.

Senate File 147, by Senator O'Malley, a bill for an act to amend section three hundred twenty-one point four hundred sixty-six (321.466), Code 1950, relating to increased loading capacity, re-registration.

Read first and second times, and passed on file.

Senate Joint Resolution 3, by Senators Berg, Doud, Colburn, Hattery, Jacobson and Mercer, a joint resolution proposing amendments to the constitution of the State of Iowa relating to the suc-

cession of officers to the office of governor in the event of death or disability of the governor or person elected to that office and to amend section four (4) of article IV and to repeal section nineteen (19) of article IV and propose a substitute therefor.

Read first and second times, and passed on file.

Senator Henningsen asked and received unanimous consent to take up the following reports and moved its adoption:

**REPORT OF JOINT COMMITTEE  
ON JOINT LEGISLATIVE EMPLOYEES**

We, your joint committee appointed to nominate employees for the extra help of the Fifty-fourth General Assembly, hereby submit the following:

**Lawyers**

Anthony T. Renda  
Henry T. McNight  
Norma Warren  
William Rosecrans

**Law Library Stenographers**

Hazel Johnson  
Leola Hubbard  
Janice Anderson  
Mary K. Napp  
Mary E. Simmons  
Rose Johnson  
Margaret Garver  
Edith Berlovich

**Library Page**

Margaret McCabe  
Louise Chocolka

**General Research and Clerk**

Jessie Corwin  
Ada Alexander

**Library Matrons**

Henrietta Tolson (Off payroll 1-9-51)  
Mae T. Howard (Off payroll 1-10-51)

**Library Janitor**

Floyd Pruitt

**Mail Carriers**

C. B. Hylton  
William Fife

**Post Office Assistant**

Lillian M. Fiero  
Ann Nizzi

**Clerk in Code Editor's Office**

Clarian Lesher

Photostat Code Editor  
Barbara Dunn  
Clerk in Historical Department  
Mrs. Daphne Woodcock  
Clerk in Archives Department  
June Reece

Respectfully submitted,  
O. H. HENNINGSEN,  
On the part of the Senate.  
TED SLOANE,  
On the part of the House.

The motion prevailed and the report 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 concurred in Senate amendments to and passed House Concurrent Resolution 5 fixing the salaries of the officers and employees of the Fifty-fourth General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

#### THIRD READING OF BILLS

Senator Colburn asked and received unanimous consent that the rules be suspended and that the Senate take up for consideration Senate File 68, a bill for an act providing for an appropriation to the service compensation fund existing under section thirty-five A point three (35A.3), Code 1950, for the purpose of paying unpaid claims to veterans of World War II and the expenses of administration of the Service Compensation Board.

On motion of Senator Berg, the report of the committee on military affairs was adopted.

On motion of Senator Colburn, the report of the committee on appropriations was adopted.

Senator Berg offered the following amendment and moved its adoption:

Amend Senate File 68, section 1, by adding, after the period (.) in line 6, a new sentence as follows:

"Notwithstanding the provisions of any other statute or statutes, the balance remaining in the service compensation fund after the payment of all expenditures herein authorized shall revert to the general fund of the state."

The amendment was adopted.

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

The Chair announced that the Senator from Cedar had left a written request to be recorded as voting "Aye" on Senate File 68. The request was granted.

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

**Ayes, 50:**

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pettawattamie
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

**Nays, none. •**

**Absent or not voting, none.**

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

Senator Hattery moved that the vote by which the 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 68 be immediately messaged to the House, which request was complied with.

Senator Sharp asked and received unanimous consent that the rules be suspended and that the Senate take up for consideration Senate File 106, a bill for an act creating a legislative advisory committee to carry out the provisions of chapter three hundred seven (307), Acts of the Fifty-second General Assembly, chapter sixteen (16), Acts of the Forty-ninth General Assembly, chapter ten (10), Acts of the Fifty-first General Assembly, and chapter seventeen (17), Acts of the Fifty-third General Assembly, relating to the construction of the state office building.

Senator Sharp 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 the Senator from Cedar had left a

written request to be recorded as voting "Aye" on Senate File 106. The request was granted.

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

**Ayes, 50:**

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevoold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

**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 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.

### 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 68, a bill for an act making an appropriation to the Service Compensation Fund.

A. C. GUSTAFSON, *Chief Clerk.*

### BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following assignment of bills to committee:

S. F. 103	Judiciary 2
S. F. 104	Compensation of public officers and employees
S. F. 105	Printing
S. F. 107	Judiciary 2
S. F. 108	Board of control
S. F. 109	Judiciary 2
S. F. 110	Printing
S. F. 111	Judiciary 1
S. F. 112	Judiciary 1



S. F. 113	Judiciary 1
S. F. 114	Printing
S. F. 115	Public health
S. F. 116	Compensation of public officers and employees
S. F. 117	Compensation of public officers and employees
S. F. 118	Compensation of public officers and employees
S. F. 119	Compensation of public officers and employees
S. F. 120	Compensation of public officers and employees
S. F. 121	Military affairs
S. F. 122	Public health
S. F. 123	Printing
S. F. 124	Manufacturing, commerce and trade
S. F. 125	Schools and educational institutions
S. F. 126	Motor vehicles
S. F. 127	Public utilities
S. F. 128	Printing
S. F. 129	Cities and towns
S. F. 130	Compensation of public officers and employees
S.J.R. 2	Schools and educational institutions

#### AMENDMENTS FILED

The following note be added to Senate File 1:

##### NOTE TO SENATE FILE 1

##### Substance of the Bill

Sections 1 to 6 of this bill contain its substance, which is to create a budget committee; to assign to such committee certain duties and powers; and to abolish the retrenchment and reform committee.

##### Corrective Sections

Sections 7 to 14 of this bill are corrective sections designed to eliminate any conflicts between various sections of the Code and the substantive provisions of this bill. Typical of such corrections is the striking of references to the retrenchment and reform committee and insertion in lieu thereof reference to the budget and financial control committee.

X. T. PRENTIS.

1. Amend Senate File 2 by striking from line 1 of section 6 the words and figures "eight point eight (8.8)" and inserting in lieu thereof the words and figures "eight point nine (8.9)".

X. T. PRENTIS.

2. Amend Senate File 2 by adding the following section:

"Sec. 189. The notes, historical references, and explanatory material incorporated in this bill shall be

considered no part of the enactment hereof and shall not be included in the enrolled Act."

X. T. PRENTIS.

#### NOTE TO SENATE FILE 2

##### Comptroller

1. Sections 1 to 23 of the bill amend chapter 8 of the Code which relates to the budget and the duties of the comptroller. These sections specifically provide that the comptroller shall have the duty of performing the annual audit of departmental and institutional accounts; that his term of office shall be for two years; that his appointment shall be confirmed by a constitutional majority of the Senate; that a division of personnel, which shall also function as the state merit system council, shall be set up in the comptroller's office. These sections specifically relieve the comptroller of the duty of writing warrants, performing general accounting and bookkeeping, and receiving payment of moneys due the state, which duties are assigned to the state auditor or state treasurer in subsequent sections of the bill.

##### Auditor

2. Sections 24 to 37 of the bill amend chapter 11 of the Code which relates to the duties of the auditor of state. These sections specifically relieve the auditor of the duty to examine the accounts of state departments and institutions but do not relieve him of the duty to make examinations under the local budget law. These sections assign to the auditor the duty of performing general accounting functions, of writing warrants, and of making settlements, which duties were formerly performed by the comptroller.

##### Treasurer

3. Sections 38 to 45 of the bill amend chapter 12 of the Code which relates to the duties of the treasurer of state. These sections correct references to the duties performed by the treasurer in relation to duties transferred from the auditor to the comptroller and vice versa by preceding sections. Typical of such changes is the striking of reference to "comptroller's warrants" and inserting in lieu thereof reference to "auditor's warrants". Heretofore a conflict has existed in the law as to whether payment of money due the state should be made at the office of the comptroller or at the office of the treasurer. Section 3 of the bill enumerates the specific duties of the comptroller but omits the duty to receive payments. This leaves the function of state cashier solely within the duties of the state treasurer.

##### Summary of the Substance

4. Sections 1 to 45 of the bill contain its substance. These sections amend chapters 8, 11 and 12 of the Code, by transferring and reassigning

various duties of the treasurer, auditor and comptroller to the end that: (1) the comptroller shall have the duties of preauditing claims against the state, examining the accounts of the state departments and institutions, and maintaining a personnel division; (2) the auditor shall perform all duties of a general accounting nature, write all warrants on requisition of the comptroller, but retain his duties under the local budget law; (3) and the treasurer shall perform all duties pertaining to the physical handling and safe-keeping of money.

#### Corrective Sections

5. The foregoing transfers of duties affect many sections of the Code not contained in chapters 8, 11 and 12. Sections 45 to 186 of the bill are purely corrective sections designed to strike reference to the auditor and insert in lieu thereof reference to the comptroller, or vice versa, wherever such a change is necessary to make sections outside of said principal chapters consistent with the substantive changes made in those chapters. Thus: sections 1 to 45 of the bill contain the real "meat" and the sections following section 45 are merely corrective and for the purpose of making references scattered throughout the Code consistent.

X. T. PRENTIS.

Amend Senate File 79 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Section one hundred seventy-nine point two (179.2), Code 1950, is amended by striking from last line of said section the words "three and one-half" and inserting in lieu thereof the word "five".

Sec. 2. Section one hundred seventy-nine point five (179.5), Code 1950, is hereby amended by striking from lines four (4) and five (5) the following words: "June 1 and terminating June 15" and inserting in lieu thereof the following: "May 1 and terminating June 30".

Sec. 3. Section one hundred seventy-nine point six (179.6), Code 1950, is hereby amended by striking from line twelve (12) the following words: "June 1 to June 15" and inserting in lieu thereof the words: "May 1 to June 30".

Sec. 4. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Mt. Pleasant News, a newspaper published at Mt. Pleasant, Iowa, and the Kalona News, a newspaper published at Kalona, Iowa.

CARL T. ANDERSON.

On motion of Senator Elthon, the Senate adjourned until 1:00 p.m., Monday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 22, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend T. J. Severtson, pastor of the Lake Lutheran Church, Renwick, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mercer for the day on request of Senator Van Patten.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Dailey, from Paul R. Hesser, commander American Legion Post No. 52, and other residents of Des Moines County urging the establishment of a civil defense program for the State of Iowa.

By Senator Molison, from residents of Poweshiek County in opposition to the sale of beer and other alcoholic beverages; also, in opposition to gambling.

## PRESENTATION OF VISITOR

Senator Fishbaugh asked and received unanimous consent to present to the Senate a former member of the Senate from Page County, the Honorable Carl O. Sjulín who was present in the Senate chamber.

Senator Sjulín addressed the Senate briefly.

## INTRODUCTION OF BILLS

Senate File 148, by Senator McCarville, a bill for an act to create a legislative council for the State of Iowa, describing its membership, prescribing its powers and duties, establishing a research and bill drafting service as a part thereof, and to make an appropriation therefor.

Read first and second times, and passed on file.

Senate File 149, by Senators McCarville, Lord, Hedin and Utzig,

a bill for an act to amend section six hundred one point one hundred thirty-one (601.131), Code 1950, relating to salaries for justices of the peace and constables.

Read first and second times, and passed on file.

Senate File 150, by Senators Bateson, Fishbaugh and McCarville, a bill for an act to amend section one hundred forty-one point nineteen (141.19), Code 1950, relating to permits received from other states for dead bodies being shipped into the state.

Read first and second times, and passed on file.

Senate File 151, by Senators Humbert, Fishbaugh and West, a bill for an act to amend section three hundred fifty point one (350.1), Code 1950, relating to a bounty for raccoons.

Read first and second times, and passed on file.

Senate File 152, by Senators Humbert, Fishbaugh and West, a bill for an act to amend section three hundred fifty point one (350.1), Code 1950, relating to a bounty for groundhogs.

Read first and second times, and passed on file.

Senate File 153, by Senators Watson of Pottawattamie, Van Eaton, O'Malley, Elthon, Doud and Bekman, a bill for an act to amend sections five hundred thirty-six point one (536.1), five hundred thirty-six point twelve (536.12), five hundred thirty-six point thirteen (536.13), five hundred thirty-six point fifteen (536.15), five hundred thirty-six point sixteen (536.16), five hundred thirty-six point eighteen (536.18), Code 1950, relating to the regulation of the business of making loans of three hundred dollars or less so as to provide for the regulation of the business of making loans of five hundred dollars or less; to define the term "small loans" to be loans of five hundred dollars or less; to provide that the maximum rate of interest or charges on any part of the unpaid principal balance of the loan in excess of three hundred dollars shall be one per cent per month until such time as the state banking board shall fix a different rate; and for this purpose to amend section five hundred thirty-five point six (535.6), Code 1950, so as to make the provisions of section five hundred thirty-five point six (535.6), Code 1950, applicable to loans of more than five hundred dollars (\$500) rather than loans of more than three hundred dollars (\$300).

Read first and second times, and passed on file.

Senate File 154, by Senators Humbert and West, a bill for an act

to amend chapter two hundred eighty (280), Code 1950, relating to public schools to provide band uniforms, at the expense of such school, for school band members.

Read first and second times, and passed on file.

Senate File 155, by Senators Zastrow, Knudson and Oltman, a bill for an act to amend chapter one hundred seventy-seven (177), Code 1950, relating to corn and small grain growers association.

Read first and second times, and passed on file.

Senate File 156, by Senator Parker, a bill for an act to amend section one hundred forty-seven point seventeen (147.17), Code 1950, relating to general provisions of the practice acts to change the provisions governing medical examiners.

Read first and second times, and passed on file.

Senate File 157, by Senators Bekman, Nesmith, Mercer, Parker, O'Malley, Hedin and Dailey, a bill for an act to amend and revise the state plumbing code, to provide for the licensing and regulation of plumbers and the investigation and inspection of plumbing installations for the protection of the public health of the state.

Read first and second times, and passed on file.

Senate File 158, by Senators Fishbaugh, West and Roberts, a bill for an act relating to open-cut or strip mines for the production of coal and providing that anyone so engaged shall pay a tonnage tax 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.

#### BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following assignment of bills to committee:

- S. F. 131 Tax revision
- S. F. 132 Agriculture
- S. F. 133 Board of control
- S. F. 134 Printing
- S. F. 135 Compensation of public officers and employees
- S. F. 136 Claims
- S. F. 137 Compensation of public officers and employees
- S. F. 138 Compensation of public officers and employees

S. F. 139	Compensation of public officers and employees
S. F. 140	Compensation of public officers and employees
S. F. 141	Compensation of public officers and employees
S. F. 142	Governmental affairs
S. F. 143	Judiciary 2
S. F. 144	Agriculture
S. F. 145	Public lands and buildings
S. F. 146	Social security
S. F. 147	Motor vehicles
S.J.R. 3	Judiciary 1

### REPORTS OF COMMITTEES

Senator Fishbaugh submitted the following report:

**MR. PRESIDENT:** Your committee on judiciary 1 to which was referred **Senate File 13**, a bill for an act to amend sections seventy-five point two (75.2) and seventy-five point nine (75.9), Code 1950, relating to the sale of public bonds, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on judiciary 1 to which was referred **Senate File 47**, a bill for an act to repeal chapter five hundred fifty-one A (551A), Code 1950, relating to cigarette sales, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on judiciary 1 to which was referred **Senate File 48**, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of hospital bonds by the city of Spencer, Iowa, and declare said bonds issued pursuant to be enforceable obligations of said city, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on judiciary 1 to which was referred **Senate File 58**, a bill for an act to amend and revise section seven hundred nine point five (709.5), Code 1950, relating to larceny in the daytime

and the penalty therefor, begs leave to report it has had the same under consideration and recommends the same **be indefinitely postponed.**

EARL C. FISHBAUGH, JR., *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 69**, a bill for an act legalizing and validating the proceedings of the board of directors of the Consolidated School District of Ainsworth, in the county of Washington, State of Iowa, authorizing and providing for the issuance and delivery of school building bonds and for the levy of taxes for payment of same and declaring bonds issued, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EARL C. FISHBAUGH, JR., *Chairman.*

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 14 by inserting in line 11 of section 1 after the word "lettings" the following: ", unless the council shall adopt a resolution to proceed with the construction of the work by day labor, at a cost not to exceed the engineer's estimate, which resolution shall require for passage the vote of three-fourths of all members of the council, except in municipalities having but three members of the council, the vote of two members shall be required".

J. T. DYKHOUSE.  
JOHN R. HATTERY.

Amend Senate File 17 by inserting in line 4, section 1, after the word "manager" the words "and administrative assistants to the manager".

J. T. DYKHOUSE.  
JOHN R. HATTERY.

Amend Senate File 22 by striking from the last line of section 38 the words "is taken" and inserting in lieu thereof the words "may be taken".

Further amend section 38 by inserting at the end thereof the following words "district court".

J. T. DYKHOUSE.  
JOHN R. HATTERY.

Amend Senate File 24 as follows:

1. Amend section 17 by striking from line 4 the word "or".
2. Amend section 18 by striking from lines 1 and 2 the words and figures "three hundred seventy-three point thirteen (373.13)"



and inserting in lieu thereof the words and figures "three hundred seventy-three point nineteen (373.19)".

J. T. DYKHOUSE.  
JOHN R. HATTERY.

Amend Senate File 32 as follows:

1. Strike from line 12 of section 2 the word "regular" and insert in lieu thereof the word "regulate".
2. Strike all of section 5 and insert in lieu thereof the following: Sec. 5. Section twenty point five (20.5), Code 1950, is amended as follows:
  1. By striking from lines five (5) and six (6) of subsection two (2) the words "including cities acting under special charter,".
  2. By striking from lines two (2) and three (3) of subsection three (3) the words "including cities acting under a special charter,".
  3. By striking from lines ten (10) and eleven (11) of subsection three (3) the words "including cities acting under special charters,".
3. Amend section 10 by striking from line 3 the words and figures "and four (4)" and inserting in lieu thereof the words and figures "to five (5)".
4. Amend section 11 by striking from line 2 the words and figures "nine (9)" and inserting in lieu thereof the words and figures "ten (10)".
5. Amend section 40 by striking from line 3 the word and figure "eight (8)" and inserting in lieu thereof the word and figures "twenty-nine (29)".  
Further amend said section by striking from line four (4) the word "cities" and inserting in lieu thereof the word "board".
6. Amend section 42 by striking from line 3 the word "operating" and inserting in lieu thereof the word "acting".
7. Amend section 43 by striking from lines 2 and 3 the words and figures "two (2) to four (4)" and inserting in lieu thereof the words and figures "five (5) to seven (7)".
8. Amend section 46 by striking from line 3 the words and figures "five and six (6)" and inserting in lieu thereof the words and figures "four (4) and five (5)".
9. Amend section 56 by striking from lines 2 and 3 the words and figures "two (2) and three (3)" and inserting in lieu thereof the words and figures "three (3) and four (4)".
10. Amend section 57 by striking from line 2 the words and figures "two (2) to four (4)" and inserting in lieu thereof the words and figures "three (3) to five (5)".

11. Amend section 68 by striking from line 3 the words "in cities".

J. T. DYKHOUSE.  
JOHN R. HATTERY.

Amend the title to Senate File 97 by striking the period (.) after "1950", and inserting in lieu thereof the following: ", relating to general purchasing powers of cities and towns."

GEORGE E. O'MALLEY.

Amend Senate File 112 by adding the following:

Further amend section four hundred forty-one point three (441.3) by striking the "comma" (,) after the word "be" and inserting in lieu thereof a "period" (.).

R. R. BATESON.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 23, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend D. H. Samuelson, pastor of the First Methodist Church, West Bend, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Doud, from members of the Iowa Chapter of the Daughters of the American Colonists urging the use of certain text books in the schools of Iowa.

By Senator Utzig, from fifty-one small business men residents of Dubuque County in opposition to the repeal of the cigarette unfair sales act.

## INTRODUCTION OF BILLS

Senate File 159, by Senators Bekman, McCarville, Mercer and Zastrow, a bill for an act to amend section five hundred fifteen point thirty-five (515.35), Code 1950, relating to investments of insurance companies other than life, to authorize investment in obligations issued, assumed or guaranteed by International Bank for Reconstruction and Development.

Read first and second times, and passed on file.

Senate File 160, by Senators Bekman, McCarville, Mercer and Zastrow, a bill for an act to amend section five hundred eleven point eight (511.8), Code 1950, relating to the investment of funds of life insurance companies and associations, to authorize investment in obligations issued, assumed or guaranteed by International Bank for Reconstruction and Development.

Read first and second times, and passed on file.

Senate File 161, by Senator Lord (Hendrix), a bill for an act authorizing a patent to issue to the southeast quarter (SE $\frac{1}{4}$ ) of the southwest quarter (SW $\frac{1}{4}$ ) of section sixteen (16), township seventy-eight (78) north, range two (2), west of the 5th P.M., Muscatine County, Iowa. •

Read first and second times, and passed on file.

Senate File 162, by Senator Roberts, a bill for an act to appropriate from the general fund of the state the sum of three thousand three hundred forty-five dollars and sixty-one cents (\$3,345.61) to the agricultural land credit fund for the purpose of refund to Marion County for omitted claims.

Read first and second times, and passed on file.

Senate File 163, by Senators Hattery and Dykhouse (Nelson of Woodbury and Crosier), a bill for an act relating to the general powers of municipal corporations and to repeal chapter three hundred sixty-eight (368) of the Code, relating thereto, and certain other sections of the Code, relating thereto, and to enact a substitute therefor, and to amend various sections of the Code relating thereto.

Read first and second times, and passed on file.

Senate File 164, by Senators Dykhouse and Hattery (Nelson of Woodbury and Crosier), a bill for an act to define the general powers and duties of municipal officers and to repeal various sections of the Code relating thereto and to enact substitutes therefor.

Read first and second times, and passed on file.

Senate File 165, by Senators Hattery and Dykhouse (Crosier and Nelson of Woodbury), a bill for an act relating to the forms of government, classification and fiscal year of municipal corporations and to the election of officers thereof, and to repeal certain sections of chapters three hundred sixty-three (363), four hundred sixteen (416), four hundred nineteen (419), and four hundred twenty (420), Code 1950, relating thereto, and to enact a substitute therefor, and to amend various sections of the Code to conform thereto.

Read first and second times, and passed on file.

Senate File 166, by Senators Berg, Henningsen, Van Eaton, McCarville, Knudson and Dailey, a bill for an act relating to the construction and maintenance of garages for storage, repair and servicing of motor vehicles and other equipment of cities and towns, and to amend section four hundred seven point three (407.3), Code 1950.

Read first and second times, and passed on file.

Senate File 167, by Senators Watson of Pottawattamie and West, a bill for an act relating to the per capita tax levied for creating

the old age assistance fund and to amend section two hundred forty-nine point thirty-six (249.36), Code 1950, and to repeal section two hundred forty-nine point thirty-seven (249.37) of said Code.

Read first and second times, and passed on file.

Senate File 168, by Senator Vest, a bill for an act to amend section three hundred sixty point eight (360.8), Code 1950, relating to tax levied for repair, furnishing and care of township buildings.

Read first and second times, and passed on file.

Senate File 169, by Senators Bekman, Berg, Byers, Bateson, Jacobson, Zastrow and Dykhous, a bill for an act to amend section six hundred thirty-eight point twenty-five (638.25), Code 1950, relating to expenses and extraordinary services in probate matters.

Read first and second times, and passed on file.

Senate File 170, by Senator Mercer, a bill for an act relating to the number of city councilmen to be elected under a city organized under the manager by election plan, and for amending section four hundred nineteen point seven (419.7), Code 1950.

Read first and second times, and passed on file.

Senate File 171, by Senator Van Eaton, a bill for an act to amend section four hundred sixty-two point seven (462.7), Code 1950, relating to eligibility of trustees in drainage districts.

Read first and second times, and passed on file.

Senate File 172, by Senators Zastrow and Dailey, a bill for an act to amend chapter two hundred seventy-nine point thirteen (279.13), Code 1950, relating to contracts of certificated school employees to provide for a preliminary hearing and discussion of causes for dissatisfaction before notice of termination of contract is given by a board of education to such employee.

Read first and second times, and passed on file.

Senate File 173, by Senators O'Malley and McCarville, a bill for an act to amend chapter two hundred seventy-nine point twenty-four (279.24), Code 1950, relating to contracts of certificated school employees to clarify the procedure necessary for the discharge of such employee for cause and during the life of a valid contract.

Read first and second times, and passed on file.

Senate File 174, by Senators Vest and Dailey, a bill for an act to amend section six hundred sixty-eight point thirty-three (668.33), Code 1950, relating to the termination of exhausted guardianships.

Read first and second times, and passed on file.

Senate File 175, by Senator Henningsen, a bill for an act to provide for biennial elections and six-year terms for members of the board of directors in independent school districts which embrace a city having a population of more than fifteen thousand and less than one hundred twenty-five thousand and amend sections two hundred seventy-four point seven (274.7), two hundred seventy-seven point one (277.1), and two hundred seventy-seven point twenty-four (277.24), Code 1950, relating thereto.

Read first and second times, and passed on file.

Senate File 176, by Senators Vest and Dailey, a bill for an act to amend section six hundred sixty-eight point three (668.3), Code 1950, relating to the appointment of a guardian for a minor owning property.

Read first and second times, and passed on file.

#### PRESENTATION OF VISITORS

Senator McCarville asked and received unanimous consent to present to the Senate Edgar J. Hovey and J. G. Warland of Webster County who were present in the Senate chamber.

Senator O'Malley asked and received unanimous consent to present to the Senate the members of the community life problem class of Woodrow Wilson School who were present in the balcony.

Senator Fletcher asked and received unanimous consent to present to the Senate twenty-five members of the high school boys Sunday School class of the Corydon Methodist Church who were present in the balcony accompanied by Pohl Thompson, Lester Snyder, Lester Ventling, John Warren and Laurence Fry.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

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

**MR. PRESIDENT:** Your joint committee on enrolled bills respectfully re-

ports that it has examined and finds correctly enrolled: Senate File 68.

JAMES H. NESMITH,  
*Chairman Senate Committee.*  
ELMER A. BASS,  
*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 68.

#### BILL SENT TO THE GOVERNOR

Senator Nesmith, 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 January, 1951, sent to the Governor for his approval: Senate File 68.

JAMES H. NESMITH, *Chairman.*

Passed on file.

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

#### SENATE CONCURRENT RESOLUTION 6

By Elthon and Hart (Kuester)

For retention and advancement of spiritual values in American life and to promote harmony, unity and cooperation between Catholics, Protestants and Jews.

*Whereas*, today our boys in the armed service have laid away such religious prejudices as they may have had, and in a foreign land, Protestants, Catholics and Jews are fighting our battles shoulder to shoulder and are together ready to make the supreme sacrifice to maintain and protect those principles, precious to every true American citizen, and

*Whereas*, chaplains of all denominations are administering to these boys injured in battle, or otherwise requiring religious guidance, comfort or service irrespective of denominations or faiths, and

*Whereas*, the American way of life and the government which administers it cannot exist if the majority of American citizens deny in thought or deed the existence of a Supreme Being, Creator of man and universe, and

*Whereas*, the American philosophy of living and law are definitely and clearly stated in the preamble to the Declaration of Independence in these words:

"We hold these truths to be self-evident, that all men are created equal and are endowed by their Creator with certain unalienable rights, and among these are the right to life, liberty, and the pursuit of happiness," and

*Whereas*, the American way of life, its government and law are threatened from within and without by Soviet Russia who with her unscrupulous methods has her agents and spies make every possible effort to destroy harmony, good will and cooperation among our people, and

*Whereas*, the way of life of all freedom loving peoples who acknowledge the authority of a Supreme Being, Creator of man and the universe, is threatened by those foes who would substitute man-made authority for that of the Creator, the current example being of Russia, and

*Whereas*, noted and respected American leaders among the Catholics, Protestants and Jews, and among those who hold to no religious group have warned that our spiritual advancement has not kept pace with our material advancements, and

*Whereas*, our lag in spiritual advancement has caused us to be weakened by unfounded fears, hatreds and prejudices which our enemies, within and without, use to destroy our unity, harmony, and good will thus dividing us and hastening the day of our destruction, and

*Whereas*, there are many God-fearing men and women all over the world who seek a medium through which they may unite in giving expression through a word and a deed to their belief in a Creator and His authority; and who wish to advance the spiritual life of the American people and all others which reasonably join in promoting the fundamental principles upon which the American way of life is founded.

*Now, Therefore, Be It Resolved by the Senate of the State of Iowa and the House of Representatives Concurring: That Catholics, Protestants, Jews, and all freedom loving and well intentioned people who do not conform to any religious beliefs unite and pledge themselves to take such action as may be deemed right and just to hasten the spiritual advancement of American people by peacefully removing unfounded hatreds, prejudices and fears: by respecting each man's religious faith: by working together to remove injustice imposed by force or conniving: and by steadfastly furthering the obvious aims and intentions of those illustrious men who signed the Declaration of Independence and the Constitution of the United States, and*

*Be It Further Resolved* that those who hold important executive, legislative and judicial positions in our country and in our state do everything in their power to eliminate the tendency toward the slow but gradual deterioration of spiritual values that we see being brought about through indifference and Godlessness.

The motion prevailed and the resolution was adopted.

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

#### SENATE CONCURRENT RESOLUTION 7

*Whereas*, section two point nineteen (2.19), Code 1950, provides that "The compensation of the chaplains, officers and employees of the General Assembly shall be fixed by joint action of the Senate and House by resolution at the opening of the session or as soon thereafter as conveniently can be done,"



*Now, Therefore, Be It Resolved by the Senate, the House Concurring:* That the daily compensation of all officers and employees of the Fifty-fourth General Assembly shall be paid in accordance with the rules of the Senate and the House as follows:

#### JOINT LEGISLATIVE HELP

Assistants in Law Research .....	\$15.00
Stenographers for Law Library .....	7.50
Typists for Law Library .....	6.50
General Research Clerks .....	6.50
Matrons .....	5.50
Elevator Tenders .....	6.50
Janitors .....	6.50
Post Office Assistant .....	6.50
Post Office Mail Carriers .....	6.50
Assistant Secretary in Custodian's Office .....	6.50
Head Policeman .....	7.00
Special Police for Parking .....	6.50
Telephone Operator .....	6.50
Photostat Operator for Code Editor .....	7.50
Clerk in Code Editor's Office .....	7.00
Stenographer in Archives Department .....	7.50
Typist in Historical Department and Library .....	6.50

*Be It Further Resolved:* That the compensation of chaplains officiating at the opening of the sessions of the Senate and House of the Fifty-fourth General Assembly shall be fixed at five dollars (\$5.00) for each branch of the General Assembly and, in addition thereto, mileage at the rate of five cents (5c) per mile to and from the state capitol.

The motion prevailed and the resolution was adopted.

#### PROOF OF PUBLICATION

Published copy of Senate File 69 and verified proof of publication of said bill in the Washington Evening Journal on January 17, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE, *Secretary of Senate.*

Senator Elthon moved that the committee on supplies and equipment be authorized to investigate the advisability of installing a loud speaker on the desk of the President of the Senate and the Secretary of the Senate, which motion prevailed.

On motion of Senator Elthon, the Senate recessed until 1:00 p.m.

## AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

## PRESENTATION OF VISITORS

Senator Sharp asked and received unanimous consent to present to the Senate the eight district winners of the contest sponsored by the Farmers Grain Dealers Association in convention in Des Moines, Iowa, who were present in the balcony accompanied by Dick Philips of Iowa State College.

HOUSE CONCURRENT RESOLUTION 5  
RECALLED FROM THE HOUSE

Senator Henningsen asked and received unanimous consent that the Secretary of the Senate be instructed to recall from the House House Concurrent Resolution 5.

## COMMUNICATION FROM STATE COMPTROLLER

The following communication was received from the office of the State Comptroller:

Office  
STATE COMPTROLLER  
January 23, 1951

To the Secretary of the Senate and  
Chief Clerk of the House of Representatives:

In accordance with the provisions of chapter 25, Code of 1950, there are submitted herewith claims acted upon by the State Appeal Board to January 4, 1951. Each claim bears the recommendation of the board as shown in the schedule attached.

Claims of a general nature are numbers 1 to 53, inclusive, 55 to 66, inclusive, 68 to 71, inclusive, 73 to 80, inclusive, and claims numbers 84, 85, 89, 90, 91, 92 and 94, and highway claim numbers 1 to 53, inclusive, 55 to 57, inclusive, 59 to 97, inclusive, 99 to 102, inclusive, 106 to 113, inclusive, 115 to 118, inclusive, 136 to 142, inclusive, and claim number 144.

RAY E. JOHNSON, *Chairman,*  
*State Appeal Board.*

Receipt of the above is hereby acknowledged.

CARROLL A. LANE, *Secretary of the Senate.*

No.	Name of Claimant and Nature of Claim	Amount of Claim	Amount Approved by Board
1	Lawrence G. and Calvin Howard, Perma, Mont.— Claim for refund of city license due to misunderstanding of the law.....	\$  52.00	\$  52.00

No.	Name of Claimant and Nature of Claim	Amount of Claim	Amount Approved by Board
2	Leonard A. Miller, Decorah, Iowa—Damages to auto in col- lision with auto driven by state patrolman .....	26.32	Rejected
3	Bert O'Connor, Sac City, Iowa— Claimant cashed check for old age recipient, now deceased; check lost in claimant's store; the check was outlawed by time when found by claimant.....	37.00	37.00
4	Pocahontas County— Assessment against state owned land .....	1,702.98	1,702.98
5	J. C. Richie, Columbus Junction, Iowa—Burial of Jesse H. Nodruck, old age pensioner.....	150.00	150.00
6	Ernest Shearer, Westfield, Iowa—Damage to crop by wild deer.....	230.00	Rejected
7	Herbert A. Langley, Sioux City, Iowa—Damage to crops by wild deer.....	630.00	Rejected
8	Floyd Bauerly, Westfield, Iowa— Damage to crops by wild deer....	345.00	Rejected
9	John Budschi, Anamosa, Iowa— Cow died of poison spray negligently spilled by state employee .....	150.00	Rejected
10	J. W. Peterson, Mount Pleasant, Iowa—Claimant's state owned car damaged a car belonging to E. C. Bunt.....	563.55	563.55
11	Lessmann Manufacturing Com- pany, Des Moines, Iowa—Loss of land due to lake washing out lake bank .....	2,674.97	Rejected
12	Burke Funeral Home, Lansing, Iowa—Burial expense, Geo. A. Campbell, old age pensioner.....	150.00	135.00
13	Snell Funeral Home, Clinton, Iowa—Burial, Edgar W. Harman, old age pensioner.....	150.00	150.00
14	Hamilton Funeral Home, Des Moines, Iowa—Burial, John M. Ridgeway, old age pensioner.....	150.00	150.00
15	Robert W. Scott Estate, Katherine Scott, Adm., Albert Lea, Minn.—Money due on a state institution contract.....	286.90	286.90

No.	Name of Claimant and Nature of Claim	Amount of Claim	Amount Approved by Board
18	Dr. Joseph Kaufman, Chicago, Ill.—Accident due to failure to make a series of curves on Highway 17 .....	701.92	Rejected
16	Elmer G. Swift, Woodbine, Iowa—Damage to fruit trees by wild deer .....	70.00	Rejected
17	Ernest Wendt, Avoca, Iowa— Damage to car by wild deer.....	178.11	Rejected
19	R. O. Holcomb, Oelwein, Iowa— Damage to car by truck belong- ing to Independence State Hospital .....	38.10	38.10
20	Delbert Hurley, McClelland, Iowa—Refund license fee on corn sheller .....	20.00	20.00
21	John W. Allen, Missouri Valley, Iowa—Damage to car by wild deer.....	242.09	Rejected
22	Charles Hills, Des Moines, Iowa—Collision with state car....	?	Rejected
23	Winnebago County— Drainage assessment against state owned land.....	32.80	32.80
24	Arthur E. Kelly, Davenport, Iowa—Damage to car.....	609.98	Rejected
25	Robert K. Stout, Des Moines, Iowa—Damage to car by state car .....	45.83	45.83
26	Carl Oelrich, Pomona, Calif.— For return of Iowa license plates to Sac County treasurer.....	14.50	14.50
27	Dr. George M. Boteler, Chero- kee, Iowa—Damage to auto by state car.....	22.42	22.42
28	Linn County— Reimbursement for court expense paid in error.....	293.25	293.25
29	Harold F. Sneby, Lyle, Minn.— Refund of motor vehicle license..	18.75	18.75
30	Enva B. Harris, San Francisco, Calif.—Burial, Jacob L. Heise, old age pensioner who died while visiting in California.....	150.00	150.00
31	Fred Foehring, Fort Madison, Iowa—Damage to car by state owned car .....	50.00	50.00
32	Burnell R. Settle, Clemons, Iowa—Damage to car by state owned car .....	43.75	43.75

33	Roy Jensen, Cherokee, Iowa— Damage to car by state TB trailer .....	48.07	48.07
34	McAuley and Son Funeral Home, Mason City, Iowa— Burial, Charles E. Bales, old age pensioner .....	150.00	150.00
35	Dr. John W. Lewis, Chamber- lain, So. Dak.—Damage to car....	82.94	82.94
36	Crystal Ice and Coal Company, Newton, Iowa—Damage to truck by state owned car.....	12.04	12.04
37	G. C. Bidwell, Sutherland, Iowa—Refund of claimant's motor vehicle registration fee when claimant's car was sold outside of State of Iowa. Monona County treasurer rec- ommends payment of claim.....	12.00	12.00
38	Jeannette McEllinney, Iowa City, Iowa—Refund of car license .....	15.00	15.00
39	Woodman's, Inc., Russell, Iowa—Burial, Phoebe Jane Demley, old age pensioner.....	150.00	150.00
40	Donald Freese, Iowa State Penitentiary—Loss of left index finger and portion of thumb of left hand, shop 23, chair and furniture industry .....	?	Recommend pay- ment of an amount equal to minimum payment under workmen's compensation
41	Donald Rentschler, Inwood, Iowa—Damage to car by wild deer .....	41.02	Rejected
42	Iowa Farm Mutual Ins. Co., Des Moines, Iowa—Damage to car .....	33.06	33.06
42a	Andrew Graff, Estherville, Iowa—Damage to car.....	10.00	10.00
43	Iowa Farm Mutual Ins. Co., Des Moines, Iowa—Damage to car .....	66.23	Rejected
43a	Merle Outtrim, Jefferson, Iowa—Damage to car.....	10.00	Rejected
44	Iowa Farm Mutual Ins. Co., Des Moines, Iowa—Damage to car .....	33.04	33.04
44a	George Mezik, Webster City, Iowa—Damage to car.....	10.00	10.00
45	Iowa Farm Mutual Ins. Co., Des Moines, Iowa—Damage to car .....	22.50	22.50

45a	Gordon Mirts, Essex, Iowa— Damage to car.....	10.00	10.00
46	Iowa Farm Mutual Ins. Co., Des Moines, Iowa.....	17.39	17.39
46a	Otto Aldag, Atlantic, Iowa— Damage to car.....	10.00	10.00
47	Iowa Farm Mutual Ins. Co., Des Moines, Iowa—Damage to car .....	97.77	97.77
47a	A. J. Grosenbach, Grinnell, Iowa—Damage to car.....	10.00	10.00
48	Iowa Farm Mutual Ins. Co., Des Moines, Iowa—Damage to car .....	21.14	Rejected
49	Bogaard Funeral Home, Hum- boldt, Iowa—Burial, Joel Xartman, old age pensioner.....	80.00	80.00
50	Francis A. Weir, Exe. Estate C. M. Weir, Mount Pleasant, Iowa—Furnishing sewer pipe....	6.13	6.13
51	Iowa Farm Mutual Ins. Co., Des Moines, Iowa—Damage to car .....	112.38	100.00
51a	Glenn C. Reed, Beaconfield, Iowa—Damage to car .....	10.00	10.00
52	William DeBruyn, Pella, Iowa— Old age burial, old age recipient..	150.00	150.00
53	State Farm Ins. Co., Bloom- ington, Ill.—Damage to car by paint .....	15.00	Rejected
55	Frozen Foods, Inc., Mason City, Iowa....Claim for fish furnished the Iowa Soldiers' Home .....	30.00	30.00
56	Mrs. Juanita Naeckel, Daven- port, Iowa—Damage to car.....	21.50	21.50
57	Mike Yaroslovski, Des Moines, Iowa—Damage to pickup truck .....	600.00	Rejected
58	Iowa Mutual Casualty Com- pany, DeWitt, Iowa—Damage to car .....	476.17	476.17
59	Council Bluffs Transit Co., Council Bluffs, Iowa—Damage to bus .....	177.00	177.00
60	Mrs. Leslie E. Smith, DeWitt, Iowa—Damage to car.....	800.00	50.00
61	Charles Risk, Sioux City, Iowa—Refund on Class "A" beer permit .....	62.50	No Recommendation

No.	Name of Claimant and Nature of Claim	Amount of Claim	Amount Approved by Board
62	Parrott & Wood, Waterloo, Iowa—Old age burial (old age recipient) .....	150.00	150.00
63	Oathout Funeral Home, Iowa City, Iowa—Old age burial, (old age recipient).....	150.00	150.00
64	Bekins Van & Storage Co., Omaha, Nebr.—Damage to car..	209.09	Rejected
65	Rev. J. A. Peterson, Mankato, Minn.—Refund on car license.....	12.00	6.25
66	John F. Rosmann, Defiance, Iowa—Refund on license plates..	96.25	Rejected
68	Ethyle Ostrem, Adm. Estate Geo. Ostrem, deceased—Services to Leota Dwight, who was under the jurisdiction of what was at that time the Iowa Soldiers' Orphans Home at Davenport, Iowa .....	5.00	5.00
69	Edgar Wakefield, Des Moines, Iowa—Expense incurred in returning wanted men to Iowa....	25.50	25.50
70	John Airy, Des Moines, Iowa— Damage to car by fireworks while attending Iowa State Fair in August, 1950.....	125.00	Rejected
71	Geo. W. Madsen, Des Moines, Iowa—Damage to car by fireworks while attending Iowa State Fair in August, 1950.....	25.00	Rejected
73	Country Mutual Casualty Co., Chicago, Ill.—Damage to car.....	124.37	Rejected
74	Charles L. Baughman, Indian- ola, Iowa—Damage to car by fireworks while attending Iowa State Fair in August 1950.....	60.00	Rejected
75	Mrs. Wm. P. Comstock, Adm. Estate William P. Comstock, Cedar Rapids, Iowa—Refund on plates .....	9.00	9.00
76	Mrs. Gertrude Moeller, Water- loo, Iowa—Refund for license on house trailer.....	20.00	Rejected
77	Warren Roetman, Council Bluffs, Iowa—Damage to car.....	50.00	12.59
78	Le Mars Mutual Ins. Assn., Le Mars, Iowa—Damage to car.....	60.00	60.00

No.	Name of Claimant and Nature of Claim	Amount of Claim	Amount Approved by Board
79	Gazette Company, Cedar Rapids, Iowa—Notice to bidders for erection of radio towers at Cedar Falls and Storm Lake.....	3.73	3.73
80	Devaney Funeral Home, Cascade, Iowa—Old age funeral (old age recipient).....	150.00	150.00
84	Slade Funeral Home, Leon, Iowa—Old age funeral, old age recipient .....	150.00	150.00
85	Pomeroy Independent School Dist., Pomeroy, Iowa—Claim for public deposit against state sinking fund.....	3,143.29	3,143.29
89	Clinton County, c/o county treasurer—Drainage assessment .....	97.40	97.40
90	Pottawattamie County, c/o county treasurer—Drainage assessment .....	22.44	22.44
91	Fremont County, c/o county treasurer—Drainage assessment .....	284.70	284.70
92	Howard County, c/o county treasurer—Drainage assessment .....	21.21	21.21
94	Tomasek & Vogel, Attys., Grinnell, Iowa—Attorneys' fees..	513.43	513.43

## STATE HIGHWAY COMMISSION CLAIMS

H-1-51	Central National Insurance Co., Omaha, Nebr.—Damage to car of Randall W. Reinholdt by state owned snowplow.....	415.70	415.70
H-2-51	Randall W. Reinholdt, Marcus, Iowa—Damage to car by state owned snowplow.....	53.88	53.88
H-3-51	Edwin H. Wrench, Minneapolis, Minn.—Damage to car by highway commission truck.....	24.89	24.89
H-4-51	Mason City Warehouse Corp., Mason City, Iowa—Claim for cost of wrecker service to pull heavily loaded semi-trailer back onto pavement after the semi had sunk into the road shoulder while passing around barricades and pavement patch on primary road 150 .....	55.00	Rejected



No.	Name of Claimant and Nature of Claim	Amount of Claim	Amount Approved by Board
H-5-51	Ronald M. Doty, Hamilton Field, Calif.—Damage to car by high- way commission tractor.....	41.83	41.83
H-6-51	American States Ins. Co., Moline, Ill.—Damage to car owned by C. E. Dilley, Rock Island, Ill., same being struck by highway commission snowplow .....	368.50	368.50
H-7-51	Clarence E. Dilley, Rock Island, Ill.—Damage to car by state owned truck and snowplow.....	50.00	50.00
H-8-51	Henry Niehaus, Arcadia, Iowa— Damage to car by state owned truck with an ice blade.....	10.00	Rejected
H-9-51	Lloyd Bolks, Hull, Iowa— Damage to car by state owned snowplow .....	47.65	47.65
H-10-51	United Casualty Co., Cedar Rapids, Iowa—Damage to car....	133.63	Rejected
H-11-51	Farmers Mutual Hail Ins. Co., Des Moines, Iowa—Damage to truck owned by P. M. Dahlem, Cascade, Iowa, by a state owned truck and snowplow.....	12.28	12.28
H-12-51	P. M. Dahlem, Cascade, Iowa— Damage to truck body by state owned truck and snowplow.....	50.00	50.00
H-13-51	Gaylord Stuelke, Council Bluffs, Iowa—Damage to car by state owned truck .....	47.75	47.75
H-14-51	Mrs. Ada Sheldon, Percival, Iowa—Damage to car by state owned truck .....	122.50	122.50
H-15-51	Ted Biesanz, Rockford, Ill.— Damage to car by state owned truck and snowplow.....	38.88	38.88
H-16-51	James Olson, Avoca, Iowa— Damage to car by state owned car.....	87.83	Rejected
H-17-51	Garrett Van Dyke, Larchwood, Iowa—Damage to car by state owned truck .....	40.00	Rejected
H-18-51	Allen G. Borchart, Grafton, Iowa—Damage to car by snowplow .....	98.73	Rejected
H-19-51	Chicago North Western Railway Co., Chicago, Ill.—Repaving electric flashing crossing signal damaged by state owned snowplow .....	295.05	295.05

No.	Name of Claimant and Nature of Claim	Amount of Claim	Amount Approved by Board
H-20-51	Martin Fecht, Macedonia, Iowa— Damage to car while crossing the bridge, a wheel dropped into a hole in the bridge floor which caused a blowout.....	25.11	Rejected
H-21-51	Willie Jacobsen, Alvord, Iowa— Damage to car sustained when claimant drove his car astride a ridge of earth and gravel.....	56.54	Rejected
H-22-51	Thayer Chevrolet Co., Oskaloosa, Iowa—Damage to car owned by LeRoy Stevens which was dam- aged when struck by highway commission snowplow .....	28.23	28.23
H-23-51	Mrs. E. Norma Nason, Garner, Iowa—Personal damages for in- juries received by claimant while she was riding as a passenger in an auto which was involved in a collision with another privately owned car on an icy curve on pri- mary road 150.....	3,000.00	Rejected
H-24-51	Arthur J. Frey, Park Ridge, Ill.—Damage to car when claim- ant drove into rear end of another auto near the point where highway commission em- ployees were repairing road.....	222.09	Rejected
H-25-51	Fireman's Fund Insurance Co., Chicago, Ill.—Damage to car, Dr. Wm. H. Rogers of Sioux City, Iowa, who ran into highway commission truck .....	268.44	Rejected
H-26-51	Walter Earhart, Jr., Glidden, Iowa—Personal injuries and re- pairs to motorcycle sustained when claimant struck a block of wood which fell off a highway commission dragline trailer in front of claimant's motorcycle....	239.47	239.47
H-27-51	Liberty Mutual Ins. Co., Des Moines, Iowa—Damage to car owned and operated by B. D. Chaps, Chicago, when he ran into a highway commission power maintainer on primary road 18....	475.28	Rejected
H-28-51	Mrs. Earl Duncan, Anamosa, Iowa—Damage to car which was sideswiped by highway commis- sion truck .....	20.10	20.10
H-29-51	George Zimmerman, Corydon, Iowa—Damage to grapes in- curred during weed spraying op- erations .....	200.00	200.00

No.	Name of Claimant and Nature of Claim	Amount of Claim	Amount Approved by Board
H-30-51	Everett Gross, Decorah, Iowa— Damage to car.....	35.00	35.00
H-31-51	Donald Stone, Chariton, Iowa— Replacing one-half of windshield which claimant alleges was broken when struck by a rock thrown from the tire of a passing state truck .....	14.04	Rejected
H-32-51	P. F. Hopkins, Des Moines, Iowa—Repairs to auto which drove into rear end of a highway commission car which had stopped in the westbound traffic lane .....	117.78	Rejected
H-33-51	American Farmers Mutual Ins. Co., Davenport, Iowa—Damage to truck owned by Hayes Bros. Dairy when said truck ran into a highway commission blade grader .....	69.12	Rejected
H-34-51	J. C. Myers, Eldon, Iowa— Damage sustained when claim- ant drove into rear end of power broom on primary road 84.....	390.00	Rejected
H-35-51	C. M. Huff, State Center, Iowa— Damage to truck.....	99.22	59.22
H-36-51	Roy Burgess, Des Moines, Iowa—Damage sustained as a result of highway commission truck striking claimant's panel delivery truck which was parked on S.E. 14th St.....	375.00	375.00
H-37-51	Max E. Brown, Des Moines, Iowa—Damage to car.....	16.00	16.00
H-38-51	U. S. Postal Department, Newton, Iowa—Repair on Ford panel truck which was struck by highway commission truck while parked on a street in Newton.....	75.00	75.00
H-39-51	Sarah Mattox, Ames, Iowa— Damage to car.....	32.48	16.24
H-40-51	W. W. Lightfoot, Knoxville, Iowa—Damage to car.....	82.14	82.14
H-41-51	Frank S. Holmes, Des Moines, Iowa—Damage to horse.....	250.00	Rejected
H-42-51	W. R. Hatter, Marengo, Iowa— Damage to car.....	157.84	157.84
H-43-51	Mrs. Orville Erickson, Wall Lake, Iowa—Damage to car.....	49.70	49.70

No.	Name of Claimant and Nature of Claim	Amount of Claim	Amount Approved by Board
H-44-51	Becker, Stanley & Larry's Auto Body Shop, Mechanicsville, Iowa—Damage to car.....	293.66	Rejected
H-45-51	H. K. Emery, Des Moines, Iowa—Damage to car.....	10.54	Rejected
H-46-51	School Photo Service Inc., Kansas City, Mo.—Damage to car .....	81.50	Rejected
H-47-51	A. C. McClellan, Ottumwa, Iowa—Damage to car.....	55.38	55.38
H-48-51	J. W. Hines, Council Bluffs, Iowa—Damage to car.....	17.00	17.00
H-49-51	Mrs. Carl F. Sineff, Orient, Iowa—Damage to car.....	25.00	25.00
H-50-51	Farmers Casualty Co., Des Moines, Iowa—Damage to car....	133.23	133.23
H-51-51	Mrs. Veronica B. Riley, Elma, Iowa—Damage to car by snowplow .....	50.00	Rejected
H-52-51	Allied Mutual Casualty Co., Des Moines, Iowa—Damage to car by snowplow .....	44.75	Rejected
H-53-51	Iowa Farm Mutual Ins. Co., Des Moines, Iowa—Damage to car....	58.82	Rejected
H-55-51	Iowa Hardware Mutual Ins. Co., Mason City, Iowa—Damage to car .....	22.18	Rejected
H-56-51	William R. Lutz, Hampton, Iowa—Damage to car.....	50.00	Rejected
H-57-51	Iowa Farm Mutual Ins. Co., Des Moines, Iowa—Damage to car....	49.70	Rejected
H-59-51	Iowa Farm Mutual Ins. Co., Des Moines, Iowa—Damage to car by snowplow .....	363.30	363.30
H-60-51	Iowa Farm Mutual Ins. Co., Des Moines, Iowa—Damage to car by snowplow .....	25.04	25.04
H-61-51	Henry Chaney, Council Bluffs, Iowa—2 dead pigs, weed poisoning .....	43.00	Rejected
H-62-51	Town of Garrison, Garrison, Iowa—Damage to water shutoff boxes broken by highway com- mission during grading opera- tions on primary road 198.....	17.00	17.00
H-63-51	Elwood E. Rhoades, Tipton, Iowa—Damage to car by snowplow .....	10.00	10.00

No.	Name of Claimant and Nature of Claim	Amount of Claim	Amount Approved by Board
H-64-51	Edward Runde, East Dubuque, Ill.—Damage to tire and tube caused by driving over broken in- take on primary road 61.....	29.11	Rejected
H-65-51	Ed Guetzko, Earlville, Iowa— Damage to car.....	111.56	111.56
H-66-51	Orie Nevendall, Belle Plaine, Iowa—Claim for wrecker serv- ice and replacement of truck tail pipe as a result of loader truck dropping into a farm entrance driveway culvert .....	14.11	Rejected
H-67-51	Walter Link, Dyersville, Iowa— Damage to car.....	15.29	15.29
H-68-51	Herman Tunning, Coon Rapids, Iowa—Repairing damage to corn- field on claimant's farm caused by surface erosion due to plug- ging a tile outlet during con- struction .....	75.00	75.00
H-69-51	Iowa Farm Mutual Ins. Co., Des Moines, Iowa—Damage to car....	175.78	Rejected
H-70-51	Iowa Farm Mutual Ins. Co., Des Moines, Iowa—Damage to car....	100.00	Rejected
H-71-51	Mrs. Alta Sawyer, Central City, Iowa—Damage to car.....	49.61	49.61
H-72-51	D. L. Bassett, Des Moines, Iowa—Damage to car.....	404.10	404.10
H-73-51	Motors Insurance Corp., Des Moines, Iowa—Damage to truck	62.17	62.17
H-74-51	Motors Insurance Corp., Des Moines, Iowa—Damage to car by snowplow .....	282.48	282.48
H-75-51	Motors Insurance Corp., Des Moines, Iowa—Damage to car by snowplow .....	5.07	5.07
H-76-51	Andrew Trempel, Williams, Iowa—Damage to truck.....	50.00	50.00
H-77-51	Walter R. Marx, Waterloo, Iowa—Damage to car by snowplow .....	50.00	50.00
H-78-51	Tom Cantwell, Vinton, Iowa— Damage to truck by snowplow....	100.00	100.00
H-79-51	Hermann Giermann, Onawa, Iowa—Damage to car by snowplow .....	272.06	Rejected
H-80-51	John Fitzgerald, Lansing, Iowa—Damage to car due to slippery pavement .....	500.00	Rejected

No.	Name of Claimant and Nature of Claim	Amount of Claim	Amount Approved by Board
H-81-51	Fred Connett, Missouri Valley, Iowa—Loss of corn crop due to flooding of approximately 4 acres of land .....	500.00	Rejected
H-82-51	Samuel R. Black, Clinton, Iowa— Damages resulting from death of claimant's son, Arthur Black..	10,000.00	Rejected
H-83-51	Dwight T. Anderson, Beaver, Iowa—Damage to car.....	320.00	160.00
H-84-51	J. Lewis Vess, Huntington Park, Calif.—Damage to car.....	12.50	12.50
H-85-51	Robert W. Dawson, Des Moines, Iowa—Damage to car.....	15.48	15.48
H-86-51	Carl Vick, Decorah, Iowa— Damage to car by deer.....	96.60	Rejected
H-87-51	National Outdoor Display Co., Minneapolis, Minn.—Damage to sign .....	100.00	Rejected
H-88-51	Iowa Southern Utilities Co., Washington, Iowa—Repairs to broken electric farm line which was struck by highway commis- sion dragline on primary road 22 .....	9.18	9.18
H-89-51	Iowa Farm Mutual Insurance Co., Des Moines, Iowa—Damage to car by snowplow.....	39.56	39.56
H-90-51	William Madsen, Burt, Iowa— Damage to car by truck and snowplow .....	10.00	10.00
H-91-51	Iowa Farm Mutual Insurance Co., Des Moines, Iowa—Damage to car .....	88.24	88.24
H-92-51	Mrs. Genevieve N. Boeding, West Point, Iowa—Damage to car.....	10.00	10.00
H-93-51	Iowa Farm Mutual Insurance Co., Des Moines, Iowa—Damage to car .....	44.43	Rejected
H-94-51	Iowa Farm Mutual Insurance Co., Des Moines, Iowa—Damage to car .....	184.50	Rejected
H-95-51	Iowa Farm Mutual Insurance Co., Des Moines, Iowa—Damage to car .....	276.48	276.48
H-96-51	Gordon Lees, Oakland, Iowa— Damage to car.....	10.00	10.00
H-97-51	Walter L. Kimball, Ventura, Iowa—Cost of replacing two broken windows in car.....	3.53	3.53

No.	Name of Claimant and Nature of Claim	Amount of Claim	Amount Approved by Board
H-99-51	Daniel Critz, Charter Oak, Iowa—Damage to car.....	295.91	Rejected
H-100-51	Robert H. Yeggy, Riverside, Iowa—Damage to one old sow with pigs .....	200.00	Rejected
H-101-51	General Foods Corporation, New York, N. Y.—Damage to car .....	70.00	Rejected
H-102-51	C. J. Shelley, Winterset, Iowa— Damage to truck.....	25.08	25.08
H-106-51	Morris Evans, Red Oak, Iowa— Sickness and death of hogs re- sulting from eating crushed rock which had been rolled into feed lot highway commission stock- pile alongside primary road 48....	596.14	Rejected
H-107-51	John L. Klages, Charles City, Iowa—Injury to 70 lb. pig which was struck by highway commis- sion truck (subsequent butchering) .....	12.50	12.50
H-108-51	Currie's Hardware Co., Mason City, Iowa—Damage to pickup truck .....	22.48	22.48
H-109-51	Display Sign Service, Waterloo, Iowa—Repairs to neon sign which was broken by highway commission drilling machine backing into the sign.....	10.46	10.46
H-110-51	Albert E. Shamblear, Council Bluffs, Iowa—Damage to car.....	27.63	Rejected
H-111-51	Lamoni Packing Co., Lamoni, Iowa—Repairs and incidental ex- pense due to refrigerator truck overturning in ditch.....	1,166.11	Rejected
H-112-51	John F. Heimes, Centerville, Iowa—Damage to car.....	774.63	Rejected
H-113-51	Vivian Casebeer, Omaha, Nebr.—Medical expense and general damage due to personal injuries caused in accident with highway commission truck.....	575.00	325.00
H-115-51	G. R. Shelley, Omaha, Nebr.— Damage to car.....	43.85	Rejected
E-116-51	C. G. Noren, Marshalltown, Iowa—Damage to car.....	99.75	99.75
H-117-51	Farmers Mutual Telephone Co., Nora Springs, Iowa—Repair of underground telephone cable severed by the driving of a right of way rail in the town of Nora Springs at station 69-59.....	61.07	61.07

No.	Name of Claimant and Nature of Claim	Amount of Claim	Amount Approved by Board
H-118-51	Freeport Motor Casualty Co., Freeport, Ill.—Damage to Dodge pickup truck .....	330.67	Rejected
H-136-51	John G. Lane, Cascade, Iowa— Damage to Jeep.....	114.43	Rejected
H-137-51	Union Fire Insurance Company, Des Moines, Iowa—Damage to car .....	69.88	69.88
H-138-51	John A. Russell, Iowa City, Iowa—Damage to car.....	50.00	50.00
H-139-51	Soldier Valley Mutual Telephone Co., Ute, Iowa—Repairs to underground telephone cable, cut by highway commission mainte- nance crew while setting a sign post .....	133.27	133.27
H-140-51	Robert M. Palmer, Hazelton, Iowa—Medical expense, loss of work and damage to tractor and gasoline transport .....	3,072.24	Rejected
H-141-51	John W. Heller, Portsmouth, Iowa—Loss of garden crops due to weed spray.....	101.00	68.50
H-142-51	Frank Huebner, Portsmouth Iowa—Loss of garden crop due to weed spray .....	36.50	36.50
H-144-51	Farmers Fire Protective Co., Elkhorn, Iowa—Repairs to fire truck .....	438.50	Rejected

Passed on file.

#### BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following assignment of bills to committee:

- S. F. 148 Governmental affairs
- S. F. 149 Compensation of public officers and employees
- S. F. 150 Public health
- S. F. 151 Conservation
- S. F. 152 Conservation
- S. F. 153 Banks, building and loan
- S. F. 154 Schools and educational institutions
- S. F. 155 Agriculture
- S. F. 156 Public health
- S. F. 157 Manufacturing, commerce and trade
- S. F. 158 Mines and mining



## REPORTS OF COMMITTEE

Senator Bekman submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred **Senate File 62**, a bill for an act to amend section four hundred thirty-two point one (432.1), Code 1950, relating to gross premium tax payable by life insurance companies and associations, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ELMER K. BEKMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to which was referred **Senate File 63**, a bill for an act to amend section five hundred eleven point eight (511.8), Code 1950, relating to the investment of funds of life insurance companies and associations, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ELMER K. BEKMAN, *Chairman*.

Ordered passed on file.

## AMENDMENTS FILED

Amend Senate File 48 by

Striking from line 4 of section 2 the word "Times" and inserting in lieu thereof the word "Mail".

HARRY E. WATSON.

Amend Senate File 81, by striking the figures "321.191" in line 1 of section 1 and inserting in lieu thereof the following:

"three hundred twenty-one point one hundred ninety-one (321.191)".

Also amend the title to Senate File 81 by striking the figures "321.191" following the word "section" in line 1 and inserting in lieu thereof the following:

"three hundred twenty-one point one hundred ninety-one (321.191)".

JOHN R. HATTERY.

Amend Senate File 140 by striking the word and figure "one (1)" from line 8 and inserting in lieu thereof the word and figure "two (2)".

ARTHUR H. JACOBSON.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 24, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Lawrence Murphy, pastor of the Federated Church, Corning, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Tudor for the day on request of Senator Hultman.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Henningsen, telegrams from small business men of Clinton County in opposition to the repeal of the cigarette unfair sales act.

By Senator McCarville, a resolution from the members of the Webster County soil conservation division urging regulation of strip mining operation with particular reference to the gypsum industry.

## INTRODUCTION OF BILLS

Senate File 177, by Senators Lynes, Watson of Pottawattamie, Zastrow, Doud and O'Malley, a bill for an act relating to appeals from orders made by local school boards and county boards of education respecting school transportation and bus routes and by repealing sections two hundred eighty-five point twelve (285.12) and two hundred eighty-five point thirteen (285.13), Code 1950, and enacting substitutes therefor.

Read first and second times, and passed on file.

Senate File 178, by committee on insurance, a bill for an act to amend section five hundred fifteen point thirty-five (515.35), Code 1950, relating to investments of insurance companies other than life.

Read first and second times, and placed on the calendar.

Senate File 179, by Senator Vest, a bill for an act to amend section one hundred twenty-four point five (124.5), Code 1950, relating to the issuance of beer permits.

Read first and second times, and passed on file.

Senate File 180, by Senators Zastrow, O'Malley, Dailey, McCarville and Vest, a bill for an act to create and establish a State Tort Claims Act; defining terms, and conferring upon each state agency in behalf of the state the power to consider, ascertain, adjust, determine and settle claims against the state; providing for the maximum amount of the claim; permitting the state to be sued; conferring exclusive jurisdiction in the district court to hear, determine, and render judgment; and generally providing for the practice and procedure to establish liability of the state.

Read first and second times, and passed on file.

Senate File 181, by Senators McCarville, Bateson and Zastrow, a bill for an act to promote safety and eliminate fire hazards and to regulate the practice of electricians in the State of Iowa, and to provide for penalties for the violation thereof.

Read first and second times, and passed on file.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate Concurrent Resolution 6, for retention and advancement of spiritual values in American life and to promote harmony, unity and cooperation between Catholics, Protestants and Jews.

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

Senate File 106, a bill for an act relating to the construction of a state office building.

Also: That the House returns herewith, as requested, House Concurrent Resolution 5 fixing the compensation of the officers and employees of the Fifty-fourth General Assembly.

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

Senate Concurrent Resolution 7, fixing the compensation of the joint legislative employees of the Fifty-fourth General Assembly.

Also: That the House has amended and adopted the report of the joint committee on extra help.

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

House Concurrent Resolution 6, providing for the payment of legislative expense.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO  
SENATE CONCURRENT RESOLUTION 7

Amend said resolution by changing the figure in line sixteen (16) from \$5.50 to \$6.00, which refers to the compensation to be paid matrons.

Further amend said concurrent resolution by adding as a new line thereto the following:

Electrician .....\$8.00

HOUSE AMENDMENT TO REPORT OF JOINT COMMITTEE  
ON JOINT LEGISLATIVE EMPLOYEES

Amend as follows:

That the following names be added to said report:

Electrician	Lloyd I. Stith
Telephone Operator	Nellie Griffin
Elevator Operators	Edna Schwartz
	Maude Morris
	Belle Fleming
Matron	Margaret Coles
Head Policeman	Warren Shaffer
Policemen	Harold Baker
	Carl J. Glas
Janitors	Richard Claybrooke
	Theodore Winterberg
	Ben Carpenter
	Arvelle Moray
	Harold Voitel
	John Whalen
	Frank Davis
	Orval Bell
	Horace Randle
	Lawrence Gustafson
	James Cotton
Assistant Postmistress	Sarah Jett
Lawyer	Leonard Abels

HOUSE CONCURRENT RESOLUTION 6

By Appropriations Committee

*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 section two point twenty (2.20), Code 1950:

A. C. Gustafson, postage, telephone, telegraph, extra clerical hire and misc. expense during interim (House).....	\$ 158.02
A. C. Gustafson, postage for House postmaster (House).....	50.00
Addressograph-Multigraph Corp., supplies for machine (House)	117.72
Burroughs Adding Machine Co., repairing machine (House).....	6.15

Des Moines Rubber Stamp Works, badges and rubber stamps (House) .....	134.60
International Business Machines Corp., typewriter and repair service (House) .....	396.38
Koch Brothers, supplies (House) .....	462.00
Royal Typewriter Co., typewriters (House) .....	1,983.34
L. C. Smith & Corona Typewriters, Inc., typewriters (House).....	2,470.40
Western Union, telegrams (House) .....	16.25
Northwestern Bell Telephone Co., long distance expense (House) .....	9.55
Storey-Kenworthy Co., office equipment and supplies (House)....	8,677.72
Commercial Office Supply Co., supplies (Senate).....	84.00
Des Moines Rubber Stamp Works, badges (Senate).....	99.00
Hawkeye Bindery, Inc., supplies (Senate).....	11.82
International Business Machines Corp., ribbons and repair service (Senate) .....	16.66
Koch Brothers, supplies (Senate).....	45.00
L. C. Smith & Corona Typewriters, Inc., typewriters and repair service (Senate) .....	2,593.98
Storey-Kenworthy Co., office supplies (Senate).....	18.25
Koch Brothers, binders, instruction sheets, posts (Senate and House) .....	2,142.45
Carroll Lane, postage for Senate postmaster (Senate).....	50.00

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.

### PRESENTATION OF VISITOR

Senator Colburn asked and received unanimous consent to present to the Senate a former member of the Senate from Shelby County, the Honorable Ed S. White, who was present in the Senate chamber.

### THIRD READING OF BILLS

On motion of Senator Bateson, Senate File 13, a bill for an act to amend sections seventy-five point two (75.2) and seventy-five point nine (75.9), Code 1950, relating to the sale of public bonds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bateson asked and received unanimous consent that further action on Senate File 13 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Bateson, Senate File 47, a bill for an act to repeal chapter five hundred fifty-one A (551A), Code 1950, relating to cigarette sales, 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 11:47 a.m.

Senator Bateson 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 the Senator from Cedar had filed a written request to be recorded as voting "No" on Senate File 47. The request was granted.

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

**Ayes, 14:**

Bateson	Fishbaugh	Linnevold	Watson of
Byers	Fletcher	Parker	O'Brien
Doud	Jacobson	Prentis	Weichman
Elthon	Knudson	Vest	

**Nays, 31:**

Anderson	Hattery	Mercer	Sharp
Bekman	Hedin	Molison	Tudor
Berg	Henningsen	Myrland	Van Eaton
Colburn	Hultman	Nesmith	Watson of
Dailey	Humbert	Oltman	Pottawattamie
Dykhouse	Lord	O'Malley	West
Gillespie	Lynes	Ridout	Whitehead
Hart	McCarville	Risk	Zastrow

**Absent or not voting, 5:**

Augustine	Utzig	Van Patten	Walter
Roberts			

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Watson of Pottawattamie moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

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

### AFTERNOON SESSION

President Nicholas presiding.

### HOUSE MESSAGE CONSIDERED

Senator Henningsen asked and received unanimous consent to take up House Concurrent Resolution 5 which resolution was recalled from the House and offered the following amendment and moved its adoption:

Amend House Concurrent Resolution 5 as follows:

By striking the figure "8.00" following Secretary to Speaker and inserting in lieu thereof the figure "9.00".

By inserting after Enrolling Clerks under Officers and Employees of the House the following: "(Madeleine Burrows and James Lawyer)".

By adding after the words Enrolling Clerks under Officers and Employees of the House the following "Assistant Enrolled Bills Clerks 8.00" "Multilith operators 7.00."

By striking from the last paragraph and last line of said resolution "same scale of compensation as set forth herein." and inserting in lieu thereof "scale in effect prior to January 8."

The amendment was adopted.

On motion of Senator Henningsen the resolution as amended was adopted.

Senator Henningsen asked and received unanimous consent to take up Senate Concurrent Resolution 7 amended by the House and moved that the Senate concur in the House amendment.

The motion prevailed and the amendment was adopted.

On motion of Senator Henningsen the resolution as amended was adopted.

Senator Henningsen asked and received unanimous consent to take up the report of the joint committee on joint legislative employees amended by the House and moved that the Senate concur in the House amendment.

The motion prevailed and the amendment was adopted.

On motion of Senator Henningsen the report as amended was adopted.

Senator Colburn asked and received unanimous consent to take up House Concurrent Resolution 6 and moved that the resolution be referred to the committee on appropriations which motion prevailed.

### THIRD READING OF BILLS

On motion of Senator Watson of O'Brien, Senate File 48, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of hospital bonds by the city of Spencer, Iowa, and the provisions made for the levy of taxes for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said city, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Watson of O'Brien offered the following amendment and moved its adoption:

Amend Senate File 48 by striking from line 4 of section 2 the word "Times" and inserting in lieu thereof the word "Mail".

The amendment was adopted.

Senator Watson of O'Brien moved that the bill be read a third 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:**

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Dykhouse	Linnevold	Ridout	Pottawattamie
Elthon	Lord	Risk	Weichman
Fishbaugh	Lynes	Roberts	West
Fletcher	McCarville	Sharp	Whitehead
			Zastrow

**Nays, none.**

**Absent or not voting, 3:**

Doud	Knudson	Tudor
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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 of O'Brien moved that the 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 Watson of O'Brien asked and received unanimous consent that Senate File 48 be immediately messaged to the House which request was complied with.

On motion of Senator Anderson, Senate File 69, a bill for an act to legalize and validate the proceedings of the board of directors of the Consolidated School District of Ainsworth, in the county of Washington, State of Iowa (sometimes known and identified as the Ainsworth Consolidated School District of Washington County, Iowa), authorizing and providing for the issuance and delivery of school building bonds and for the levy of taxes for the payment of said bonds, and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.



Senator Anderson moved that the bill be read a third 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:**

Anderson	Hart	Molison	Van Eaton
Augustine	Hattery	Myrland	Van Patten
Bateson	Hedin	Nesmith	Vest
Bekman	Henningsen	Oltman	Walter
Berg	Hultman	O'Malley	Watson of
Byers	Humbert	Parker	O'Brien
Colburn	Jacobson	Prentis	Watson of
Dailey	Linnevoold	Ridout	Pottawattamie
Dykhouse	Lord	Risk	Weichman
Elthon	Lynes	Roberts	West
Fishbaugh	McCarville	Sharp	Whitehead
Fletcher	Mercer	Utzig	Zastrow
Gillespie			

**Nays, none.**

**Absent or not voting, 3:**

Doud	Knudson	Tudor
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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 Anderson moved that the 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 COMMITTEE

President Nicholas announced the following assignment of bills to committee:

S. F. 159	Insurance
S. F. 160	Insurance
S. F. 161	Public lands and buildings
S. F. 162	Appropriations
S. F. 163	Cities and towns
S. F. 164	Cities and towns
S. F. 165	Cities and towns
S. F. 166	Cities and towns
S. F. 167	Social security
S. F. 168	Tax revision
S. F. 169	Judiciary 2
S. F. 170	Judiciary 1
S. F. 171	Agriculture
S. F. 172	Schools and educational institutions
S. F. 173	Schools and educational institutions
S. F. 174	Judiciary 2

S. F. 175 Schools and educational institutions

S. F. 176 Judiciary 2

### REPORTS OF COMMITTEES

Senator Byers submitted the following report :

**MR. PRESIDENT:** Your committee on judiciary 2 to which was referred **Senate File 52**, a bill for an act to amend section three hundred twenty-one point two hundred eighty-one (321.281), Code 1950, relating to the crime of operating a motor vehicle while intoxicated, 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 107**, a bill for an act relating to actions against the State of Iowa and amending sections six hundred thirteen point eight (613.8) and six hundred thirteen point nine (613.9), Code 1950, 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 Fishbaugh submitted the following report :

**MR. PRESIDENT:** Your committee on judiciary 1 to which was referred **Senate File 3**, a bill for an act providing for revocation of licenses for carrying on, or used in carrying on of any business, trade, vocation, commercial enterprise or undertaking, by reason of the possession of gambling devices, and prohibiting the issuance of licenses in certain instances, begs leave to report it has had the same under consideration and recommends the same **do pass**.

**EARL C. FISHBAUGH, JR., Chairman.**

Ordered passed on file.

Also :

**MR. PRESIDENT:** Your committee on judiciary 1 to which was referred **Senate File 11**, a bill for an act to amend section three hundred twenty-one point four hundred ninety-nine (321.499), Code 1950, relating to the definition of the word "person", begs leave to report it has had the same under consideration and recommends the same **do pass**.

**EARL C. FISHBAUGH, JR., Chairman.**

Ordered passed on file.

Also :

**MR. PRESIDENT:** Your committee on judiciary 1 to which was referred **Senate File 49**, a bill for an act to amend section six hundred thirty-six point thirty-eight (636.38), Code 1950, relating to the amount of prop-

erty a spouse may select from the property in estates of intestates, begs leave to report it has had the same under consideration and recommends the same *do pass*.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on judiciary 1 to which was referred **Senate File 54**, a bill for an act relating to mileage for grand jurors, begs leave to report it has had the same under consideration and recommends the same *do pass*.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on judiciary 1 to which was referred **Senate File 57**, a bill for an act to amend and revise section seven hundred nine point four (709.4), Code 1950, relating to larceny in the night time and the penalty therefor, begs leave to report it has had the same under consideration and recommends the same *be indefinitely postponed*.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on judiciary 1 to which was referred **Senate File 59**, a bill for an act to amend and revise section seven hundred nine point nine (709.9), Code 1950, relating to taking goods from an officer and the penalty therefor, begs leave to report it has had the same under consideration and recommends the same *be indefinitely postponed*.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on judiciary 1 to which was referred **Senate File 72**, a bill for an act to legalize and validate the proceedings, taken by the town council of the town of Greene, Butler County, Iowa, for the construction of extensions and improvements to the municipal water-works and to authorize the provisions made for the levy of taxes for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said town, begs leave to report it has had the same under consideration and recommends the same *do pass*.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 78, section  
1, line 5, by striking the period (.) and

quotation marks (") and substituting in lieu thereof the following: "or has legally declared his intention to become a citizen."

ARTHUR H. JACOBSON.

Amend Senate File 102 by striking section 2 and inserting in lieu thereof:

"Sec. 2. Amend section one hundred sixteen point eleven (116.11) by striking the last paragraph thereof."

ELMER K. BEKMAN.

Amend Senate File 172 by striking all of section 1 from lines 1 to 5, inclusive, and inserting in lieu thereof the following: "Section 1. Section two hundred seventy-nine  
point thirteen (279.13), Code 1950, is hereby amended by striking all after the period in line thirty-nine (39) to the period in line fifty-five (55) of said section."

R. W. ZASTROW.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 25, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Father Leo McCoy, pastor of the Holy Rosary Church, Fort Dodge, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Tudor for the day on request of Senator Hultman.

## PETITION

The following petition was presented and placed on file:

By Senator Hattery, from fifteen police officers of Story County in opposition to proposed legislation relating to civil service in municipal corporations; also, from twenty-seven employees of the state, residents of Story County, favoring proposed legislation relating to old age and survivors insurance.

## INTRODUCTION OF BILLS

Senate File 182, by Senators Zastrow and Ridout, a bill for an act to amend section ninety-two point eleven (92.11), Code 1950, relating to employment of persons under sixteen (16) years of age.

Read first and second times, and passed on file.

Senate File 183, by Senators Zastrow and Oltman, a bill for an act to repeal chapter three hundred thirty-nine (339), Code 1950, relating to coroners, and to enact in lieu thereof a substitute creating a board on post-mortem examinations and to prescribe the board's duties, powers and functions; to provide for the appointment of a chief medical referee, his qualifications, powers, duties and functions and a central office and laboratory; to provide for the appointment of county medical referees, their qualifications, powers, duties and functions; and to make an appropriation from the general fund.

Read first and second times, and passed on file.

Senate File 184, by Senators Lord, Colburn, Dykhouse, Sharp, Van Eaton, Jacobson, Berg, Doud, Hultman and Elthon, a bill for an act to amend sections ninety-six point three (96.3) and ninety-six point seven (96.7), Code 1950, relating to unemployment compensation, so as to increase weekly benefit amounts, and to reduce certain contribution rates to be paid by employers.

Read first and second times, and passed on file.

Senate File 185, by Senators Lord, Colburn, Dykhouse, Sharp, Van Eaton, Jacobson, Berg, Doud, Hultman and Elthon, a bill for an act to amend sections eighty-five point thirty-four (85.34), eighty-five point thirty-five (85.35), and eighty-five point thirty-seven (85.37), Code 1950, relating to workmen's compensation so as to increase benefit payments for permanent total disability, for permanent partial disabilities, and so as to increase the weekly compensation amount.

Read first and second times, and passed on file.

Senate File 186, by Senators O'Malley, Byers, Zastrow, Sharp and Bateson, a bill for an act to amend section six hundred five point eight (605.8) and section six hundred five point nine (605.9), Code 1950, relating to compensation of shorthand reporters of the district courts, and to amend section six hundred five point ten (605.10), Code 1950, relating to expense of shorthand reporters of the district courts.

Read first and second times, and passed on file.

Senate File 187, by Senator O'Malley, a bill for an act to amend section four hundred two point three (402.3), subsection four (4), Code 1950, relating to street railway regulations.

Read first and second times, and passed on file.

Senate File 188, by Senators Van Patten, Dailey, Anderson and O'Malley, a bill for an act to amend chapter two hundred fifty-eight (258), Code 1950, relating to state aid for vocational education.

Read first and second times, and passed on file.

Senate File 189, by committee on judiciary 1, a bill for an act to amend sections six hundred fourteen point fourteen (614.14), six hundred fourteen point fifteen (614.15), six hundred fourteen point seventeen (614.17), six hundred fourteen point twenty (614.20), six hundred fourteen point twenty-two (614.22), and six

hundred fourteen point sixteen (614.16), Code 1950, relating to special limitations of actions in regard to recovery of interests in real estate.

Read first and second times, and placed on the calendar.

Senate File 190, by Senators Walter and Hattery, a bill for an act to amend chapter one hundred seven (107), Code 1950, relating to the state conservation commission, to provide for participation in the Federal Restoration Act.

Read first and second times, and passed on file.

Senate File 191, by Senator O'Malley, a bill for an act to amend section ninety-four point six (94.6), Code 1950, relating to limitation of employment agency fee.

Read first and second times, and passed on file.

Senate File 192, by Senator McCarville, a bill for an act to amend section three hundred forty point seventeen (340.17), Code 1950, relating to salaries of county officers.

Read first and second times, and passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 106.

**JAMES H. NESMITH**, *Chairman Senate Committee.*

**ELMER A. BASS**, *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 106.

#### BILL SENT TO THE GOVERNOR

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

**MR. PRESIDENT:** Your committee on enrolled bills respectfully reports that it has, on this 25th day of January, 1951, sent to the Governor for his approval: Senate File 106.

**JAMES H. NESMITH**, *Chairman.*

Passed on file.

### COMMITTEE ON MEMORIAL RESOLUTIONS

Senator Lord moved that the President appoint a committee of three to ascertain the names of the deceased members of the Senate during the past two years, and that the President be authorized to appoint sub-committees to prepare memorial resolutions.

The motion prevailed and President Nicholas appointed as such committee Senators Lord, Sharp and Gillespie.

### THIRD READING OF BILLS

On motion of Senator Bekman, Senate File 62, a bill for an act to amend section four hundred thirty-two point one (432.1), Code 1950, relating to gross premium tax payable by life insurance companies and associations, 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:

Anderson	Hart	Molison	Van Eaton
Augustine	Hattery	Myrland	Van Patten
Bateson	Hedin	Nesmith	Vest
Bekman	Henningsen	Oltman	Walter
Berg	Hultman	O'Malley	Watson of
Byers	Humbert	Parker	O'Brien
Colburn	Jacobson	Prentis	Watson of
Dailey	Knudson	Ridout	Pottawattamie
Doud	Linnevold	Risk	Weichman
Dykhous	Lord	Roberts	West
Elthon	Lynes	Sharp	Whitehead
Fletcher	McCarville	Utzig	Zastrow
Gillespie	Mercer		

Nays, 1:

Fishbaugh

Absent or not voting, 1:

Tudor

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

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



On motion of Senator Bekman, Senate File 63, a bill for an act to amend section five hundred eleven point eight (511.8), Code 1950, relating to the investment of funds of life insurance companies and associations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bekman offered the following amendment by Senators Bekman, Jacobson and McCarville and moved its adoption:

Amend Senate File 63 by striking all of section 1 and substituting in lieu thereof the following:

Section 1. Section five hundred eleven point eight (511.8), Code 1950, is amended by inserting after the word "notes," in line one (1) of subsection eight (8), paragraph a., the word "obligations," and by inserting after the word "property" in line four (4) of subsection eight (8), paragraph a., the words "and appurtenances thereto", and by inserting after the word "America," in line five (5) of subsection eight (8), paragraph a., the words "or any insular or territorial possession of the United States," and by inserting after the word "Canada," in line five (5) of subsection eight (8), paragraph a., the words "and upon leasehold estates in real property where fifty years or more of the term including renewals is unexpired," and by substituting a comma (,) for the word "and" in line eleven (11) of subsection eight (8), paragraph a., and by inserting after the letter "d" in line twelve (12) of subsection eight (8), paragraph a., the words and letters ", 'e' and 'f'", and by inserting after the word "Improvements" in line thirteen (13) of subsection eight (8), paragraph a., the words "and appurtenances".

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, 49:

Anderson	Gillespie	Mercer	Van Eaton
Augustine	Hart	Mollison	Van Patten
Bateson	Hattery	Myrland	Vest
Bekman	Hedin	Nesmith	Walter
Berg	Henningsen	Oltman	Watson of
Byers	Hultman	O'Malley	O'Brien
Colburn	Humbert	Parker	Watson of
Dailey	Jacobson	Prentis	Pottawattamie
Doud	Knudson	Ridout	Weichman
Dykhouse	Linnevold	Risk	West
Elthon	Lord	Roberts	Whitehead
Fishbaugh	Lynes	Sharp	Zastrow
Fletcher	McCarville	Utzig	

Nays, none.

Absent or not voting, 1:

Tudor

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

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

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

### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 21, a bill for an act relating to the amount a surviving spouse may select from the estate of a deceased spouse.

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

House File 34, a bill for an act relating to the penalties for operating a motor vehicle while intoxicated.

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

House File 36, a bill for an act relating to admission in evidence of reproductions of photographic process.

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 to legalize proceedings of Wayne Township School District, Mitchell County.

A. C. GUSTAFSON, *Chief Clerk.*

### HOUSE MESSAGES CONSIDERED

House File 21, a bill for an act to amend section six hundred thirty-six point thirty-eight (636.38), Code 1950, relating to the amount a surviving spouse may select from the estate of a deceased spouse.

Read first and second times, and passed on file.

House File 34, a bill for an act to amend section three hundred twenty-one point two hundred eighty-one (321.281), Code 1950, relating to the penalties for operating a motor vehicle while intoxicated.

Read first and second times, and passed on file.

House File 36, a bill for an act to amend chapter six hundred twenty-two (622), Code 1950, relating to the admission in evidence of copies of any memorandum, writing, entry print, representation or combination thereof, of any act, transaction, occurrence or event in the regular course of business, reproduced by any photographic, photostatic, microfilm, micro-card, miniature photographic, or other process which accurately reproduces or forms a durable medium for so reproducing the original.

Read first and second times, and passed on file.

House File 44, a bill for an act to legalize and validate the special election and the proceedings authorizing and providing for the issuance, sale and delivery of school building bonds of the Wayne Township School District in the county of Mitchell, State of Iowa, being one and the same school corporation as the school township of Wayne in the county of Mitchell, State of Iowa, and declaring said bonds issued and sold pursuant to said proceedings to be enforceable obligations of said school district.

Read first and second times, and passed on file.

COMMUNICATION FROM THE  
IOWA STATE HIGHWAY COMMISSION

The following communication was received from the State Highway Commission:

IOWA  
STATE HIGHWAY COMMISSION  
AMES, IOWA

January 23, 1951.

Mr. Carroll Lane,  
Secretary of the Senate.  
Mr. A. C. Gustafson,  
Chief Clerk of the House,  
Fifty-fourth General Assembly,  
State House,  
Des Moines, Iowa.  
Gentlemen:

In conformance with section 310.36, Code 1950, the Iowa State Highway Commission hereby transmits a copy of its "Highway Research Report" for the fiscal year ended June 30, 1950.

For the further information of the General Assembly there is transmitted herewith:

- a. Schedule No. 1. A list of "Highway Research Projects Approved by the Iowa State Highway Commission, July 1 to December 31, 1950."
- b. Schedule No. 2. "Estimated Annual, and Total, Costs to the Com-

mission of Research Projects Recommended by the Iowa Highway Research Board and Approved by the Iowa State Highway Commission to December 31, 1950."

These two schedules illustrate very well the type, range and estimated cost of highway research projects now being undertaken. The cost of each research project will be paid from the primary road fund or from the secondary road research fund, as the case may be, depending on whether such research project pertains to primary roads or to secondary roads.

Also transmitted herewith, as Exhibit No. I, is a "Report of Progress, Road Test One-MD" dated January 11, 1951, containing some preliminary data on the Maryland road test, designed to determine the destructive effect of heavy trucks and buses on highway pavements.

Although not a part of the Iowa highway research report provided for in section 310.36, Code 1950, this preliminary data on the Maryland road test is transmitted as highway research information which may be of considerable interest to the General Assembly. The Maryland road test and the factual data produced thereby are not sufficiently extensive to justify the drawing of general conclusions therefrom or the basing of legislation thereon. Three or four additional road test projects of similar nature, located in various parts of the United States and on different types of road surfaces, are being planned by the highway transport committee of the American Association of State Highway Officials, on which committee the Iowa Highway Commission is represented by its chief engineer. As will be readily surmised such research projects are quite expensive. The total cost of the Maryland project will be about \$250,000. However, in view of the several billions of dollars invested in highway pavements in this nation, the expenditure of one or two million dollars, more or less, distributed among the several states and the federal government, to determine the destructive effect of heavy trucks and buses on road surfaces, appears amply justified.

The Iowa Highway Commission made no financial contribution to the Maryland road test, but expects to contribute from the primary road fund some portion of the cost of one or more of the other similar projects now being planned. Iowa has nearly 6,000 miles of rural highway pavement. To replace or reconstruct that pavement would, at present prices, cost nearly 300 million dollars. Iowa's interest in these research projects to determine the destructive effect of heavy trucks and buses on our road surfaces is quite considerable.

Respectfully submitted,  
IOWA STATE HIGHWAY COMMISSION,  
F. R. WHITE, *Chief Engineer.*

## Schedule No. 1

HIGHWAY RESEARCH PROJECTS APPROVED BY  
THE IOWA STATE HIGHWAY COMMISSION  
JULY 1 TO DECEMBER 31, 1950

From July 1 to December 31, 1950, the State Highway Commission has approved highway research projects as follows:

Project No. HR-1. Stabilization of Loess and Glacial Till Material. Estimated total cost, \$45,000. Time required, 3 years. Agency to conduct research, Iowa State College.

This project involves a thorough study of the chemical and physical properties of the loess and glacial till materials of Iowa and an investigation of various techniques for processing these soils to increase their all-weather stability where they are required to serve as surface courses, base courses, or subgrades for roadways.

Project No. HR-2. Flood Frequency and Flood Magnitude Analysis. Estimated total cost, \$10,000. Time required, 2 years. Agency to conduct research, United States Geological Survey.

This project includes the tabulation and analysis of flood data collected at all stream gage stations in Iowa, and the presentation of the results of this work in a form readily usable by highway and bridge engineers of the state.

Project HR-3. Determination of Flood Discharge Characteristics of Small Drainage Areas. Estimated total cost, \$50,000. Time required, 10 years. Agency to conduct research, United States Geological Survey.

This project consists of the determination of flood peaks and discharges of typical small drainage areas over a ten-year period, and of the determination of the hydraulic characteristics of such areas.

Project No. HR-4. Thickness of Stabilized Bases to Use with Bituminous Surfaces. Estimated total cost, \$25,000. Time required, 1 year. Agency to conduct work, Iowa State Highway Commission.

This project consists of an investigation for the determination of the thickness of stabilized aggregate bases to use with bituminous surfacing for various types of subgrade soils.

Project No. HR-5. Elimination of Long Bridges on Streams with Small Drainage Areas. Estimated total cost, \$8,000. Time required, 1 year. Agency to conduct work, Institute of Hydraulic Research, State University of Iowa.

This project consists of the computation and compilation of the data and facts needed for the design of embankments, and drainage structures for use instead of long bridges over gullies and streams carrying the runoff from small drainage areas.

Project No. HR-6. Highway Embankments Constructed to Resist Washout from Overflow. Estimated total cost, \$10,000. Time re-

quired, 1 year. Agency to conduct work, Institute of Hydraulic Research, State University of Iowa.

This project consists of an investigation of methods of constructing and protecting earthen highway embankments over which flood waters may be passed for extensive periods without damage to the embankments.

Project No. HR-7. Accelerated Testing of Highway Pavements and Bases. Estimated total cost, \$7,000. Time required, 1 year. Agency to conduct research, Iowa State College.

This project consists of an investigation of the feasibility of constructing and operating a test track for use in research projects involving studies of the behavior of various pavements, bases, and subgrades under a variety of loading conditions.

Project No. HR-8. Origin and Destination Traffic Surveys. Estimated total cost, \$5,700. Time required, 1 year. Agency to conduct work, Iowa State College.

This project consists of an investigation of various procedures for conducting origin and destination surveys, particularly in urban areas, with the view of reducing the volume of the data taken in and incidentally reducing the cost of such surveys without adversely affecting the accuracy and reliability of the results obtained in these surveys.

Project No. HR-9. Thickness of Concrete Pavements for Light Traffic Roads. Estimated total cost, \$25,000. Time required, 1 year. Agency to conduct work, Iowa State Highway Commission.

This project consists of an investigation of the thickness of concrete pavement required for light traffic rural roads. The principal feature of the investigation is the construction of a series of experimental sections of concrete pavement of different thicknesses.

Project No. HR-10. Durability of Portland Cement Concrete. Estimated total cost, \$5,000. Time required, 1 year. Agency to conduct work, Iowa State Highway Commission.

This project consists of the study of the relationship between volume changes of portland cement concrete and the durability of the concrete with the view of developing a means of detecting the deterioration of concrete that may be traceable to certain aggregates or combinations of aggregates, at an earlier date than by means now available for that purpose.

Project No. HR-11. Sources of Highway Materials in Southwestern Iowa. Estimated total cost, \$24,000. Time required, 3 years. Agency to conduct work, Iowa Geological Survey.

This project consists of a thorough geological investigation of the potentialities for sources of highway materials in southwestern Iowa. This project is designed to make available the basic geological data essential to the efficient and thorough development of the material deposits of the area. It is intended that the work may be extended to other areas of the state as the known sources of readily available materials become exhausted.

Schedule No. 2  
 Estimated Annual and Total Costs  
 to the Commission of Research Projects  
 Recommended by the Iowa Highway Research Board  
 to the Iowa State Highway Commission and Approved  
 by the Commission to Date of December 31, 1950.

Research Project Number	Estimated Expenditures for the Fiscal Year										Total
	1950-51	1951-52	1952-53	1953-54	1954-55	1955-56	1956-57	1957-58	1958-59	1959-60	
HR-1 .....	\$ 17,000	\$14,000	\$14,000	—	—	—	—	—	—	—	\$ 45,000
HR-2 .....	5,000	5,000	—	—	—	—	—	—	—	—	10,000
HR-3 .....	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	50,000
HR-4 .....	25,000	—	—	—	—	—	—	—	—	—	25,000
HR-5 .....	8,000	—	—	—	—	—	—	—	—	—	8,000
HR-6 .....	10,000	—	—	—	—	—	—	—	—	—	10,000
HR-7 .....	7,000	—	—	—	—	—	—	—	—	—	7,000
HR-8 .....	5,700	—	—	—	—	—	—	—	—	—	5,700
HR-9 .....	25,000	—	—	—	—	—	—	—	—	—	25,000
HR-10 .....	5,000	—	—	—	—	—	—	—	—	—	5,000
HR-11 .....	8,000	8,000	8,000	—	—	—	—	—	—	—	24,000
<b>Total .....</b>	<b>\$120,700</b>	<b>\$32,000</b>	<b>\$27,000</b>	<b>\$5,000</b>	<b>\$5,000</b>	<b>\$5,000</b>	<b>\$5,000</b>	<b>\$5,000</b>	<b>\$5,000</b>	<b>\$5,000</b>	<b>\$214,700</b>

COUNTY OF IOWA  
 COMMISSIONER OF HIGHWAYS  
 DES MOINES, IOWA  
 JAN 10 1951

January 11, 1951.

## Exhibit No. I

HIGHWAY RESEARCH BOARD  
REPORT OF PROGRESS, ROAD TEST ONE—MD

This research project which is identified as Road Test One-MD was proposed by the Interregional Council on Highway Transportation which was organized at Columbus, Ohio, on December 6, 1949.

The project is being conducted by the Highway Research Board on behalf of highway departments of Connecticut, Delaware, Illinois, Kentucky, Maryland, Michigan, New Jersey, Ohio, Pennsylvania, Virginia, Wisconsin and the District of Columbia with cooperation of the Bureau of Public Roads. The motor truck manufacturing industry furnished the following trucks: Autocar, Ford, General Motors, International, Mack, Reo and White.

The gasoline, oil and grease were contributed by the following companies of the petroleum industry: American, Atlantic, Cities Service, Esso Standard of New Jersey, Gulf, Ohio, Phillips, Pure, Shell, Sinclair, Socony Vacuum, Sun, Texas and Tidewater.

The principal object of the test is to determine the relative effects, on a particular concrete pavement, of the four different axle loadings on two vehicle types. Information, such as will be secured from this experiment is greatly needed for use in appraising the load carrying capacities of existing concrete pavements, for use in designing new pavements and to provide fundamental data that may be useful in framing equitable legislation to govern highway transportation operation.

The tests are being conducted on a 1.1-mi. section of concrete pavement on U. S. Route 301 approximately 9 mi. south of LaPlata, Maryland. The pavement consists of two 12-ft. lanes each having a 9-7-9 in. cross section both reinforced with wire mesh. Expansion joints are spaced at 120-ft. intervals with two intermediate contraction joints at 40-ft. spacings. Dowel bars  $\frac{3}{4}$ -in. in diameter at 15-in. spacing have been placed in all transverse joints. The adjacent lanes are tied together with tie bars four feet long spaced at 4-ft. intervals.

In its operation the test consists primarily in comparing the relative effects on parallel adjoining lanes of the reinforced concrete pavement under test of two types of trucks, one type loaded to 18,000 and 22,400-lb. on single axles and the other type loaded to 32,000 and 44,800 lb. on tandem axles. There are four separate test sections. The first, which is the west lane of the southern half mile of the pavement under test, has been subjected to 18,000-lb. single axle loads. The second, which is the east lane of the southern half mile, was subjected to 22,400-lb. single axle loads. The behavior under load of sections 1 and 2, consisting of 50 slabs each, can be compared directly since the only major variable between the sections is the axle loading of the test trucks. The third test section is the west lane of the northern 0.6-mi. and it was subjected to 32,000-lb. loads on tandem axles. The fourth, which is the east lane of the north 0.6-mi. was subjected to 44,800-lb. loads on tandem axles. Sections 3 and 4, each consisting of 71 slabs, can also be compared directly with each other.



Proper comparison of the behavior of the test pavements under tandem axle loading with those under single axle loading will be possible only after the characteristics of the subgrade soils under each pavement slab and other variables, such as the rate of application of load, have been studied in detail.

All pertinent data must be carefully analyzed and considered before final conclusions are drawn, however, certain facts relative to the behavior of the test have already been established.

The more significant observations which may be made from the test results to December 23 (after six months of continuous operation) are as follows:

1. Soil tests made on samples obtained throughout the length of the pavement adjacent to the pavement edges and under certain sections of the pavement indicate that there is reasonable uniformity in the soils on the two sides of the pavement.

2. Based on these same soil tests, there is found to be a definite correlation between soil type and pavement behavior. The higher the granular content and the lower the plasticity of the soil, the better the performance. The subgrade soils on this project are typical of the soils underlying a very extensive mileage of concrete pavement throughout the country.

3. The progress of cracking and depression of joints in the test sections has a definite relationship to the occurrence of pumping. Previous research and observation have shown that four basic conditions must be present simultaneously to create a pumping slab. They are: (1) frequent heavy axle loads; (2) subgrade soils of such a nature that they may pump through open joints or cracks or at pavement edges; (3) free water under the pavement; and (4) joints or cracks in the pavement. These conditions were present on this project and pumping resulted.

4. Based on both quality tests and dimension measurements, the concrete in the test sections is of good strength and of the designed thickness.

5. All four sections were damaged as follows by the loads applied:

(a) The 44,800-lb. tandem axle loads caused approximately eleven times as much cracking (lineal feet) as the 32,000-lb. tandem axle loads. This relationship held true over a period of almost four months, that is from 20,000 to 92,000 truck passes in each lane.

(b) The 22,400-lb. single axle loads caused approximately six times as much cracking (lineal feet) as the 18,000-lb. single axle loads. This relationship held true over a period of almost five months, that is from 35,000 to 238,000 truck passes in each lane.

(c) After 84,000 truck passes, 80 per cent of the joints in the section carrying 44,800-lb. tandem axle loads were depressed, whereas, with the same number of truck passes, only 10 per cent of the joints in the section carrying 32,000-lb. tandem axle loads were depressed. (Depressed joints are defined as those joints at which a marked localized settlement of the pavement has occurred accompanied by cracking of the pavement in the vicinity of the joint.)

(d) After 137,000 truck passes, 22 per cent of the joints in the section carrying 22,400-lb. single axle loads were depressed, whereas, with the

same number of truck passes, only 2 per cent of the joints in the section carrying 18,000-lb. single axle loads were depressed.

6. (a) After 238,000 truck passes, 28 per cent of the slabs in the section under 18,000-lb. single axle loads and 64 per cent of the slabs under 22,400-lb. axle loads contained cracks which have been analyzed as constituting structural failures due to the application of the test axle loads. Conversely, 72 per cent of the slabs in the 18,000 lb. section and 36 per cent of the slabs in the 22,400-lb. section show no such structural failures.

(b) After 92,000 truck passes, 27 per cent of the slabs in the section under 32,000-lb. tandem axle loads and 96 per cent of the slabs under 44,800-lb. tandem axle loads contained cracks which have been analyzed as constituting structural failures due to the application of the test axle loads. Conversely, 73 per cent of the slabs in the 32,000-lb. section and 4 per cent of the slabs in the 44,800-lb. section show no such structural failures.

Additional information, which will be of great value to designers of future pavements and to those charged with evaluating the load carrying ability of existing pavements, is being obtained by means of strain measurements of the pavements under various loads and by measurements of strains induced by warping of the slabs due to temperature differentials between the top and bottom of the concrete.

To secure complete answers to the many questions involved in the interrelationships between loads, pavements and subgrades, additional test projects under other conditions will be necessary. It is planned to undertake such projects on both bituminous and portland cement concrete type pavements under other typical conditions. However, it is apparent that many significant engineering facts are being derived from this test under one typical set of conditions.

## HIGHWAY RESEARCH REPORT

Fiscal Year Ending

June 30, 1950

Honorable William S. Beardsley, Governor:

The Iowa State Highway Commission herewith transmits its first annual report on Highway Research. This report covers the fiscal year July 1, 1949, to June 30, 1950. It is submitted pursuant to section 310.36, Code 1950, although it deals with Primary Road Research as well as Secondary Road Research.

Respectfully submitted,  
IOWA STATE HIGHWAY COMMISSION,  
ROBERT KEIR, *Chairman*,  
MELVIN GRAHAM, *Vice Chairman*,  
FRANK R. KERRIGAN,  
SANFORD ZEIGLER,

*Commissioners.*

F. R. WHITE, *Chief Engineer.*

December 20, 1950.

## IOWA HIGHWAY RESEARCH

Report No. 1

1949—1950

Chapter I

General Statement

## 1. Review of Previous Highway Research Activities:

The State Highway Commission has, since the primary road system was first established in 1919, carried on research work designed particularly to provide factual data relating to primary road problems. The cost of this primary road research was paid from the primary road fund. Some of the primary road research work was performed by the Highway Commission's own employees, some was performed by Iowa State College, and some by the State University, each under agreement with the commission. The commission reimbursed the college and the university for work performed by each.

The commission is affiliated with the National Research Board. Engineers of the commission attend the national meetings and take part in the proceedings of said board. W. H. Root, maintenance engineer of the commission, is now a member of the board of directors of the National Highway Research Board.

The State Highway Commission, since its inception about six years ago, has been a contributor to the Correlation Service of the National Highway Research Board. The commission's contribution to that service is now \$2,956.00 per year. This contribution is paid, one-half from state primary road funds, and one-half from federal aid road funds allotted to the state. The purpose of this correlation service is to keep the Bureau of Public Roads and all the state highway departments informed as to the nature and progress of all highway research work being carried on by the highway research agencies in all the states. This makes available to all the research data developed by each, and avoids duplication of effort by each.

## 2. Highway Research Projects Under Way on July 1, 1949:

Previous to July 1, 1949, the following research projects had been initiated by the Iowa State Highway Commission and work on these projects was under way on that date:

## A. R-11. Strength of Concrete.

Throughout the time the commission has been in existence, it has conducted studies of the factors affecting the strength of portland cement concrete and the various theories of the design of concrete mixtures.

In recent years certain changes in the composition and manufacture of cement and the artificial entrainment of air in concrete have affected significant factors involved in the design of concrete mixtures. The object of the present study was to determine up-to-date values for such factors for both normal concrete and for concrete with various percentages of entrained air.

## B. R-62. Soundness Tests of Stone.

The development of an accelerated durability test for aggregates, the results of which can be correlated with the behavior of the aggregates in service, is largely an unsolved problem. The development of such tests

is a study that has been carried on by the Iowa Highway Commission for many years with some degree of success in some areas. The particular phase of this study referred to above is a study of the correlation between the laboratory freezing and thawing test described in the commission's standard specifications and the rate of disintegration of the crushed material when exposed to natural weathering as it might be exposed in a traffic-bound road surface.

C. R-79. Durability of Portland Cement Concrete.

Studies of concrete placed under the supervision of the Iowa Highway Commission indicate that any appreciable evidence of lack of durability in concrete less than 30 years old is confined almost entirely to the concrete in which certain aggregates were used. The development of the durability tests mentioned is of prime importance. For several years the highway commission has been actively engaged in studies of this problem.

D. R-90. A Study of Crusher-Run Limestone as a Finished Mix for Stabilized Base Construction.

This is a study of the behavior of base courses composed of dense graded crushed limestone compacted at the moisture content which provides for the maximum degree of compaction. It is concerned chiefly with limestones with a doubtful degree of durability.

E. R-130. Crystallographic Study of Iowa Limestones.

This study was expanded to include the mineralogical composition of limestones, has as its objective the influence of the crystallography and mineral composition of limestone aggregate on the durability of concrete.

F. R-131. Load-Carrying Capacity of Roads as Affected by Frost Action.

This work is being done in cooperation with a committee of the National Highway Research Board. It involves studies of the temperature and moisture condition of the bases and subgrades and plate bearing tests of the load bearing capacity of subgrades, base courses, and surface courses throughout the year to determine the seasonal variations in the values of these factors.

G. R-87. Volume and Moisture Change in Earth Fills.

The loosening of compacted earth surfaces when they are exposed to weathering without additional compactive effort being applied, such as can be observed in an abandoned earth road, raises a question as to the permanence of the effect of compacting masses of earth at moisture percentages below normal and to densities greater than natural for the type of soil.

H. R-97. Wear Tests of Stone Using the Los Angeles Abrasion Machine.

The object of this study is to determine the proper size of the sample and abrasive charge for samples having gradings other than those prescribed in the standard method of test so that the grading of the sample for abrasion test can be more nearly that of the material as used.

**I. R-106. Mortar and Concrete Strengths of Iowa Sands.**

The object of this study is to determine the mortar strength test for sand which would most accurately reflect the effect which the sand will have on the strength of concrete in which it is used. It involves tensile, transverse, and compressive tests of mortars made from various sands, and transverse and compressive tests of concrete made from the same sands and cement and a single coarse aggregate.

**J. R-126E. The Effect of the Addition of Small Quantities of Cement and Other Admixtures to Soil-Aggregate Mixtures.**

Most of the natural gravels of Iowa are deficient in particles passing the No. 50 sieve. Most Iowa soils are also deficient in these fine sand sizes. Thus the cheapest mixture of soil and aggregate is likely to be either lacking in density due to a deficiency in fine material or inclined to be plastic due to the poor grading of the material. Thus it would appear that the addition of some material which will reduce the plasticity of the fine material would be justified. Laboratory studies indicate that the addition of small percentages of either hydrated lime or portland cement will accomplish this result.

**K. R-132. Compaction of Subgrade Using Jackson Electric Tamper.**

This is a brief study to determine the efficiency of a compacting unit imparting vibratory action of high frequency and low amplitude to the material being compacted. It was undertaken to provide the manufacturer with data on which to base further development of this type of equipment. It was found that dense graded crushed stone can be satisfactorily compacted if the moisture content of the material is somewhat higher than the optimum for more conventional methods of compaction.

**L. R-133. Cracking of Asphalt Wearing Surfaces as Affected by Condition of the Base.**

In the design of resurfacing for old concrete pavements, it is important to know the rate and extent to which the pattern of cracks in the old concrete used as a base will be reflected in the pattern of cracks in the surfacing material. This study is designed to produce such information.

**M. R-134. Asphaltic Concrete Tests.**

Work done on the studies which can be classified under this general heading may be divided into the following:

1. Study of relative accuracy of different methods of extracting asphalt from asphaltic concrete mixture.
2. Methods of determining density of samples cut from finished surfaces.
3. The effect of soundness of aggregate on the durability of asphaltic concrete.

**N. R-135. Concrete Pavement Condition Surveys.**

The Highway Commission has employed rather a wide range of design of concrete pavements.

Periodic condition surveys are being made to determine the effect of design features on the behavior of the pavements in service.

#### O. Traffic Marking Paint Durability.

This work consists of painting stripes of paints of various types across pavements and observing the time required for the paint to be worn off. The object is to discover, if possible, the paints which will prove more durable than those now in use.

#### P. R-83. Methods of Tests for Reflector Buttons.

This work has been expanded to include tests of all reflectorizing materials. The rather simple equipment adequate for determining the relative optical properties of buttons is inadequate for the testing of reflectorizing materials now in use. Some progress has been made in assembling the equipment required for measuring these properties in absolute units.

#### Q. R-111. Service Tests on Blast Plates.

This work consists of the study of the behavior of blast plates made of different materials when subjected to the action of locomotive stack exhausts. A number of blast plates were installed on the under side of railroad overpasses in such manner as to insure that they would receive the same exposure as the under side of the bridge members and the normal installations of blast plates. Observations have been conducted over a period of about ten years. The study was completed in the early summer of 1950.

The above research projects are being carried on by the State Highway Commission through its Department of Materials and Tests. In addition, the following research projects were, on July 1, 1949, and still are, being carried on by the State Highway Commission under contract with the State University or Iowa State College, as the case may be.

#### 1216-A. Scour Around Bridge Piers and Abutments.

This study is designed to obtain information on scour around bridge piers and abutments under various stages of flow and various conditions of installation, and to determine means of eliminating excessive scour.

Work on this project is being carried on by the Iowa Institute of Hydraulic Research at the State University of Iowa under an agreement with the Iowa State Highway Commission for that purpose.

#### 1216-B. Loads on Negative Projecting Conduits.

This study consists of an investigation of the effects of installing conduits wholly above the surface of naturally consolidated soil and loading them under conditions simulating those employed in the construction of earthen embankments over highway culverts when installed above the surface of the natural ground. This is theoretically a much more severe condition than that for culverts installed in a narrow trench. The purpose of the investigation is the collection of data either supporting, denying, or modifying the mathematical analysis of the condition of installation of conduits.

The work on this project is being done by the Engineering Experiment Station, Iowa State College, for the Iowa State Highway Commission, under an agreement for that purpose.

#### 1216-C. Roadside Seeding.

This study consists of an investigation of the rate of seeding and the

type of grasses suitable for each of the various types and conditions of seed bed presented on the slopes of roadway embankments and cuts.

The work is being conducted by the Agricultural Experiment Station, Iowa State College, at Ames, for the Iowa Highway Commission, under an agreement with the station for that purpose.

### 3. Secondary Road Research:

While there has been a very considerable amount of primary road research carried on in the past, there has been very little research work pertaining to secondary roads. This is due largely to the fact that no funds were available especially for secondary road research.

There are 92,700 miles of secondary road in this state. The demand for better secondary road maintenance and for more secondary road improvements are constantly increasing. Funds now becoming available for secondary road construction and maintenance amount to about \$59,000,000 per year. Less than two-thirds of the secondary road mileage (58,500 miles) is now surfaced. Local deposits of gravel for secondary road surfacing are being rapidly depleted. Surfacing material must be hauled longer distances and can be obtained only at greater cost. About 8,000 miles of secondary road carry a traffic of such volume as to demand something better than an untreated gravel or crushed stone surface. Thousands of secondary road bridges are substandard. Frequent washouts occur through underscour of foundations.

Here then is a field for fruitful and profitable highway research.

In these circumstances, the Fifty-third General Assembly passed an act, which now appears as sections 310.34 to 310.36, Code 1950, authorizing the expenditure of not more than one and one-half per cent of the farm to market road fund for secondary road research. It is now estimated that the farm to market road fund income (both state and federal) will amount to about \$13,650,000 per year. At that rate the secondary road research fund will amount to about \$205,000 per year, which is about one-third of one per cent of the total secondary road income of \$59,000,000 per year.

### 4. Iowa Highway Research Board Created:

All highway research has some relation to all classes or systems of roads. A highway research project may be instituted, carried on, completed, and paid for as a primary road project, but the data and findings developed may be equally valuable in the design, construction, and maintenance of secondary roads. Likewise, the result of a secondary road research project may be equally useful on primary roads. There is no clear dividing line between the two. It is obvious, therefore, that there should be one central clearing house for all highway research in the state. Such "central clearing house" should bring together all agencies in the state that are especially interested in highway research.

To meet this condition, the State Highway Commission on December 20, 1949, approved Memorandum of Instructions No. 148 creating an Iowa Highway Research Board of eleven members, which board shall deal with all highway research within the commission's jurisdiction—primary road research as well as secondary road research.

(Appendix A)

Said Memorandum of Instructions No. 148 was approved and accepted by the executive committee of the State Association of County Engineers on February 8, 1950. Invitation to appoint representatives to serve on said board were accepted by the State University on February 22, 1950, and by Iowa State College on March 3, 1950.

5. Members and Alternate Members of Iowa Highway Research Board:

The six county engineer members of the Iowa Highway Research Board were appointed by Paul J. Mahoney of Council Bluffs, president of the State Association of County Engineers. The representatives of the State University and Iowa State College were respectively appointed by those institutions. The three representatives of the State Highway Commission were appointed by the commission.

As thus created the membership of the Iowa Highway Research Board is as follows:

<b>Name</b>	<b>Appointed By</b>	<b>Position</b>	<b>Term Expires</b>
F. M. Dawson	State University	Dean, College of Engineering	1-1-53
J. F. Downie Smith	Iowa State College	Dean, Engineering Division	1-1-53
R. E. Robertson	County Engineers' Association	Cerro Gordo County Engineer	1-1-51
P. A. Michel	County Engineers' Association	Montgomery County Engineer	1-1-51
C. A. Elliott	County Engineers' Association	Greene County Engineer	1-1-52
J. R. Dougherty	County Engineers' Association	Muscatine County Engineer	1-1-52
Edward Winkle	County Engineers' Association	Osceola County Engineer	1-1-53
L. J. Schiltz	County Engineers' Association	Dubuque County Engineer	1-1-53
W. H. Root	State Highway Commission	Maintenance Engineer	1-1-51
Bert Myers	State Highway Commission	Materials and Tests Engineer	1-1-52
W. E. Jones	State Highway Commission	Assistant to the Chief Engineer	1-1-53

At its first meeting the Iowa Highway Research Board elected W. E. Jones chairman and Bert Myers vice chairman for the year 1950. The board also took action for the appointment of an alternate for each member of the board to serve when that member of the board is unable to attend a board meeting. The alternates thus appointed are as follows:

L. W. Croft, County Engineer, Dallas County, Adel, Iowa. Alternate for C. A. Elliott.

Jas. L. Stober, County Engineer, Chickasaw County, New Hampton, Iowa. Alternate for R. E. Robertson.

W. L. Anderson, County Engineer, O'Brien County, Primghar, Iowa. Alternate for Edward Winkle.



J. Sherman Held, County Engineer, Guthrie County, Guthrie Center, Iowa. Alternate for P. A. Michel.

A. W. Hinderman, County Engineer, Louisa County, Wapello, Iowa. Alternate for J. R. Dougherty.

R. J. Wallace, County Engineer, Buchanan County, Independence, Iowa. Alternate for L. J. Schlitz.

George R. Town, Assistant Director, Engineering Experiment Station, Iowa State College, Ames, Iowa. Alternate for J. F. Downie Smith.

Ladis Csanyi, Professor of Civil Engineering, Iowa State College, Ames, Iowa. Alternate for J. F. Downie Smith.

Y. R. Bennion, District Engineer, U. S. Geological Survey, P. O. Box 551, Iowa City, Iowa. Alternate for F. M. Dawson.

J. W. Howe, Department of Mechanics and Hydraulics, State University of Iowa, 210 Engineering Building, Iowa City, Iowa. Alternate for F. M. Dawson.

#### 6. Director of Highway Research:

The State Highway Commission appointed Mark Morris as director of Highway Research. Mr. Morris has been a member of the State Highway Commission's engineering staff for thirty years. He has been intimately associated with the research work carried on by the highway commission during his service with the commission.

#### 7. Meetings of the Board:

The Iowa Highway Research Board held three meetings during this fiscal year, on May 18, June 2 and June 30, 1950. The meeting on May 18 was spent largely on organizational matters. The meetings on June 2 and June 30 were spent in consideration of research projects proposed by various persons, for the board's consideration.

## Chapter II Research Projects

#### 8. Research Projects Suggested:

During the period which the board had been in existence, May 18 to June 30, 1950, seventeen suggestions for research projects were received. Seven were submitted by county engineers, two by the United States Geological Survey at Iowa City, two by the Iowa Institute of Hydraulic Research, one by the State University of Iowa, and five by Iowa State College.

#### List of Suggestions Received

1. Accelerated Testing of Highway Pavements and Bases.
2. Investigation of the Loess and Glacial Till Materials of Iowa.
3. The Supporting Strength of Concrete Pipes.
4. Motor Vehicle Operating Costs.
5. Origin and Destination Traffic Surveys.
6. Elimination of Long Bridges on Streams with Small Draining Areas.
7. Flood Frequency and Flood Magnitude Analysis.
8. Determination of Flood Discharge for Ungaged Streams with Drainage Areas.
9. Strengthening of Existing Light Pony Trusses for Present Day Loading.

10. Treatment of Wood Floors for Wearing Surfaces.
11. Precast Concrete Bridge Floor Construction.
12. Thickness of Stabilized Aggregate Bases for Use With Bituminous Surfaces.
13. Accounting Practices in County Engineers' Offices.
14. Hydraulic Design of Highway Culverts.
15. Hydraulic Design of Highway Valley Crossings.
16. A Study of Limestones of East Central Iowa for Low Cost Road Construction.
17. Determination of Economical Methods of Constructing Highways on Earth Fills So As to Resist Erosion When Flooded.

9. Projects Recommended to Highway Commission:

Eight suggestions for research projects were tentatively selected and approved by the board for recommendation to the commission. An additional detailed study of each of these suggestions was made by a special committee appointed for that purpose, before preparation of a recommendation. As a consequence of this study, two suggestions were withdrawn from the original list of eight selected tentatively by the board for recommendation to the commission.

During the period covered by this report, six suggestions were recommended to the commission as subjects for research projects. These, with the total estimated cost, the time required for completion, the name of the agency recommended to conduct the research, and a brief description of the project, are as follows:

Project No. 1. Stabilization of Loess and Glacial Till Material. Total cost, estimated, \$45,000. Time required, 3 years. Agency to conduct research, Iowa State College.

This project involves a thorough study of the chemical and physical properties of the loess and glacial till materials of Iowa and an investigation of various techniques for processing these soils to increase their all-weather stability where they are required to serve as surface courses, base courses, or subgrades for roadways.

Project No. 2. Flood Frequency and Flood Magnitude Analysis. Estimated total cost, \$10,000. Time required, 2 years. Agency to conduct research, United States Geological Survey.

This project includes the tabulation and analysis of flood data collected at all stream gage stations in Iowa, and the presentation of the results of this work in a form readily usable by highway and bridge engineers of the state.

Project No. 3. Determination of Flood Discharge Characteristics of Small Drainage Areas. Estimated total cost, \$50,000. Time required, 10 years, Agency to conduct research, United States Geological Survey.

This project consists of the determination of flood peaks and discharges of typical small drainage areas over a ten-year period, and of the determination of the hydraulic characteristics of such areas.

Project No. 4. Thickness of Stabilized Bases to Use with Bituminous

Surfaces. Estimated total cost, \$25,000. Time required, 1 year. Agency to conduct work, Iowa State Highway Commission.

This project consists of an investigation for the determination of the thickness of stabilized aggregate bases to use with bituminous surfacing for various types of subgrade soils.

Project No. 5. Elimination of Long Bridges on Streams with Small Drainage Areas. Estimated total cost, \$8,000. Time required, 1 year. Agency to conduct work, Institute of Hydraulic Research, State University of Iowa.

This project consists of the computation and compilation of the data and facts needed for the design of embankments, and drainage structures for use instead of long bridges over gullies and streams carrying the runoff from small drainage areas.

Project No. 6. Highway Embankments Constructed to Resist Wash-out Overflow. Estimated total cost, \$10,000. Time required, 1 year. Agency to conduct work, Institute of Hydraulic Research, State University of Iowa.

This project consists of an investigation of methods of constructing and protecting earthen highway embankments over which flood waters may be passed for extensive periods without damage to the embankments.

#### 10. Research Projects Approved:

The above recommended research projects did not reach the State Highway Commission in time for commission action prior to June 30, 1950, hence no new research projects were actually approved by the State Highway Commission under sections 310.34 to 310.36, Code 1950, during the fiscal year covered by this report.

### Chapter III Research Reports

#### 11. Research Reports Issued:

Since the highway research organization described above was organized and started work during the fiscal year covered by this report, there were no research projects completed or research reports issued during the period covered by this report.

### Chapter IV Expenditures

During the fiscal year July 1, 1949, to June 30, 1950, there were no farm to market road funds set aside under sections 310.34 to 310.36, Code 1950, for secondary road research, and no expenditures were made for that purpose.

The following expenditures were made from the primary road fund for or on account of the research projects listed in chapter I of this report, as having been initiated by the State Highway Commission previous to July 1, 1949:

R-11.	Strength of concrete.....	\$ 3,084.33
R-62.	Soundness of tests of stone.....	2,564.54
R-79.	Durability of portland cement concrete.....	12,612.90
R-90.	A study of crusher run limestone as a finished mix for stabilized bases.....	1,522.67

R-131.	Load carrying capacity of roads as affected by frost action.....	7,124.58
R-87.	Volume and moisture change in earth fills.....	85.66
R-97.	Wear test on stone using Los Angeles abrasion machine.....	26.05
R-106.	Mortar and concrete strengths of Iowa sands.....	2,910.35
R-126-E.	The effect of the addition of small quantities of ce- ment and other admixtures to soil aggregate mixtures	618.53
R-130.	Crystallographic study of Iowa limestones.....	133.19
R-132.	Composition of subgrade using Jackson electric tamper.....	191.89
R-133.	Cracking of asphalt wearing surfaces as affected by condition of the base.....	3,078.38
R-135.	Concrete pavement condition surveys.....	1,835.70
R-83.	Methods of test for reflector buttons.....	366.46
....	Traffic marking paint durability.....	77.71
R-111.	Service tests on blast plates.....	912.13
1216-A.	Scour around bridge piers and abutments.....	15,499.97
1216-B.	Loads on negative projecting conduits.....	3,845.25
1216-C.	Roadside seeding .....	2,000.00
Total .....		<u>\$58,490.29</u>

## APPENDIX "A"

## MEMORANDUM OF INSTRUCTIONS NO. 148

## Relative to Highway Research

Highway construction and maintenance in the State of Iowa (state, county and municipal) has grown into "big business." Funds becoming available or which may become available per year under existing law for highway work in Iowa may be approximately stated as follows:

1. For city and town streets, roads and alleys:
  - a. Local tax levies..... \$ 5,500,000
  - b. State road use taxes..... 4,695,000

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 Subtotal, cities and towns..... \$10,195,000
2. For primary roads and extensions in cities and towns:
  - a. State road use tax funds..... \$24,649,000
  - b. Federal aid .....

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 Subtotal, primary roads..... \$30,980,000
3. For secondary roads:
  - a. Local property taxes..... \$23,766,000
  - b. State road use taxes..... 29,343,000
  - c. Federal aid..... 3,516,000

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 Subtotal, secondary roads..... \$56,625,000
4. Grand total, all roads..... \$97,800,000

American industrial development has been built on research. Through research, new materials, new processes, new ideas, new methods and new

equipment have been discovered and developed. No industrial concern doing a \$100,000,000 annual business, or half that amount, would attempt to carry on without an adequate, well-staffed, well-financed and alert research department.

The highway industry can no more survive on an economic, efficient and intelligent basis without research than can private industry. Unsolved highway problems are just as numerous, just as baffling, just as pressing and just as fraught with vast economic and social possibilities as are private industrial problems. The Iowa legislature recognized this fact when it passed chapter 128, Laws of the Fifty-third General Assembly, which authorizes the State Highway Commission to use not more than one and one-half per cent of the farm to market road fund for secondary road research.

Some highway research problems may pertain only to secondary roads; some only to primary roads. Many will pertain to both primary and secondary roads. Many of the facts and data which may be developed on either primary or secondary road research will be useful on city and town street improvements. It appears, therefore, that in order to avoid duplication, all the highway research carried on with highway funds (that is, primary and secondary road funds) should be coordinated and consolidated under one organizational setup. In conformance with action taken by the State Highway Commission this memorandum is issued to create such an organization and implement highway research in this state.

#### I. Iowa Highway Research Board.

There is hereby created an Iowa Highway Research Board hereinafter called the board. Said board shall consist of eleven members—six county engineers, three highway commission engineers, and one representative each from the State University of Iowa and from Iowa State College.

#### II. Terms.

The terms of each member of the board shall be three years. Provided that of the six county engineers initially appointed, two shall be appointed for one year terms and two shall be appointed for two year terms. Of the three highway commission engineers initially appointed, one shall be appointed for a one year term and one shall be appointed for a two year term. Appointment to fill a vacancy shall be for the unexpired portion of the term for which the preceding incumbent was appointed.

The term of each of the initial members of the board shall begin as of January 1, 1950. The term of a member appointed to fill a vacancy shall begin on the date of his appointment.

#### III. Appointment—By Whom.

The six county engineer members of the board shall be appointed by the president of the State Association of County Engineers, one from each of the six highway commission engineering districts. The three highway commission engineer members of the board shall be appointed by the State Highway Commission. The representatives from Iowa University and Iowa State College shall, respectively, be appointed as these

institutions may determine. The appointing agency shall certify each appointment to the chief engineer of the State Highway Commission, who will so notify the chairman of the board.

#### IV. Compensation and Expenses of Board Members.

No compensation will be paid board members because of their service on the board. Each board member will be allowed his actual necessary expenses while traveling away from his home or headquarters on business connected with his service on the board.

#### V. Chairman—Rules.

The members of the board shall annually elect one of their members to serve as chairman during the ensuing year. The board shall establish its own rules of procedure.

#### VI. Duties of the Board.

It shall be the duty of the board

- a. To receive and consider all suggestions for highway research projects pertaining to either primary or secondary roads. To develop an orderly, efficient, coordinated highway research program.
- b. To recommend to the State Highway Commission those highway research projects which the board deems meritorious and most urgently needed.
- c. To recommend to the Highway Commission an agency (University of Iowa, Iowa State College, State Highway Commission or other agency) which the board deems appropriate for the conduct and prosecution of each research project recommended by the board.
- d. To keep in touch with the progress being made on each active highway research project and bring the work on such project to a conclusion as promptly as may be practicable.
- e. To receive, consider and act upon all reports on highway research projects.
- f. To disseminate information on highway research.
- g. To report annually (as of June 30) to the State Highway Commission.

#### VII. Meetings of Board.

The board shall hold such regular and special meetings as it may determine. Regular meetings of the board shall be held at the office of the State Highway Commission in Ames, Iowa.

#### VIII. Director of Highway Research.

The State Highway Commission will designate one of its engineers as director of highway research (hereinafter called the director). Said director will serve as secretary and executive officer of the board, but will not be a member of the board nor have a vote thereon.

#### IX. Duties of the Director.

It shall be the duties of the director

- a. To keep the minutes and other records of the board.
- b. To actively supervise and prosecute the highway research work as recommended by the board and approved and authorized by the commission.

- c. To report to the chief engineer of the State Highway Commission all recommendations of the board as to highway research projects to be undertaken, estimate of probable cost thereof, the agency recommended to execute such project and other matters relating thereto.
- d. To formulate and negotiate proposed agreements with research agencies, the U. S. Bureau of Public Roads and other involved agencies, for approval by the commission, for the execution of all highway research projects approved by the commission.
- e. To perform such other duties relating to highway research as the board or the commission may direct.

#### X. Approval of Research Projects.

Any highway research project recommended by the board must be submitted to and approved by the State Highway Commission before any work can be undertaken thereon or any funds will be allocated thereto.

#### XI. Allocation of Funds.

When a highway research project is approved by the commission, funds will be allotted for the execution of such project or if the project is expected to extend over a period of more than one year a sufficient amount of funds will be allotted to carry such project through the first year.

#### XII. Agreements with Research Agencies.

When any highway research project has been recommended by the board, approved by the commission and funds allocated thereto by the commission, a memorandum or agreement, as the case may be, for the execution of such project shall be prepared by the director, approved by the agency which is to execute such research project, approved by the Bureau of Public Roads or other involved agency or agencies and submitted to the State Highway Commission for approval. Upon the approval and execution of such agreement or memorandum by the commission and the allocation of funds for such project, the work on such project is authorized to proceed.

#### XIII. Highway Research Budget.

The State Highway Commission will annually adopt a highway research budget for both primary and secondary roads. Such budget may be altered or changed from time to time as the commission may deem proper.

#### XIV. Purpose of Highway Research.

Highway research projects undertaken hereunder, and paid for with highway funds, shall have as their objective the solution of practical problems confronting the highway engineers and officials in responsible charge of the highways.

#### XV. Repeal or Revision of this Memorandum.

The right to amend, revise or repeal this memorandum is hereby expressly reserved.

F. R. WHITE, *Chief Engineer.*

December 20, 1949.

## BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following assignment of bills to committee:

- S. F. 177 Schools and educational institutions
- S. F. 178 Insurance
- S. F. 179 Judiciary 1
- S. F. 180 Judiciary 2
- S. F. 181 Manufacturing, commerce and trade

## REPORTS OF COMMITTEES

Senator Prentis submitted the following report:

MR. PRESIDENT: Your committee on governmental affairs to which was referred **Senate File 1**, a bill for an act to create a budget and financial control committee with certain powers relating to state budget and finance and to abolish the retrenchment and reform committee and transfer its powers to the budget and financial control committee, begs leave to report it has had the same under consideration and recommends the same **be amended as follows and when so amended the bill do pass:**

1. Strike all of section 1 and insert in lieu thereof the following: "Section 1. Committee created. There is hereby created a committee to be known as the budget and financial control committee, which shall have 10 members. Five of said members shall be members of the House of Representatives and appointed by the Speaker; three of these members shall be from the majority party and two from the minority party. Five of said members shall be members of the Senate and appointed by the President of the Senate; three of which shall be from the majority party and two from the minority party."

2. Strike from line 2 of section 2 the word "six" and insert in lieu thereof the word "four".

3. Strike from line 11 of section 2 all after the word "be" and insert in lieu thereof the following: "three members for the two year terms and two members for the four year terms, and initial appointments by the President of the Senate shall be three members for four year terms and two members for two year terms."

4. Strike from section 3, subsection 3, paragraph (d), line 29, the words "under a single head".

5. Strike all of subsection 2 of section 4 and insert in lieu thereof the following: "2. Meetings. To hold monthly meetings at the office of the state comptroller or at such meeting place as the committee may direct. Six members shall constitute a quorum."

6. Amend section 4, subsection 6, by striking the word "not" in line 18 and by striking the word "otherwise" in line 19.

7. Strike the word "ten" in section 5, line 4, and insert in lieu thereof the word "twenty".

8. Amend section 14, line 3, by striking the words "the code editor is authorized" and inserting in lieu thereof the following: "it is the intention of the General Assembly".

X. T. PRENTIS, *Chairman.*



Ordered passed on file.

Senator Bekman submitted the following report:

**MR. PRESIDENT:** Your committee on insurance to which was referred **Senate File 159**, a bill for an act to amend section five hundred fifteen point thirty-five (515.35), Code 1950, relating to investments of insurance companies other than life, to authorize investment in obligations issued, assumed or guaranteed by International Bank for Reconstruction and Development, begs leave to report it has had the same under consideration and recommends the same **do pass**.

**ELMER K. BEKMAN, Chairman.**

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on insurance to which was referred **Senate File 160**, a bill for an act relating to the investment of funds of life insurance companies and associations to authorize investment in obligations issued, assumed or guaranteed by International Bank for Reconstruction and Development, begs leave to report it has had the same under consideration and recommends the same **do pass**.

**ELMER K. BEKMAN, Chairman.**

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 3 by striking the word "permanent" in line 30 of section 6 and inserting in lieu thereof the word "temporary".

**R. W. ZASTROW.**

Amend Senate File 3, section 10, as follows:  
 Insert in line 3 "The Clarksville Star".  
 Insert in line 4 "Clarksville, Iowa".  
 Insert in line 5 "The Cedar Rapids Gazette".  
 Insert in line 6 "Cedar Rapids, Iowa".

**J. KENDALL LYNES.**

Amend Senate File 11 by adding the following:

"Any contract insuring the liability of a non-resident motorist in Iowa shall, in the event of the death of said non-resident, be considered an asset of his estate having a situs in Iowa in any civil action arising out of a motor vehicle accident in which said non-resident may be liable."

**R. R. BATESON.**

Amend Senate File 114 by striking all after the enacting clause and inserting the following in lieu thereof:

Section 1. Section fourteen point ten (14.10), Code 1950, is hereby amended by adding the following new sub-section:  
 "Where a previous enactment is amended by a session law, the

same may be referred to in the following manner: 'Section .....  
is hereby amended to read as follows: ', after which the entire  
section, or such parts thereof as are pertinent, as amended, shall  
be printed, with any newly added words indicated by italic."

ALAN VEST.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 26, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend William Muir, pastor of the United Presbyterian Church, Pitzer, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nesmith for the day on request of Senator Hattery; Senator Tudor for the day on request of Senator Hultman.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Dailey, from Henry J. Griesel and other residents of Des Moines County in opposition to the reduction of or the abolition of the homestead tax refund.

By Senator Watson of Pottawattamie, from members of the Theodore J. Martens Auxiliary to Post 1797, residents of Union County, urging immediate action on a new soldiers' home at Marshalltown, Iowa.

## INTRODUCTION OF BILLS

Senate File 193, by Senator Bekman, a bill for an act to amend section two hundred seventy-nine point ten (279.10), Code 1950, providing for extension of the school year to insure at least one hundred eighty (180) days of classwork and other time for the in-service training of teachers.

Read first and second times, and passed on file.

Senate File 194, by Senator O'Malley, a bill for an act to amend section seven hundred seventy-five point five (775.5), Code 1950, relating to fee for attorney of defendant in criminal cases.

Read first and second times, and passed on file.

Senate File 195, by Senator O'Malley, a bill for an act to amend section six hundred seven point five (607.5), Code 1950, relating to compensation of petit jurors.

Read first and second times, and passed on file.

Senate File 196, by committee on highways, a bill for an act to repeal sections three hundred seven point one (307.1) and three hundred seven point two (307.2), Code 1950, relating to the appointment and terms of members of the state highway commission, and to enact substitutes therefor, to provide that terms of members of the state highway commission shall be five years, and to stagger the terms of members of the state highway commission so that the term of one member of the commission will end each year.

Read first and second times, and placed on the calendar.

Senate File 197, by Senator O'Malley, a bill for an act to amend section two hundred seventy-four point sixteen (274.16), Code 1950, relating to school districts in general.

Read first and second times, and passed on file.

Senate File 198, by Senator Bekman, a bill for an act authorizing the governor and secretary of state to issue a patent to William Ware to the northwest fractional one-fourth ( $\frac{1}{4}$ ) of the southwest quarter ( $\frac{1}{4}$ ) of section nineteen (19), township seventy-two (72) north, range fourteen (14) west of the fifth principal meridian, Wapello County, Iowa.

Read first and second times, and passed on file.

Senate File 199, by Senator Knudson, a bill for an act to amend section three hundred eight A point three (308A.3), Code 1950, relating to the apportionment of the road use tax fund to cities and towns, which have been incorporated since the taking of the federal census of 1940 and prior to the census of 1950.

Read first and second times, and passed on file.

Senate File 200, by Senator Knudson, a bill for an act to amend section three hundred eight A point three (308A.3), Code 1950, relating to the apportionment of the road use tax fund to cities and towns, whose corporation status has been changed since the latest federal census.

Read first and second times, and passed on file.

Senate File 201, by Senator Dykhouse, a bill for an act relating to the use of live pigeons in training hunting dogs and to amend section one hundred nine point twenty-one (109.21), Code 1950.

Read first and second times, and passed on file.

Senate File 202, by Senators Bekman, McCarville and Van Eaton, a bill for an act to amend sections two hundred fifty-four point four (254.4), two hundred fifty-four point five (254.5), two hundred fifty-four point eight (258.8), two hundred seventy-one point fourteen (271.14) and four hundred forty-four point twelve (444.12), Code 1950, relating to cost of care of persons in tuberculous hospitals and inspection of tuberculous hospitals.

Read first and second times, and passed on file.

Senate File 203, by committee on schools and educational institutions, a bill for an act to amend section two hundred seventy-five point three (275.3), Code 1950, section two hundred seventy-five point ten (275.10), Code 1950, repeal section four (4), chapter one hundred fifty (150), Acts of the Fifty-second (52nd) General Assembly, and amend section two hundred seventy-four point sixteen (274.16), Code 1950, relating to the reorganization of school districts and changing the boundary lines of school corporations.

Read first and second times, and placed on the calendar.

Senate File 204, by Senator Bekman, a bill for an act relating to the preservation of the report of amendments to Rules of Civil Procedure and to amend section six hundred eighty-four point nineteen (684.19), Code 1950.

Read first and second times, and passed on file.

### THIRD READING OF BILLS

On motion of Senator Lynes, Senate File 3, a bill for an act providing for revocation of licenses for carrying on, or used in carrying on of any business, trade, vocation, commercial enterprise or undertaking, by reason of the possession of gambling devices, and prohibiting the issuance of licenses in certain instances, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bekman asked unanimous consent that further action on Senate File 3 be deferred and that the bill be placed on the calendar under unfinished business. Objection was raised.

Senator Bekman moved that further action on Senate File 3 be deferred and that the bill be placed on the calendar under unfinished business.

Roll call was demanded.

On the question "Shall further action on Senate File 3 be deferred?" the vote was:

Ayes, 25:

Bateson	Gillespie	McCarville	Risk
Bekman	Hart	Mercer	Roberts
Byers	Hattery	Myrland	Sharp
Colburn	Hedin	Oltman	Watson of
Dailey	Henningsen	Parker	Pottawattamie
Dykhouse	Humbert	Ridout	West
Fletcher	Lord		

Nays, 19:

Anderson	Knudson	Prentis	Watson of
Berg	Linnevold	Van Eaton	O'Brien
Elthon	Lynes	Van Patten	Weichman
Fishbaugh	Molison	Vest	Whitehead
Hultman	O'Malley	Walter	Zastrow

Absent or not voting, 6:

Augustine	Jacobson	Tudor	Utzig
Doud	Nesmith		

The motion prevailed, and further action on Senate File 3 was deferred.

Senator Lynes asked unanimous consent that Senate File 3 be made a special order of business for 10:30 a.m., Tuesday, January 30, 1951. Objection was raised.

Senator Lynes moved that Senate File 3 be made a special order of business for 10:30 a.m., Tuesday, January 30, which motion prevailed.

On motion of Senator Bateson, Senate File 11, a bill for an act to amend section three hundred twenty-one point four hundred ninety-nine (321.499), Code 1950, relating to the definition of the word "person", with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bateson offered the following amendment and moved its adoption:

Amend Senate File 11 by adding the following:

"Any contract insuring the liability of a non-resident motorist in Iowa shall, in the event of the death of said non-resident, be considered an asset of his estate having a situs in Iowa in any civil action arising out of a motor vehicle accident in which said non-resident may be liable."

The amendment was adopted.

Senator Bateson offered the following amendment to the title and moved its adoption:

Amend the title by striking all after the word "relating" and inserting in lieu thereof the following: "to the liability of estates of non-resident motorists."

The amendment was adopted.

Senator Bateson moved that the bill be read a third 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:

Anderson	Gillespie	Mercer	Van Eaton
Augustine	Hart	Molison	Van Patten
Bateson	Hattery	Myrland	Vest
Bekman	Hedin	Oltman	Walter
Berg	Henningsen	O'Malley	Watson of
Byers	Hultman	Parker	O'Brien
Colburn	Humbert	Prentis	Watson of
Dailey	Jacobson	Ridout	Pottawattamie
Doud	Knudson	Risk	Weichman
Dykhouse	Linnevold	Roberts	West
Elthon	Lord	Sharp	Whitehead
Fishbaugh	Lynes	Utzig	Zastrow
Fletcher	McCarville		

Nays, none.

Absent or not voting, 2:

Nesmith Tudor

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

Senator Bateson moved that the vote by which the 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 49, a bill for an act to amend section six hundred thirty-six point thirty-eight (636.38), Code 1950, relating to the amount of property a spouse may select from the property in estates of intestates, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 47:

Anderson	Berg	Doud	Fletcher
Augustine	Byers	Dykhouse	Gillespie
Bateson	Colburn	Elthon	Hart
Bekman	Dailey	Fishbaugh	Hattery

Hedin	McCarville	Ridout	Walter
Henningsen	Mercer	Risk	Watson of
Hultman	Molison	Roberts	O'Brien
Humbert	Myrland	Sharp	Watson of
Jacobson	Oltman	Utzig	Pottawattamie
Knudson	O'Malley	Van Eaton	Weichman
Linnevoold	Parker	Van Patten	Whitehead
Lord	Prentis	Vest	Zastrow
Lynes			

Nays, none.

Absent or not voting, 3:

Nesmith	Tudor	West
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The bill having received a constitutional majority was declared to have passed the Senate and the title 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, Senate File 72, a bill for an act to legalize and validate the proceedings taken by the town council of the town of Greene, Butler County, Iowa, for the construction of extensions and improvements to the municipal waterworks and to authorize the provisions made for the levy of taxes for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said town, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Zastrow asked and received unanimous consent that further action on Senate File 72 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Bekman, Senate File 178, a bill for an act to amend section five hundred fifteen point thirty-five (515.35), Code 1950, relating to investments of insurance companies other than life, 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, 46:

Anderson	Byers	Elthon	Hattery
Augustine	Colburn	Fishbaugh	Hedin
Bateson	Dailey	Fletcher	Henningsen
Bekman	Doud	Gillespie	Hultman
Berg	Dykhouse	Hart	Humbert



Jacobson	Myrland	Roberts	Watson of
Linnevold	Oltman	Sharp	O'Brien
Lord	O'Malley	Utzig	Watson of
Lynes	Parker	Van Eaton	Pottawattamie
McCarville	Prentis	Van Patten	Weichman
Mercer	Ridout	Vest	Whitehead
Molison	Risk	Walter	Zastrow

Nays, none.

Absent or not voting, 4:

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

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

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Concurrent Resolution 10, authorizing World War I Bonus Board to accept the application of George Dewey Ellis for a World War I bonus.

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 of the House and Senate to study the report of the committee on retrenchment and reform on their investigation of the Liquor Control Commission.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION 10

*Whereas*, chapter two hundred nineteen (219), section two (2), Acts of the Fiftieth General Assembly, provides that to be entitled to World War I bonus, applicant must have on file his application on or before December 31, 1944, and,

*Whereas*, George Dewey Ellis, a veteran of World War I, through no fault of his own was unable to file prior to the expiration date, and,

*Whereas*, it would be unfair and unjust that George Dewey Ellis should be deprived of the benefits of the World War I bonus, if entitled thereto;

*Therefore, Be It Resolved by the House, the Senate Concurring*, that the World War I "Bonus Board" is hereby authorized to accept for consideration the application of George Dewey Ellis for the bonus payable to veterans of World War I, notwithstanding the provisions of chapter two hundred nineteen (219), section two (2), Acts of the Fiftieth General Assembly contrary hereto.

## HOUSE CONCURRENT RESOLUTION 11

*Whereas*, this body has before it House Resolution 4 asking an investigation into the administration of the Iowa Liquor Control Act and the policies promulgated by certain members of the Liquor Control Commission, and

*Whereas*, we have available a large volume of testimony upon this subject already gathered by the committee on retrenchment and reform, and

*Whereas*, the General Assembly is composed of two (2) bodies,

*Therefore, Be It Resolved by the House, the Senate Concurring*, that a joint investigating committee be appointed, eight (8) members to be appointed by the Speaker of the House from the membership of the House, and eight (8) members to be appointed by the President of the Senate from the membership of the Senate, and this committee is hereby instructed to study the provisions of House Resolution 4 and the transcript of the testimony as taken before the committee on retrenchment and reform, and the report of the committee on retrenchment and reform, and report back to this General Assembly as soon as practical their findings and recommendations.

## PRESENTATION OF VISITORS

Senator Dailey asked and received unanimous consent to present to the Senate Donald Tramon, state treasurer of the Iowa Rural Young Peoples Assembly and President of the Des Moines County Rural Youth; Beverly Walker, state president of the girls 4-H Clubs of Iowa, and other members of the organizations who were present in the balcony.

Senator Augustine asked and received unanimous consent to present to the Senate members of the sixth grade class of the New Sharon Public School who were present in the balcony with their instructor, Mrs. Harold Stephen.

## SENATE CONCURRENT RESOLUTION 8

By Committee on Military Affairs

*Whereas*, Erle Cocke Jr., national commander of the American Legion, will be in Des Moines, Iowa, on February 19, 1951;

*Therefore, Be It Resolved by the Senate, the House Concurring*: that an invitation be extended to Erle Cocke Jr. to address a joint convention of both houses at 11:00 o'clock a.m. on February 19, 1951.

## COMMUNICATION FROM STATE COMPTROLLER

The following communication was received from the office of the State Comptroller:

OFFICE  
STATE COMPTROLLER

January 25, 1951.

To the Secretary of the Senate and  
Chief Clerk of the House of Representatives:

In accordance with the provisions of chapter 25, Code of 1950, there are submitted herewith claims acted upon by the State Appeal Board on January 19, 1951. Each claim bears the recommendation of the board as shown in the schedule attached.

Claims of a general nature are numbers 67, 72, 81, 83, 93, 95, 96, 97, 100, 101 and 103 to 118, inclusive, and highway claims numbered 54, 58, 98 and 119 to 135, inclusive.

RAY E. JOHNSON, *Chairman,*  
*State Appeal Board.*

No.	Name of Claimant and Nature of Claim	Amount of Claim	Amount Approved By Board
67	Walter F. W. Kinne, Fort Dodge, Iowa—See Claim No. 72 for explanation of accident. Claim asks \$5,021.10 for personal injuries.....	\$5,021.10	\$2,135.60
72	Iowa Farm Mutual Insurance Co., Des Moines, Iowa—Damage to car. This is a sister claim to No. 67.....	378.00	189.00
81	Frank J. Serovy, Ely, Iowa—Claimant states a dam at Palisades-Kepler State Park damaged a well on his property and requests money to dig a new well.....	600.00	Rejected
83	O'Toole Funeral Home, Sioux City, Iowa—For funeral services of an old age pension recipient .....	150.00	150.00
93	Jim McGennis, Sioux City, Iowa—Damage to corn on claimant's farm by a deer.....	625.00	Rejected
95	Muscátine County, c/o County Treasurer—Drainage assessment .....	2,767.49	2,767.49
96	Pottawattamie County, c/o County Treasurer—Drainage assessment .....	473.39	473.39
97	Armstrong Rubber Mfg. Co., Des Moines, Iowa—Refund of taxes paid on petroleum naphtha within the required ninety day period.....	658.44	658.44

No.	Name of Claimant and Nature of Claim	Amount of Claim	Amount Approved By Board
100	Orchard Consolidated Schools, Orchard, Iowa—Refund of tax paid on the purchase of two school busses .....	145.52	145.52
101	Raymond E. Moyer, Marathon, Iowa—Damage to car by truck belonging to the Iowa School for the Deaf.....	45.00	45.00
103	Estes Funeral Home, Des Moines, Iowa—Funeral service for J. H. Brown, old age recipient .....	150.00	150.00
104	Caldwell-McIlhon-Brien Funeral Home, Des Moines, Iowa— Funeral services for Anna Van Dyke, old age pension recipient....	150.00	150.00
105	Caldwell-McIlhon-Brien Funeral Home, Des Moines, Iowa— Funeral services for Mamie Murphy, old age pension recipient .....	150.00	150.00
106	Caldwell-McIlhon-Brien Funeral Home, Des Moines, Iowa— Funeral services for Joseph Scalise, old age pension recipient .....	150.00	150.00
107	Caldwell-McIlhon-Brien Funeral Home, Des Moines, Iowa— Funeral services, Fred Ivory, old age pension recipient.....	150.00	150.00
108	Caldwell-McIlhon-Brien Funeral Home, Des Moines, Iowa— Funeral services, Margaret Kane, old age pension recipient....	150.00	150.00
109	Caldwell-McIlhon-Brien Funeral Home, Des Moines, Iowa— Funeral services, Sophia Pasi, old age pension recipient.....	150.00	150.00
110	Caldwell-McIlhon-Brien Funeral Home, Des Moines, Iowa— Funeral services, Francis W. Tighe, old age pension recipient....	150.00	150.00
111	Caldwell-McIlhon-Brien Funeral Home, Des Moines, Iowa— Funeral services, Robert A. George, old age pension recipient..	150.00	150.00
112	Caldwell-McIlhon-Brien Funeral Home, Des Moines, Iowa— Funeral services, Matthew Mc- Dermott, old age pension recipient .....	84.00	84.00

No.	Name of Claimant and Nature of Claim	Amount of Claim	Amount Approved By Board
113	Caldwell-McIlhon-Brien Funeral Home, Des Moines, Iowa—Funeral services, Mary Harrigan, old age pension recipient....	150.00	150.00
114	Jacob L. Manly, Vinton, Iowa—For being illegally held and for loss of time and earnings, also expense gaining his release....	8,439.66	200.00
115	Leo J. Tapscott, Des Moines, Iowa—Damage to personal car.....	500.00	500.00
116	Maurice L. Richardson, Marengo, Iowa—Personal injury .....	215.25	215.25
117	Central States Mutual Ins. Assn., Mount Pleasant, Iowa—Damage to car .....	700.89	Rejected
118	Arthur Neuman, Denison, Iowa—Damage to car by a deer.....	183.04	Rejected
H-54-51	Marvin Warnock, Washington, Iowa—Damage to car by state owned truck and snowplow.....	1,040.19	140.19
H-58-51	Iowa Farm Mutual Ins. Co., Des Moines, Iowa.....	23.94	23.94
H-98-51	Central Surety & Ins. Co., Kansas City, Mo.—Damage to semi-trailer .....	1,972.00	Rejected
H-119-51	H. C. Krohn, Manson, Iowa—Damage to car.....	94.75	Rejected
H-120-51	John E. Habick, Des Moines, Iowa—Expense involved in filing claim and removing aluminum paint from Oldsmobile auto.....	37.53	35.00
H-121-51	Central Mutual Casualty Co., Kansas City, Mo.....	100.00	35.00
H-122-51	New Amsterdam Casualty Co., Des Moines, Iowa.....	45.00	35.00
H-123-51	Allstate Insurance Company, Des Moines, Iowa—Damage to auto by paint spray machine while highway commission employees were painting bridge.....	110.40	35.00
H-124-51	Motors Insurance Corporation, Des Moines, Iowa—Damage to car by paint spray machine while highway commission employees were painting bridge.....	47.75	35.00
H-125-51	Motors Insurance Corporation, Des Moines, Iowa—Damage to car by paint spray machine while highway commission employees were painting bridge.....	60.00	35.00

No.	Name of Claimant and Nature of Claim	Amount of Claim	Amount Approved By Board
H-126-51	Motors Insurance Corporation, Des Moines, Iowa—Damage to car by paint spray machine while highway commission em- ployees were painting bridge.....	95.00	35.00
H-127-51	Motors Insurance Corporation, Des Moines, Iowa—Damage to car by paint spray machine while highway commission em- ployees were painting bridge.....	25.00	25.00
H-128-51	Motors Insurance Corporation, Des Moines, Iowa—Damage to car by paint spray machine while highway commission em- ployees were painting bridge.....	30.00	30.00
H-129-51	State Farm Insurance Companies, Bloomington, Ill.—Damage to car by paint spray machine while highway commission em- ployees were painting bridge.....	35.00	35.00
H-130-51	State Farm Insurance Companies, Bloomington, Ill.—Damage to car by paint spray machine while highway commission em- ployees were painting bridge.....	35.00	35.00
H-131-51	State Farm Insurance Companies, Bloomington, Ill.—Damage to car by paint spray machine while highway commission em- ployees were painting bridge.....	30.00	30.00
H-132-51	State Farm Insurance Companies, Bloomington, Ill.—Damage to car by paint spray machine while highway commission em- ployees were painting bridge.....	35.00	35.00
H-133-51	State Farm Insurance Companies, Bloomington, Ill.—Damage to car by paint spray machine while highway commission em- ployees were painting bridge.....	35.00	35.00
H-134-51	Allied Mutual Casualty Co., Des Moines, Iowa—Damage to car by paint spray machine while highway commission em- ployees were painting bridge.....	80.00	30.00
H-135-51	Allied Mutual Casualty Co., Des Moines, Iowa—Damage to car by paint spray machine while highway commission em- ployees were painting bridge.....	35.00	35.00

Passed on file.

## COMMUNICATION FROM THE SUPREME COURT

The following report was received from the Chief Justice of the Supreme Court of Iowa:

IN THE MATTER OF THE  
RULES OF CIVIL PROCEDURE  
REPORT OF THE SUPREME COURT  
OF THE STATE OF IOWA

*To the Fifty-fourth General Assembly of the State of Iowa:*

In accordance with sections 684.18 and 684.19 of the 1950 Code of Iowa, the Supreme Court of Iowa has prescribed and herewith reports to the General Assembly the following rules in the nature of amendments, revisions and additions to the Rules of Civil Procedure, as follows, to wit:

Rule 52

Amend Rule 52 by adding a new sentence as follows:

"A party, his agent or attorney may take an acknowledgment of service and deliver copy of notice in connection therewith, and may mail copy of original notice when mailing is required or permitted under any rule or statute."

Rule 53

Amend Rule 53 by substituting for the first sentence thereof the following:

"A defendant served by publication or by publication and mailing, as provided in rule 60.1, must appear on or before the date fixed in the notice as published, which date shall not be less than twenty days after the day of last publication."

Rule 60.1

Add immediately after Rule 60 the following:

"Rule 60.1. Known Defendants.

"(a) In every case where service of original notice is made upon a known defendant by publication, copy of the notice shall also be sent by ordinary mail addressed to such defendant at his last known mailing address, unless an affidavit of a party or his attorney is filed stating that no mailing address is known and that diligent inquiry has been made to ascertain it.

"(b) Such copy of notice shall be mailed by the party, his agent or attorney not less than twenty days before the date set for appearance.

"(c) Proof of such mailing shall be by affidavit, and such affidavit or the affidavit referred to in rule 60.1 (a) shall be filed before the entry of judgment or decree. The court, in its judgment or decree, or prior thereto, shall make a finding that the address to which such copy was directed is the last known mailing address, or that no such address is known, after diligent inquiry."

Rule 62

Amend Rule 62 by striking the last sentence thereof which reads:

"Service is complete on the date of the last publication."

## Rule 234

Revise Rule 234 to read:

"No personal judgment shall be entered against a person served only by publication or by publication and mailing, as provided in Rule 60.1, unless he has appeared."

## Rule 251

Revise Rule 251 (a) to read:

"Except in actions for divorce and annulment of marriage, if judgment is entered against a defendant who did not appear and was served only by publication or by publication and mailing, as provided in rule 60.1, he or any person legally representing him may apply for retrial within six months after entry of judgment, and on giving security for costs is then entitled to his defense and trial as though there were no judgment."

## Rule 49

Revise Rule 49 to read as follows:

"For the purpose of determining whether an action has been commenced within the time allowed by statutes for limitation of actions, whether the limitation inheres in the statutes creating the remedy or not, the delivery of the original notice to the sheriff of the proper county with the intent that it be served immediately (which intent shall be presumed unless the contrary appears) shall also be deemed a commencement of the action."

## Rule 331

Add as new sentence to Rule 331 (a):

"For the purpose of this rule any order granting a new trial (not including an order setting aside a judgment by default other than in actions for divorce or annulment) and any order denying a new trial shall be deemed a final decision. Any order setting aside a default decree of divorce or annulment shall also be deemed a final decision."

## CERTIFICATE

I, Charles F. Wennerstrum, do hereby certify that I am the Chief Justice of the Supreme Court of Iowa; that the foregoing amendments, revisions and additions to the Rules of Civil Procedure were adopted and approved by the Supreme Court of Iowa and are herewith reported to the Fifty-fourth General Assembly of the State of Iowa pursuant to Code sections 684.18 and 684.19 of the 1950 Code of Iowa by delivering same to the Secretary of the Senate and to the Chief Clerk of the House of Representatives as of the date hereinafter noted.

Dated at Des Moines, Iowa, this 26 day of January, 1951.

(Seal)

CHARLES F. WENNERSTRUM,  
Chief Justice of the  
Supreme Court of Iowa.

Attest:

HELEN O. GALVIN,  
Clerk of the Supreme Court of Iowa..

## ACKNOWLEDGMENT

I, Carroll Lane, Secretary of the Senate of the State of Iowa, herewith acknowledge delivery to me on January 26, 1951, of the within report



of the Supreme Court of the State of Iowa pertaining to amendments, revisions, and additions to the Rules of Civil Procedure.

CARBOLL LANE,  
*Secretary of the Senate,  
 Fifty-fourth General Assembly,  
 of the State of Iowa.*

#### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on January 23 the Governor had approved the following bills:

Senate File 68, relating to payment of bonus to veterans of World War II.

Also, that on January 25, the Governor had approved Senate File 106, relating to the construction of the state office building.

#### BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following assignment of bills to committee:

- S. F. 182 Manufacturing, commerce and trade
- S. F. 183 Public health
- S. F. 184 Social security
- S. F. 185 Social security
- S. F. 186 Compensation of public officers and employees
- S. F. 187 Railroads
- S. F. 188 Schools and educational institutions
- S. F. 190 Conservation
- S. F. 191 Judiciary 2
- S. F. 192 Compensation of public officers and employees
- H. F. 36 Banks, building and loan
- H. F. 44 Judiciary 2

#### REPORT OF COMMITTEE

Senator Doud submitted the following report:

**MR. PRESIDENT:** Your committee on school and educational institutions to which was referred **Senate File 83**, a bill for an act to amend section two hundred seventy-nine point fourteen (279.14), Code 1950, relating to powers and duties of directors and superintendents of school boards, 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 83 by striking all of lines 4 to 13 inclusive and substituting in lieu thereof the following:

"The superintendent shall make a written report to the board of directors each month of all receipts and disbursements from the school activity fund and similar non-public funds, if any, showing the activity from

which the funds were derived and the amount from each such activity, the names and addresses of the persons, firms, corporations or associations to whom disbursements have been made, the amount thereof and the reason therefor. The board may cause such reports to be published in a newspaper of general circulation published within the district, or if none is published in the district, then in a nearby newspaper having general circulation within the district."

ALDEN L. DOUD, *Chairman.*

Ordered passed on file.

#### AMENDMENT FILED

Amend Senate File 187 by striking the comma (,) following the word "terminal".

GEORGE E. O'MALLEY.

On motion of Senator Elthon, the Senate adjourned until 1:00 p.m., Monday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 29, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Ira Hoover, pastor of the Evangelical United Brethren Church, Sharon Center, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Linnevoold, from eighteen members of the volunteer fire department of Elma, Howard County, relating to the exclusive right for use of identification lights to volunteer firemen.

By Senator Molison, from the members of the Methodist Church of Grinnell, Poweshiek County, in opposition to gambling.

By Senator Prentis, from one hundred eighty-eight residents of Union County in favor of the continuance of the present homestead exemption law, and the reduction of the present state income tax.

By Senator Van Eaton, from twenty-nine members of the Woodbury County department of social welfare, in opposition to the present old age survivor's insurance program for the employees of the State of Iowa.

## INTRODUCTION OF BILLS

Senate File 205, by Senators Whitehead and Hattery, a bill for an act to amend section two hundred ninety-four point six (294.6), Code 1950, relating to the minimum wage of teachers in the public schools.

Read first and second times, and passed on file.

Senate File 206, by Senators Hattery, Bateson and Watson of O'Brien, a bill for an act to amend section three hundred twenty-one point three hundred ninety-three (321.393), Code 1950, relating to the color and mounting of lighting devices and reflectors on motor trucks or trailers.

Read first and second times, and passed on file.

Senate File 207, by Senators Hattery, Bateson and Watson of O'Brien, a bill for an act to amend chapter three hundred twenty-one (321), Code 1950, relating to motor vehicles and law of road.

Read first and second times, and passed on file.

Senate File 208, by Senator Gillespie (Metz, Voigtmann and Brownlie), a bill for an act to amend chapter two hundred fifty-two (252); Code 1950, relating to the administration of the poor laws.

Read first and second times, and passed on file.

Senate File 209, by Senator Van Eaton, a bill for an act to appropriate from the general fund of the state the sum of thirty-nine dollars and ninty-four cents (\$39.94) to the agricultural land credit fund for the purpose of refund to Woodbury County for omitted claim.

Read first and second times, and passed on file.

Senate File 210, by Senators Humbert and Watson of Pottawattamie, a bill for an act to amend chapter four hundred twenty-two (422), Code 1950, relating to governmental sub-division sales and use tax credits.

Read first and second times, and passed on file.

Senate File 211, by Senator Bekman, a bill for an act to amend section four hundred forty-one point fourteen (441.14), Code 1950, relating to the taxation of platted real estate.

Read first and second times, and passed on file.

Senate File 212, by Senators Dykhouse and Hattery (Nelson of Woodbury and Crosier), a bill for an act relating to taxation and other sources of municipal revenue, and to repeal chapter four hundred four (404) of the Code relating thereto and enact a substitute therefor, and to repeal certain other sections of the Code relating thereto, and to amend certain sections of the Code relating thereto.

Read first and second times, and passed on file.

Senate File 213, by committee on banks, building and loan, a bill for an act to amend section five hundred twenty-eight point twenty-one (528.21), Code 1950, relating to per diem compensation paid to any member of an examining committee of a bank.

Read first and second times, and placed on the calendar.

Senate File 214, by committee on banks, building and loan, a bill for an act to legalize the payment, certification or acceptance of a check or other negotiable instrument or any other transaction by a bank or trust company in this state performed after banking hours or on any legal holiday.

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 adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 7, providing for an invitation to the Honorable Robert A. Taft to speak to the members of the Fifty-fourth General Assembly on February 13, 1951.

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

House Concurrent Resolution 8, providing for a joint convention to be held on February 12, 1951, at 11:00 o'clock.

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

House File 24, a bill for an act relating to compensation of judges and clerks of primary elections.

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

House File 59, a bill for an act relating to classification, jurisdiction, control, establishment, alteration and vacation of highway.

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

House File 78, a bill for an act relating to the furnishing of bond by certain public school employees.

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 reappointment of incumbent city assessor.

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

House File 167, a bill for an act relating to the change in name of the hospital for epileptics and feeble-minded and the school for feeble-minded.

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

House File 168, a bill for an act relating to the change in name of "podiatry" to "chiropody".

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

House File 169, a bill for an act relating to the change in name of the Soldiers' Orphans Home at Davenport.

Also: 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 relating to certain vehicles pulling or towing four-wheel trailers.

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

House File 171, a bill for an act relating to biennial report of the state department of history and archives.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION 7

*Whereas*, the Honorable Robert A. Taft, United States Senator from the state of Ohio, will be in the city of Des Moines, Iowa, on February 13, 1951; and,

*Whereas*, the Honorable Robert A. Taft is recognized as one of the outstanding members of the United States Senate, and is well informed on national and international affairs; and,

*Whereas*, it is believed that the members of the Fifty-fourth General Assembly will be benefited and inspired by having the Honorable Robert A. Taft speak to them on February 13, 1951,

*Now, Therefore, Be It Resolved by the House, the Senate Concurring:* that the General Assembly of the State of Iowa invite the Honorable Robert A. Taft, United States Senator from the state of Ohio, to address them in the House chamber on February 13, 1951, at his convenience.

#### HOUSE CONCURRENT RESOLUTION 8

*Whereas*, the birthday anniversary of the Great Emancipator, Abraham Lincoln, falls on Monday, February the 12th, and

*Whereas*, it has been customary in the past, as it should be, for the General Assembly of Iowa to pause briefly in its deliberations to commemorate the life and public service of this great man,

*Now, Therefore, Be It Resolved by the House, the Senate Concurring:* that a joint convention be held at 11:00 o'clock, Monday, February 12, and a suitable program be arranged for this occasion, and that an invitation be extended to Professor H. J. Thornton of the history department of the State University to give an address on the life and public service of Abraham Lincoln.

*Be It Further Resolved*, that an invitation be extended to Fred Messenger, principal of Muscatine High School, and his acappella choir of 100 voices under the direction of Max Collins to furnish a number of selections.

#### HOUSE CONCURRENT RESOLUTION 11

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

## HOUSE CONCURRENT RESOLUTION 11

*Whereas*, this body has before it House Resolution 4 asking an investigation into the administration of the Iowa Liquor Control Act and the policies promulgated by certain members of the Liquor Control Commission, and

*Whereas*, we have available a large volume of testimony upon this subject already gathered by the committee on retrenchment and reform, and

*Whereas*, the General Assembly is composed of two (2) bodies,

*Therefore, Be It Resolved by the House, the Senate Concurring:* that a joint investigating committee be appointed, eight (8) members to be appointed by the Speaker of the House from the membership of the House, and eight (8) members to be appointed by the President of the Senate from the membership of the Senate, and this committee is hereby instructed to study the provisions of House Resolution 4 and the transcript of the testimony as taken before the committee on retrenchment and reform, and the report of the committee on retrenchment and reform, and report back to this General Assembly as soon as practical their findings and recommendations.

Senator Jacobson moved that the resolution be laid on the table.

Senator Jacobson asked and received unanimous consent to withdraw his motion.

Senator Byers moved the previous question on the resolution, which motion prevailed.

Roll call was demanded.

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 30:

Anderson	Hattery	Molison	Van Patten
Augustine	Hultman	Oltman	Vest
Byers	Humbert	Prentis	Walter
Colburn	Knudson	Ridout	Watson of
Dykhouse	Linnevoold	Risk	O'Brien
Elthon	Lord	Sharp	Watson of
Gillespie	Lynes	Tudor	Pottawattamie
Hart	McCarville	Utzig	Whitehead

Nays, 14:

Bateson	Fletcher	Nesmith	Van Eaton
Bekman	Hedin	O'Malley	West
Berg	Henningesen	Parker	Zastrow
Dailey	Myrland		

Absent or not voting, 6:

Doud	Jacobson	Roberts	Weichman
Fishbaugh	Mercer		

The motion prevailed and the resolution was adopted.

## RECONSIDERATION OF SENATE FILE 49

Senator Bekman asked and received unanimous consent to take from the table the motion by which the passage of Senate File 49 was reconsidered.

Senator Bekman asked and received unanimous consent to reconsider the vote by which Senate File 49 passed the Senate.

Senator Bekman asked and received unanimous consent that the Senate reconsider the vote by which Senate File 49 went to its third reading.

Senator Bekman asked and received unanimous consent that House File 21 be substituted for Senate File 49.

## THIRD READING OF BILLS

On motion of Senator Bekman, House File 21, a bill for an act to amend section six hundred thirty-six point thirty-eight (636.38), Code, 1950, relating to the amount a surviving spouse may select from the estate of a deceased spouse, was taken up and considered.

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

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

Ayes, 49:

Anderson	Hart	Molison	Van Eaton
Augustine	Hattery	Myrland	Van Patten
Bateson	Hedin	Nesmith	Vest
Bekman	Henningsen	Oltman	Walter
Berg	Hultman	O'Malley	Watson of
Byers	Humbert	Parker	O'Brien
Colburn	Jacobson	Prentis	Watson of
Dailey	Knudson	Ridout	Pottawattamie
Doud	Linnevold	Risk	Weichman
Dykhouse	Lord	Roberts	West
Elthon	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow
Gillespie	Mercer	Utzig	

Nays, none.

Absent or not voting, 1:

Fishbaugh

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 CONSIDERATION

Senator Bekman asked and received unanimous consent that Senate File 49 be withdrawn from further consideration of the Senate.

## HOUSE MESSAGES CONSIDERED

House File 24, a bill for an act to amend section forty-three point thirty-two (43.32), Code 1950, relating to compensation of judges and clerks of primary elections.

Read first and second times, and passed on file.

House File 59, a bill for an act to amend chapters three hundred six (306), three hundred eight (308), three hundred nine (309), three hundred ten (310), three hundred thirteen (313), four hundred seventy-one (471) and four hundred seventy-three (473), Code 1950, all relating to classification, jurisdiction, control, establishment, alteration and vacation of highways.

Read first and second times, and passed on file.

House File 78, a bill for an act to amend section two hundred seventy-nine point eight (279.8), Code 1950, to provide that public school employees handling money accruing from school activities and other sources furnish bond to the school corporation.

Read first and second times, and passed on file.

House File 111, a bill for an act to amend section four hundred five point six (405.6), Code 1950, to provide for the reappointment of an incumbent city assessor to a new term without reexamination.

Read first and second times, and passed on file.

House File 167, a bill for an act relating to the change in name of the hospital for epileptics and feeble-minded and the school for feeble-minded to "Woodward State Hospital and School" and "Glenwood State School".

Read first and second times, and passed on file.

House File 168, a bill for an act relating to the change in the name of the profession of "podiatry" to that of "chiroprody".

Read first and second times, and passed on file.

House File 169, a bill for an act relating to the change in name

of the Soldiers' Orphans Home to the Iowa Annie Wittenmyer Home.

Read first and second times, and passed on file.

House File 170, a bill for an act relating to certain vehicles pulling or towing four-wheel trailers and to amend section three hundred twenty-one point three hundred ten (321.310), Code 1950.

• Read first and second times, and passed on file.

House File 171, a bill for an act relating to biennial reports of the state department of history and archives and to amend section seventeen point three (17.3), Code 1950.

Read first and second times, and passed on file.

#### PROOF OF PUBLICATION

Published copy of Senate File 111 and verified proof of publication of said bill in the Winfield Beacon on January 25, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE, *Secretary of Senate.*

#### BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following assignment of bills to committee:

- S. F. 193 Schools and educational institutions
- S. F. 194 Compensation of public officers and employees
- S. F. 195 Compensation of public officers and employees
- S. F. 197 Schools and educational institutions
- S. F. 198 Public lands and buildings
- S. F. 199 Highways
- S. F. 200 Highways
- S. F. 201 Conservation
- S. F. 202 Public health
- S. F. 204 Judiciary 2

#### AMENDMENTS FILED

1. Amend Senate File 3 by striking the word "cash" in line 21 of section 6.

2. Amend Senate File 3 by striking all after the second word "the" in line 22 of section 6 and inserting in lieu thereof the following: "by the clerk of the court in the district wherein the business is licensed, conditioned to pay all costs adjudged against him on the appeal, or the hearing on a writ, if the action of the district court is affirmed.

Revocation shall date from the day following final disposition by such court”.

3. Amend Senate File 3 by inserting after the word “revocation” in line 28 of section 6 the following: “, unless and except the original issuing authority seeking revocation takes affirmative action to restore the license issued by it, or a new one, in which instance other licenses for said business may be restored or issued by the proper authorities”.

4. Amend Senate File 3 by adding the following at the end of subsection 4 of section 1: “Except that the licenses issued to a railroad dining car, sleeping car, buffet car, chair car or observation car operated in, through or across the state, or to clubs as provided in section one hundred twenty-four point fifteen (124.15), Code of 1950, shall not be considered as licenses to which this act is applicable”.

5. Amend Senate File 3 by adding the following to subsection 5 of section 1: “Except that the holders of licenses provided for in section one hundred twenty-four point fifteen (124.15), Code of 1950, and the holders of licenses for a railroad dining car, sleeping car, chair car, buffet car or observation car operated in, through or across the state shall not be considered as licenses to which this act is applicable”.

6. Amend Senate File 3 by adding to subsection 6 of section 1 the following: “Railroad dining cars, sleeping cars, chair cars, buffet cars and observation cars operated in, through and across this state and clubs described in sections one hundred twenty-four point fifteen (124.15), one hundred twenty-four point sixteen (124.16), one hundred twenty-four point seventeen (124.17) and one hundred twenty-four point eighteen (124.18), Code of 1950, shall not be considered licensed businesses to which this act is applicable”.

7. Amend Senate File 3 by adding to subsection 7, section 1, the following: “A railroad dining car, sleeping car, chair car, buffet car and observation car operated in, through or across this state, and the actually occupied premises of clubs described in sections one hundred twenty-four point fifteen (124.15), one hundred twenty-four point sixteen (124.16), one hundred twenty-four point seventeen (124.17) and one hundred twenty-four point eighteen (124.18), Code of 1950, shall not be considered to be licensed premises to which this act is applicable”.

DEVERE WATSON of Pottawattamie.

Amend Senate File 3, line 2, subsection 1 of section 1, by striking therefrom the words and comma (,) “keno layouts”.

Further amend Senate File 3, subsection 1, by adding after the period (.) at the end of line 10 the following:

"The game bingo or keno shall not be construed as a lottery or as gambling within the meaning of chapter seven hundred twenty-six (726), Code 1950, provided that such game is conducted by a religious, charitable, veteran, fraternal or other association not organized for pecuniary profit, and duly existing under the laws of the State of Iowa, and that the proceeds therefrom are not to inure to the profit of any individual; and provided further that such association before conducting such game shall give thirty (30) days written notice of the time and place thereof to the governing body of the governmental subdivision or county or state fair in which it intends to conduct such game, and such governing body does not pass a resolution objecting thereto.

"For the purposes of this section, the game 'bingo' is a popular modern variation of 'keno' or 'lotto' where each player has a card or board containing five horizontal rows all but the central one containing five figures, the central row having four figures with the word 'free' marked in the center thereof; any combination of five in a row whether horizontal, vertical or otherwise when completed by a player constitutes 'bingo' and the central row either horizontal, vertical, or otherwise constitutes 'bingo' when its four numbers are announced and covered. A wheel or other mechanical device may be used by any person conducting the game of 'bingo' and any such person may make an award to any player or players first completing any combination entitling such player or players to call 'bingo'."

PAUL E. MCCARVILLE.

Amend Senate File 134, section 1, line 3, by inserting after the word "each" the word "county".

RAYMOND R. GILLESPIE.

Amend Senate File 175 by adding thereto a new section as follows:

"Sec. 5. Whenever an independent district with five directors embraces a city which attains a population of fifteen thousand as shown by the latest federal census, two additional members shall be appointed by the board and the terms of all directors shall continue to, but cease and determine on the third Monday in March of the next odd-numbered year. At the regular election in said year seven directors shall be elected, three for two years, two for four years, and two for six years."

O. H. HENNINGSEN.

Amend Senate File 203, by adding the following sections:

Sec. 5. Section two hundred seventy-five point four (275.4), Code 1950, is hereby amended by striking from line one (1) the word "final" and by striking the lines two (2), three (3), four (4), five (5), and inserting in lieu thereof the following: "approval by the county board of any plan of reorganization, consolidation

or merger, the boards of the affected districts shall, at a special election, submit same to the qualified electors of each of".

Section two hundred seventy-five point four (275.4), Code 1950, is further amended by striking all of said section after the word "election" in line thirteen (13) thereof and inserting a period (.) in lieu of the semi-colon (;) following the word "election."

Sec. 6. Section two hundred seventy-three point thirteen (273.13), Code 1950, subsection twelve (12) is hereby amended by striking line one (1) and the words "of public instruction," in line two (2) and capitalize the word "With" in line two (2).

Section two hundred seventy-three point thirteen (273.13), subsection 12, Code 1950, is further amended by striking the words "and the superintendent of public instruction" from lines twelve (12) and thirteen (13).

ALDEN L. DOUD:

R. W. ZASTROW.

J. KENDALL LYNES.

Amend House File 34 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section three hundred twenty-one point two hundred eighty-one (321.281), Code 1950, is hereby amended by striking the first paragraph thereof and inserting in lieu thereof the following:

"Whoever, while in an intoxicated condition or under influence of narcotic drugs, operates a motor vehicle upon the public highways of this state shall, upon conviction or a plea of guilty, be punished for the first offense by a fine of not less than three hundred dollars nor more than one thousand dollars and by imprisonment in the county jail for a period of not less than five (5) days nor more than one (1) year; for the second offense by a fine of not less than five hundred dollars nor more than one thousand dollars and by imprisonment in the county jail for a period of not less than five (5) days nor more than one (1) year; and for each offense subsequent to the second offense by imprisonment in the penitentiary for a period not to exceed three (3) years."

R. R. BATESON.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 30, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Dean Chapman, pastor of the First Methodist Church, Burlington, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Byers, from S. V. Williams, secretary of the Temperance League, and ninety-nine other residents of Linn County favoring the passage of anti-gambling legislation.

By Senator Hattery, from thirty-six members of the Methodist Church of Colo, Story County, favoring the passage of anti-gambling legislation.

By Senator Lord, from twenty-five residents of Louisa County favoring the passage of anti-gambling legislation.

By Senator McCarville, from twelve veterinarians of Webster County favoring proposed legislation relating to veterinary medicine and surgery.

By Senator Myrland, from the members of the Crawford County soil conservation district in opposition to the present old age survivors insurance program for the employees of the state.

By Senator Ridout, from the members of Algona ministerial union and the Algona Methodist Church favoring the passage of anti-gambling legislation.

By Senator Walter, from residents of Marshall County favoring the passage of anti-gambling legislation; also, from residents of Marshall County favoring proposed legislation relating to exemptions of earnings of head of a family.

## INTRODUCTION OF BILLS

Senate File 215, by Senator Colburn, a bill for an act designating the state department of social welfare as the state agency to make application to the secretary of agriculture of the United States for

the return of the assets of the Iowa Rural Rehabilitation Corporation now dissolved and providing for the future administration of such assets.

Read first and second times, and passed on file.

Senate File 216, by Senators Bekman, Mercer, Van Patten, Berg, Hedin, Hultman and Lord, a bill for an act to provide for the termination of contracts for the construction of public improvements when construction or work thereon is stopped because of a national emergency, and to prescribe procedures, the adjustment and payment of compensation, and to provide a method for settlement of disputes in connection therewith.

Read first and second times, and passed on file.

Senate File 217, by Senator Weichman, a bill for an act to change the name of the state school for the blind to the Iowa Braille and Sight-saving School.

Read first and second times, and passed on file.

Senate File 218, by Senators Henningsen and Van Eaton, a bill for an act to amend chapter two hundred ninety-four (294), Code 1950, relating to teachers and providing for sabbatical leaves of absence of teachers and providing for necessary regulations and rules governing the same.

Read first and second times, and passed on file.

Senate File 219, by Senator Hedin, a bill for an act to legalize the corporate acts and proceedings in connection with the renewal of corporate existence and the adoption of renewal articles of incorporation of Scharff Realty Company of Davenport, Scott County, Iowa, and to provide for and legalize the renewal of the charter of said company.

Read first and second times, and passed on file.

Senate File 220, by Senator Zastrow, a bill for an act to amend and revise section three hundred seventeen point nineteen (317.19), Code 1950, relating to the road clearing fund.

Read first and second times, and passed on file.

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

## HOUSE CONCURRENT RESOLUTION 8

*Whereas*, the birthday anniversary of the Great Emancipator, Abraham Lincoln, falls on Monday, February the 12th, and

*Whereas*, it has been customary in the past, as it should be, for the General Assembly of Iowa to pause briefly in its deliberations to commemorate the life and public service of this great man,

*Now, Therefore, Be It Resolved by the House, the Senate Concurring:* that a joint convention be held at 11:00 o'clock, Monday, February 12, and a suitable program be arranged for this occasion, and that an invitation be extended to Professor H. J. Thornton of the history department of the State University to give an address on the life and public service of Abraham Lincoln.

*Be It Further Resolved*, that an invitation be extended to Fred Messenger, principal of Muscatine High School and his acappella choir of 100 voices under the direction of Max Collins to furnish a number of selections.

The motion prevailed and the resolution was adopted.

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

## HOUSE CONCURRENT RESOLUTION 7

*Whereas*, the Honorable Robert A. Taft, United States Senator from the state of Ohio, will be in the city of Des Moines, Iowa, on February 13, 1951; and,

*Whereas*, the Honorable Robert A. Taft is recognized as one of the outstanding members of the United States Senate, and is well informed on national and international affairs; and,

*Whereas*, it is believed that the members of the Fifty-fourth General Assembly will be benefited and inspired by having the Honorable Robert A. Taft speak to them on February 13, 1951,

*Now, Therefore, Be It Resolved by the House, the Senate Concurring:* that the General Assembly of the State of Iowa invite the Honorable Robert A. Taft, United States Senator from the state of Ohio, to address them in the House chamber on February 13, 1951, at his convenience.

The motion prevailed and the resolution was adopted.

## PRESENTATION OF VISITORS

Senator Colburn asked and received unanimous consent to present to the Senate two students of the State University of Iowa, Bonnie Lou and Bill Nicholas, Jr., who were present in the Senate chamber.

Senator Hattery asked and received unanimous consent to present to the Senate twenty-nine members of the eighth grade civics class of Madrid who were present in the balcony accompanied by



their instructor, Richard O. Swim, and their principal, Newt Draheim.

#### SPECIAL ANNOUNCEMENT

Senator Linnevoild announced that the Nordic Cathedral Choir of Luther College, Decorah, would appear in the House chamber at 11:30 o'clock on February 1, and asked and received unanimous consent that the Senate recess at that time.

#### BILL WITHDRAWN FROM FURTHER CONSIDERATION

Senator Dykhouse asked and received unanimous consent that Senate File 98, a companion bill to House File 111 now on the Senate calendar, be withdrawn from further consideration of the Senate.

#### APPOINTMENT OF COMMITTEE

In accordance with House Concurrent Resolution 11 duly adopted asking for an investigation into the administration of the Iowa Liquor Control Act, President Nicholas appointed as such committee, on the part of the Senate, Senators Walter, Berg, Fletcher, Gillespie, Henningsen, O'Malley, Vest and Watson of O'Brien.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File 62, a bill for an act relating to gross premium tax payable by life insurance companies and associations.

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

House File 39, a bill for an act relating to municipal utilities retirement systems.

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 payment of sales and use tax by tax certifying or levying bodies.

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 police department maintenance fund.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE MESSAGES CONSIDERED

House File 39, a bill for an act to amend section four hundred twelve point five (412.5), Code 1950, relating to municipal utilities retirement systems.

Read first and second times, and passed on file.

House File 49, a bill for an act relating to the payment of sales and use tax by tax certifying or levying bodies and to amend and repeal certain sections of chapter four hundred twenty-two (422) of the Code relating thereto and enact substitutes therefor.

Read first and second times, and passed on file.

House File 87, a bill for an act to amend subsection thirty-two (32), section four hundred four point five (404.5), Code 1950, relating to police department maintenance fund.

Read first and second times, and passed on file.

## SPECIAL ORDER

The hour of 10:30 a.m. having arrived, President Nicholas announced the special order for the consideration of Senate File 3.

On motion of Senator Lynes, Senate File 3, a bill for an act providing for revocation of licenses for carrying on, or used in carrying on of any business, trade, vocation, commercial enterprise or undertaking, by reason of the possession of gambling devices, and prohibiting the issuance of licenses in certain instances, was taken up for further consideration.

Senator Zastrow offered the following amendment and moved its adoption:

Amend Senate File 3 by striking the word "permanent" in line 30 of section 6 and inserting in lieu thereof the word "temporary".

The amendment was adopted.

Senator Lynes offered the following amendment and moved its adoption:

Amend Senate File 3, section 10, as follows:

Insert in line 3 "The Clarksville Star".

Insert in line 4 "Clarksville, Iowa".

Insert in line 5 "The Cedar Rapids Gazette".

Insert in line 6 "Cedar Rapids, Iowa".

The amendment was adopted.

Senator Watson of Pottawattamie offered the following amendment:

1. Amend Senate File 3 by striking the word "cash" in line 21 of section 6.

2. Amend Senate File 3 by striking all after the second word "the" in line 22 of section 6 and inserting in lieu thereof the following: "by the clerk of the court in the district wherein the business is licensed, conditioned to pay all costs adjudged against him on the appeal, or the hearing on a writ, if the action of the district court is affirmed. Revocation shall date from the day following final disposition by such court".

3. Amend Senate File 3 by inserting after the word "revocation" in line 28 of section 6 the following: ", unless and except the original issuing authority seeking revocation takes affirmative action to restore the license issued by it, or a new one, in which instance other licenses for said business may be restored or issued by the proper authorities".

4. Amend Senate File 3 by adding the following at the end of subsection 4 of section 1: "Except that the licenses issued to a railroad dining car, sleeping car, buffet car, chair car or observation car operated in, through or across the state, or to clubs as provided in section one hundred twenty-four point fifteen (124.15), Code of 1950, shall not be considered as licenses to which this act is applicable".

5. Amend Senate File 3 by adding the following to subsection 5 of section 1: "Except that the holders of licenses provided for in section one hundred twenty-four point fifteen (124.15), Code of 1950, and the holders of licenses for a railroad dining car, sleeping car, chair car, buffet car or observation car operated in, through or across the state shall not be considered as licenses to which this act is applicable".

6. Amend Senate File 3 by adding to subsection 6 of section 1 the following: "Railroad dining cars, sleeping cars, chair cars, buffet cars and observation cars operated in, through and across this state and clubs described in sections one hundred twenty-four point fifteen (124.15), one hundred twenty-four point sixteen (124.16), one hundred twenty-four point seventeen (124.17) and one hundred twenty-four point eighteen (124.18), Code of 1950, shall not be considered licensed businesses to which this act is applicable".

7. Amend Senate File 3 by adding to subsection 7, section 1, the following: "A railroad dining car, sleeping car, chair car, buffet car and observation car operated in, through or across this state, and the actually occupied premises of clubs described in sections one hundred twenty-four point fifteen (124.15), one hundred twenty-four point sixteen (124.16), one hundred twenty-four point seventeen (124.17) and one hundred twenty-four point eighteen (124.18), Code of 1950, shall not be considered to be licensed premises to which this act is applicable".

Senator Watson of Pottawattamie moved the adoption of amendment 1, which motion prevailed, and the amendment was adopted.

Senator Elthon asked and received unanimous consent that the Senate stand at ease and that Senator Watson of Pottawattamie be permitted to revise admendment 2.

Senator Watson asked and received unanimous consent to withdraw amendment 2, and offered the following amendment in lieu thereof and moved its adoption:

2. Amend Senate File 3 by striking all after the second word "the" in line 22 to the end of line 25 of section 6 and inserting in lieu thereof the following: "clerk of the court in the district wherein the business is licensed, conditioned to pay all costs adjudged against him on the appeal, or the hearing on a writ, if the action of the district court is affirmed. Revocation shall date from the day following final disposition of such court." Also strike lines 29 and 30 of section 6.

The amendment was adopted.

Senator Watson moved the adoption of amendment 3.

Senator Prentis moved the previous question on amendment 3, which motion prevailed.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 18:

Byers	Hedin	Myrland	Van Eaton
Colburn	Henningsen	Nesmith	Van Patten
Dailey	Hultman	Parker	Watson of
Dykhouse	Humbert	Risk	Pottawattamie
Hart	McCarville	Utzig	

Nays, 30:

Augustine	Hattery	Oltman	Walter
Bateson	Jacobson	O'Malley	Watson of
Bekman	Knudson	Prentis	O'Brien
Doud	Linnevold	Ridout	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	Mercer	Tudor	Zastrow
Gillespie	Molison	Vest	

Absent or not voting, 2:

Anderson	Berg
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The amendment was lost.

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

#### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

The Senate returned to the consideration of Senate File 3.

Senator Watson of Pottawattamie called up amendments 4, 5 and 6 filed by him.

Senator Watson of Pottawattamie moved the adoption of amendment 4.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 11:

Byers	Henningsen	Parker	Van Patten
Colburn	McCarville	Utzig	Watson of
Hart	Myrland	Van Eaton	Pottawattamie

Nays, 36:

Andersen	Gillespie	Molison	Tudor
Augustine	Hattery	Nesmith	Vest
Bateson	Hultman	Oltman	Walter
Bekman	Jacobson	O'Malley	Watson of
Berg	Knudson	Prentis	O'Brien
Dailey	Linnevold	Ridout	Weichman
Doud	Lord	Risk	West
Elthon	Lynes	Roberts	Whitehead
Fishbaugh	Mercer	Sharp	Zastrow
Fletcher			

Absent or not voting, 3:

Dykhouse	Hedin	Humbert
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The amendment was lost.

Senator Watson of Pottawattamie asked and received unanimous consent to withdraw amendments 5, 6 and 7.

Senator McCarville offered the following amendment and moved its adoption:

Amend Senate File 3, subsection 1, section 1, line 2, by striking therefrom the words and comma (,) "keno layouts".

Further amend Senate File 3, subsection 1, by adding after the period (.) at the end of line 10 the following:

"The game bingo or keno shall not be construed as a lottery or as gambling within the meaning of chapter seven hundred twenty-six (726), Code 1950, provided that such game is conducted by a religious, charitable, veteran, fraternal or other association not organized for pecuniary profit, and duly existing under the laws of the State of Iowa, and that the proceeds therefrom are not to inure to the profit of any individual; and provided further that such association before conducting such game shall give thirty (30) days written notice of the time and place thereof to the governing body of the governmental subdivision or county or state fair in which it intends to conduct such game, and such governing body does not pass a resolution objecting thereto.

"For the purposes of this section, the game 'bingo' is a popular modern variation of 'keno' or 'lotto' where each player has a card or board containing five horizontal rows all but the central one containing five figures, the central row having four figures with the word 'free' marked in the

center thereof; any combination of five in a row whether horizontal, vertical or otherwise when completed by a player constitutes 'bingo' and the central row either horizontal, vertical, or otherwise constitutes 'bingo' when its four numbers are announced and covered. A wheel or other mechanical device may be used by any person conducting the game of 'bingo' and any such person may make an award to any player or players first completing any combination entitling such player or players to call 'bingo'."

Senator Prentis 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:

Byers	McCarville	Risk	Watson of
Dailey	Mercer	Utzig	Pottawattamie
Hart	Myrland	Van Eaton	Weichman
Hedin	Oltman	Van Patten	Whitehead
Henningsen	Parker		

Nays, 32:

Anderson	Fishbaugh	Lord	Sharp
Augustine	Fletcher	Lynes	Tudor
Bateson	Gillespie	Molison	Vest
Bekman	Hattery	Nesmith	Walter
Berg	Hultman	O'Malley	Watson of
Colburn	Jacobson	Prentis	O'Brien
Doud	Knudson	Ridout	West
Dykhouse	Linnevold	Roberts	Zastrow
Elthon			

Absent or not voting, 1:

Humbert

The amendment was lost.

Senator Dailey offered the following amendment:

Amend Senate File 3 as follows:

1. Section 6, line 7, by adding after the word "revoked" the following: "or any owner of licensed premises aggrieved by an order of an issuing authority,"

2. Section 6 by adding the following thereto: "If the district court upon the appeal shall determine that any license involved in the appeal should be revoked, it may, nevertheless, in its discretion permit the continuance of the licensed business under a bond in the amount and in the form and containing the conditions prescribed by the court. The district court on the appeal, or in a separate proceeding, may permit the issuance of a new license to a different licensee before the expiration of the period of one (1) year specified in section six (6) upon such terms and conditions imposed by the court as will insure that no gambling device shall thereafter be maintained upon the licensed premises."

3. Section 7, lines 2, 4 and 5, by striking therefrom after the word "shall" the following: ", and the attorney general may,".

Senator Dailey moved the adoption of the amendment.

#### BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following assignment of bills to committee:

- S. F. 205 Schools and educational institutions
- S. F. 206 Motor vehicles
- S. F. 207 Motor vehicles
- S. F. 208 Social security
- S. F. 209 Appropriations
- S. F. 210 Ways and means
- S. F. 211 Ways and means
- S. F. 212 Cities and towns
- H. F. 24 Compensation of public officers and employees
- H. F. 59 Highways
- H. F. 78 Schools and educational institutions
- H. F. 111 Cities and towns
- H. F. 167 Board of control
- H. F. 168 Public health
- H. F. 169 Judiciary 2
- H. F. 170 Motor vehicles
- H. F. 171 Judiciary 2

#### REPORTS OF COMMITTEES

Senator Dykhouse submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred **Senate File 18**, a bill for an act to provide for the government of municipal corporations under the council-manager by popular election form of municipal government, and to repeal various sections of chapter four hundred nineteen (419), Code 1950, relating thereto, and to enact substitutes 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.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred **Senate File 20**, a bill for an act to provide for the government of cities and towns under the commission form of municipal government, and to repeal various sections of chapter four hundred sixteen (416), Code 1950, relating thereto and to enact a substitute therefor, begs leave

to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

Amend Senate File 20, section 1, by striking from lines 1 and 3 the words and figures "thirty thousand (30,000)" and by inserting in lieu thereof the words and figures "forty thousand (40,000)".

Further amend Senate File 20, section 2, by striking from lines 1 and 3 the words and figures "thirty thousand (30,000)" and by inserting in lieu thereof the words and figures "forty thousand (40,000)".

J. T. DYKHOUSE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred **Senate File 28**, a bill for an act to provide for the government of cities and towns under the mayor-council form of municipal government, and to repeal various sections of chapter three hundred sixty-three (363), Code 1950, relating thereto and to enact a substitute 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.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred **Senate File 93**, a bill for an act relating to municipal corporations, including their incorporation, discontinuance, annexation or severance of territory and the changing of names thereof and to repeal various sections of chapter three hundred sixty-two (362), Code 1950, relating thereto and to enact substitutes 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.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred **Senate File 129**, a bill for an act to amend section four hundred five point three (405.3), Code 1950, relating to the appointment of city assessors, and section four hundred five point eight (405.8), Code 1950, relating to the appointment of city deputy assessors, 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 cities and towns to which was referred **Senate File 164**, a bill for an act to define the general powers and duties of municipal officers and to repeal various sections of the Code relating thereto and to enact substitutes therefor, begs leave to report it



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

1. Amend by inserting in line 13 of section 3 after the word "town." the following sentence: "Said statement shall include a list of all claims allowed, unless the council provides by ordinance that; such list of claims shall be prepared in monthly pamphlet form on or before the tenth day of the succeeding month and that copies of such pamphlet shall be furnished to the state library, the municipal library, if any, a newspaper of general circulation in the municipality, and to persons who shall apply therefor at the clerk's office."

2. Strike from line 14 of section 5 the figures "420.40" and insert in lieu thereof the figures "420.30".

3. Strike from line 8 of section 12 the figures "363.57" and insert in lieu thereof the figures "363.59".

4. Strike from line 5 of section 16 the words and figures ", Code 1950,".

5. Strike from lines 14 and 15 of section 23 the words "twenty-four of this chapter" and insert in lieu thereof the words "twenty-two of this Act".

6. Strike from line 5 of section 38 the words and figures "secs. 2 to 23" and insert in lieu thereof the words and figures "secs. 21 to 23".

J. T. DYKHOUSE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred **Senate File 166**, a bill for an act relating to the construction and maintenance of garages for storage, repair and servicing of motor vehicles and other equipment of cities and towns, and to amend section four hundred seven point three (407.3), Code 1950, 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 cities and towns to which was referred **House File 111**, a bill for an act to amend section four hundred five point six (405.6), Code 1950, to provide for the reappointment of an incumbent city assessor to a new term without reexamination, 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 Fishbaugh submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate Joint Resolution 3**, a joint resolution proposing amendments to the constitution of the State of Iowa relating to the succession of officers to the office of governor in the event of death or disability of the governor or person elected to that office and to amend section four (4) of article

IV, etc., begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 53**, a bill for an act to amend section seven hundred eighty-nine point thirteen (789.13), Code 1950, relating to the imposition of sentences for crimes the maximum punishment for which is life imprisonment, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 71**, a bill for an act to legalize and validate the special election and the proceedings authorizing and providing for the issuance, sale and delivery of school building bonds of the Consolidated School District of Newhall, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 111**, a bill for an act to legalize and validate the proceedings of the board of directors of the Consolidated School District of Winfield, in the counties of Henry and Louisa, State of Iowa, authorizing and providing for the issuance and delivery of school house fund bonds, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

Senator Parker submitted the following report:

MR. PRESIDENT: Your committee on public health to which was referred **Senate File 96**, a bill for an act to amend chapter one hundred fifty-one (151), Code 1950, relating to the practice of chiropractic, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EDWARD S. PARKER, *Chairman*.

Ordered passed on file.

Senator Prentis submitted the following report:

MR. PRESIDENT: Your committee on governmental affairs to which was referred **Senate File 2**, a bill for an act relating to the administration of state budget and finances and to assign or transfer certain duties relating

thereto to the auditor of state, state comptroller, or treasurer of state, begs leave to report it has had the same under consideration and recommends the same **do pass**.

X. T. PRENTIS, *Chairman*.

Ordered passed on file.

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **Senate File 70**, a bill for an act to amend Code 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 92**, a bill for an act to amend section six hundred twenty-two point thirty-two (622.32), Code 1950, relating to the statute of frauds, 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.

#### AMENDMENTS FILED

Amend Senate File 3 by striking the period at the end of section 2 thereof and inserting in lieu thereof a comma (,) and by adding, following the comma, the following: "however the provisions of this section 2 shall not apply to any wholesale or retail business establishment having such possession of said device for sale in the regular course of business."

FRANK C. BYERS.

Amend Senate File 3 as follows:

In section 6, line 2, strike the words "it appears" and insert in lieu thereof "the issuing authority finds".

ELMER C. BEKMAN.  
ARTHUR JACOBSON.

Amend Senate File 3 by striking all of section 1 thereof and by inserting in lieu thereof the following: "'Gambling devices' means slot machines, roulette wheels, punchboards, number jars and pin ball machines which return coins or slugs, chips or tokens of any kind, which are redeemable in merchandise or cash."

FRANK C. BYERS.

Amend Senate File 3, by striking all of section 3 and inserting in lieu thereof the following:

"Sec. 3. The proceedings for revocation shall be had before

the issuing authority, which shall have power to revoke the license or licenses involved, provided however that no such license can be revoked unless and until the holder thereof shall have been afforded a fair and impartial hearing which shall be open to the public and the person accused of such crime shall be entitled to representation by legal counsel of his own choosing. A full and complete record of such hearing shall be taken down in shorthand and all witnesses shall be properly sworn and the accused shall be entitled to have a complete transcript of all proceedings and all evidence against him the cost thereof to be assessed upon the final hearing."

Further amend Senate File 3 by striking sections 9 and 10 thereof and inserting in lieu thereof the following:

"Sec. 9. Notwithstanding any provisions hereinbefore or hereinafter contained, this Act shall not be construed to require or permit the revocation of any license issued in conformity with law unless the holder of such permit shall have been convicted subsequent to the enactment of this Act of the offense of the illegal possession of gambling devices as hereinafter defined."

"Sec. 10. When the license is revoked under the provisions of this Act, subject to the provisions of section six (6), the owner of the premises upon which any licensed business has been operating or conducted shall not be penalized by reason thereof unless it is conclusively established that he had actual knowledge of the existence and use upon said premises subsequent to the effective date hereof of the gambling devices resulting in the license revocation."

PAUL E. MCCARVILLE.

Amend Senate File 17 by striking from line 2 of section 2 the word and figure "six (6)" and inserting in lieu thereof the word and figure "five (5)".

JOHN R. HATTERY.  
J. T. DYKHOUSE.

Amend Senate File 22 by striking from section 1 all of lines 3 to 14, inclusive, and inserting in lieu thereof the following: "all courts existing and operating as superior courts shall become municipal courts by operation of law and the provisions of chapter six hundred two (602) of the Code as amended by section sixty-four (64) of this Act shall be applicable. On said date all pending cases in such courts which have been placed outside the jurisdiction of such courts by the provisions of this Act shall be transferred to the district court."

Further amend Senate File 22 by adding at the end thereof the following new section:

Sec. 64. Section six hundred two point five (602.5), Code 1950, is amended by adding the following sentence:

"In any city, where the municipal court is established by operation of law by conversion of another court previously existing under any other name, the number of judges shall remain unchanged until such time as additional judges are authorized by a majority vote of the electors in the municipal corporation."

J. T. DYKHOUSE.

JOHN R. HATTERY.

Amend Senate File 30 as follows:

1. Strike the word "wholly" from line 3 of section 5.

2. Strike all of lines 22 to 27, inclusive, from section 5 and insert in lieu thereof the following: "In addition to the license fee or tax provided by the foregoing, every passenger carrier operating trackless-trolley or other passenger busses over fixed routes within cities having a population of one hundred twenty-five thousand or over shall pay into the city treasury an additional annual license fee or tax in an amount equivalent to two and three-fourths per cent of the gross passenger revenues from busses operated over fixed routes or parts of routes within such city; and in municipal corporations having a population of less than one hundred twenty-five thousand, every passenger carrier operating trackless-trolley or other passenger busses over fixed routes within such municipal corporation shall pay into the municipal treasury an amount fixed by the council not to exceed two and three-fourths per cent of the gross passenger revenue from such busses."

3. Strike the headnote "Passenger carriers without fixed routes" which appears after line 38 of section 5 and insert said headnote after line 42 of section 5.

JOHN R. HATTERY.

J. T. DYKHOUSE.

Amend Senate File 33 by adding to section 4 the following new subsection:

"6. Publication by a municipal corporation of its ordinances in the form of a bound or loose-leaf municipal code, or as a new edition of such municipal code, or as supplements to an existing edition of such municipal code, shall be deemed a sufficient publication and in lieu of publication in a newspaper, provided that: (a) Copies of such bound or loose-leaf codes shall be kept available at the clerk's office for public inspection and for sale at cost to the public; (b) A copy of such municipal code shall be furnished to the state law library, the municipal library, if any, and to a newspaper of general circulation in the municipality; (c) Copies of all amendments, new ordinances, and a list of repealed ordinances shall be provided, on or before

the tenth day of the month succeeding final action thereon by the council, in the form of pamphlets or loose-leaf inserts, and made available to the public in the same manner as provided in paragraphs (a) and (b) hereof.”

JOHN R. HATTERY.  
J. T. DYKHOUSE.

Amend Senate File 163 by adding at the end of section 15 the following:

“They shall have power, when authorized by a majority vote of the electors thereof, to maintain a joint police department with any contiguous municipal corporation.”

JOHN R. HATTERY.  
J. T. DYKHOUSE.

Amend Senate File 164 by inserting in section 1, subsection 7, line 34, after the word “vacations” the words “, retirement plans”.

JOHN R. HATTERY.  
J. T. DYKHOUSE.

Amend Senate File 166 by inserting after the word “amend” in line 3 of the title the following: “Chapter three hundred sixty-eight (368), Code of 1950, and”.

Further amend Senate File 166 by inserting after the enacting clause the following: “Chapter three hundred sixty-eight (368), Code of 1950, is amended by adding the following new section:”.

F. E. SHARP.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 31, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend P. E. Pruel, pastor of the Methodist Church, Pomeroy, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Humbert on account of illness on request of Senator Hultman.

## PETITION

The following petition was received and placed on file:

By Senator Hart, from residents of Lee County favoring the passage of anti-gambling legislation.

## INTRODUCTION OF BILLS

Senate File 221, by committee on judiciary 2, a bill for an act relating to the change in name of the hospital for epileptics and feeble-minded and the school for feeble-minded to "Woodward State Hospital and School" and "Glenwood State School" and the combination of said institutions.

Read first and second times, and placed on the calendar.

Senate File 222, by committee on private corporations, a bill for an act relating to chapter four hundred ninety-one (491) of the Code of Iowa, 1950, and providing for the repeal of sections four hundred ninety-one point forty-six (491.46), four hundred ninety-one point forty-seven (491.47), four hundred ninety-one point fifty (491.50), and part of section four hundred ninety-one point fifty-three (491.53), of the Code of Iowa, 1950, and the adoption of provisions in lieu thereof.

Read first and second times, and placed on the calendar.

Senate File 223, by committee on private corporations, a bill for an act relating to the regulation and supervision of foreign corporations and to amend various sections of chapter four hundred ninety-four (494), Code 1950, relating thereto.

Read first and second times, and placed on the calendar.

Senate File 224, by committee on private corporations, a bill for an act providing for the repeal of sections four hundred ninety-one point forty-four (491.44) and four hundred ninety-one point forty-five (491.45) of the Code of Iowa, 1950.

Read first and second times, and placed on the calendar.

Senate File 225, by committee on private corporations, a bill for an act to amend chapter four hundred ninety-two (492), Code 1950, relating to capital stock.

Read first and second times, and placed on the calendar.

Senate File 226, by committee on private corporations, a bill for an act relating to the regulation and supervision of corporations for pecuniary profit and to amend various sections of chapter four hundred ninety-one (491), Code 1950, relating thereto.

Read first and second times, and placed on the calendar.

Senate File 227, by Senator Van Eaton, a bill for an act to amend chapter three hundred twenty-one (321), Code 1950, relating to motor vehicles and law of the road.

Read first and second times, and passed on file.

Senate File 228, by committee on schools and educational institutions, a bill for an act to provide for the establishment, maintenance, operation and expansion of non-profit school lunch programs in public schools in the State of Iowa, to authorize the State of Iowa to accept federal funds for this purpose and to conduct studies and appraisals of school lunch programs and report findings and recommendations to the Governor.

Read first and second times, and placed on the calendar.

Senate File 229, by Senators Doud, Weichman, Colburn, Augustine and Mercer, a bill for an act to amend section five hundred thirty-four point ninety-seven (534.97), Code 1950, relating to compensation of building and loan examiners.

Read first and second times, and passed on file.

Senate File 230, by Senators Doud, Weichman, Colburn, Augustine and Mercer, a bill for an act relating to the per diem salary



of county, municipal and school examiners and their assistants and to amend section eleven point nine (11.9), Code 1950.

Read first and second times, and passed on file.

Senate File 231, by committee on banks, building and loan, a bill for an act to amend section five hundred twenty-four point sixteen (524.16), Code 1950, relating to the expenses of the banking department.

Read first and second times, and placed on the calendar.

Senate File 232, by Senators Byers and Berg, a bill for an act to amend section seven hundred thirty-two point seventeen (732.17), Code 1950, relating to the definition of "fireworks".

Read first and second times, and passed on file.

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

#### SENATE CONCURRENT RESOLUTION 8

By Committee on Military Affairs

*Whereas*, Erle Cocke Jr., national commander of the American Legion, will be in Des Moines, Iowa, on February 19, 1951;

*Therefore, Be It Resolved by the Senate, the House Concurring:* That an invitation be extended to Erle Cocke Jr. to address a joint convention of both houses at 11:00 o'clock a.m. on February 19, 1951.

The motion prevailed and the resolution was adopted.

Senator Elthon asked and received unanimous consent that the Senate take up for consideration Senate Files 71 and 111.

#### THIRD READING OF BILLS

On motion of Senator Weichman, Senate File 71, a bill for an act to legalize and validate the special election and the proceedings authorizing and providing for the issuance, sale and delivery of school building bonds of the consolidated school district of Newhall, in the county of Benton, State of Iowa, and declaring said bonds issued and sold pursuant to said proceedings to be enforceable obligations of said school district, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Weichman moved that the bill be read a third 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:

Anderson	Gillespie	Molison	Van Eaton
Augustine	Hart	Myrland	Van Patten
Bateson	Hattery	Nesmith	Vest
Bekman	Hedin	Oltman	Walter
Berg	Henningsen	O'Malley	Watson of
Byers	Hultman	Parker	O'Brien
Colburn	Jacobson	Prentis	Watson of
Dailey	Knudson	Ridout	Pottawattamie
Doud	LinnevoId	Risk	Weichman
DykhousE	Lord	Roberts	West
Elthon	Lynes	Sharp	Whitehead
Fishbaugh	McCarville	Tudor	Zastrow
Fletcher	Mercer	Utzig	

Nays, none.

Absent or not voting, 1:

Humbert

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

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

On motion of Senator Anderson, Senate File 111, a bill for an act to legalize and validate the proceedings of the board of directors of the Consolidated School District of Winfield, in the counties of Henry and Louisa, State of Iowa, authorizing and providing for the issuance and delivery of schoolhouse fund bonds and for the levy of taxes for the payment of said bonds, and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Anderson moved that the bill be read a third 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:

Anderson	Doud	Hedin	McCarville
Augustine	DykhousE	Henningsen	Mercer
Bateson	Elthon	Hultman	Molison
Bekman	Fishbaugh	Jacobson	Myrland
Berg	Fletcher	Knudson	Nesmith
Byers	Gillespie	LinnevoId	Oltman
Colburn	Hart	Lord	O'Malley
Dailey	Hattery	Lynes	Parker

Prentiss	Tudor	Walter	Weichman
Ridout	Utzig	Watson of	West
Risk	Van Eaton	O'Brien	Whitehead
Roberts	Van Patten	Watson of	Zastrow
Sharp	Vest	Pottawattamie	

Nays, none.

Absent or not voting, 1:

Humbert

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

Senator Anderson moved that the 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 Dailey asked and received unanimous consent to present to the Senate Richard Warming, Donald Krekel and Donald Thompson, students in government of the Burlington Junior College, Burlington, Iowa, who were present in the Senate chamber.

#### 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 7, a bill for an act relating to motor vehicles and the law of the road.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGE CONSIDERED

House File 7, a bill for an act to amend chapter three hundred twenty-one (321), Code 1950, relating to motor vehicles and the law of the road.

Read first and second times, and passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 62 and House File 21.

JAMES H. NESMITH, *Chairman Senate Committee.*

ELMER A. BASS, *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 62 and House File 21.

#### BILL SENT TO THE GOVERNOR

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

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 31st day of January, 1951, sent to the Governor for his approval: Senate File 62.

JAMES H. NESMITH, *Chairman.*

Passed on file.

The Senate returned to the consideration of Senate File 3.

On motion of Senator Lynes, Senate File 3, a bill for an act providing for revocation of licenses for carrying on, or used in carrying on of any business, trade, vocation, commercial enterprise or undertaking, by reason of the possession of gambling devices, and prohibiting the issuance of licenses in certain instances, was taken up for further consideration.

Senator Dailey asked and received unanimous consent to withdraw the amendment to Senate File 3 filed by him and his motion for its adoption, found on pages 214 and 215 of the Senate Journal, and offered the following amendments in lieu thereof:

Amend Senate File 3 as follows:

1. Amend section 6, line 7, by adding after the word "revoked" the following: "or any owner of licensed premises aggrieved by an order of an issuing authority,".

2. Section 6, amend line 27 by inserting after the word "business" the words "if it is established that the owner had actual knowledge of the existence of the gambling devices resulting in the license revocation".

On motion of Senator Dailey the amendments were adopted.

Senator Byers asked and received unanimous consent to take up the amendment, filed by him and found on page 219 of the

Senate Journal, to Senate File 3 relating to section 1 of the bill prior to the consideration of his amendment relating to section 2.

Senator Byers asked and received unanimous consent to substitute the following amendment for the amendment relating to section 1:

Amend Senate File 3 by striking all of subsection 1 of section 1 thereof and by inserting in lieu thereof the following: "Gambling devices" means slot machines, roulette wheels, punchboards, number jars and pin ball machines which return coins or slugs, chips, or tokens of any kind, which are redeemable in merchandise or cash.

Senator Weichman offered the following amendment to the amendment and moved its adoption:

Amend the amendment by adding following "punchboards," the following: "parlay cards, faro layouts, keno layouts, dice tables,".

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

#### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

The Senate resumed consideration of Senate File 3.

Senator Weichman asked and received unanimous consent to withdraw his motion for the adoption of his amendment to the amendment offered by Senator Byers.

Senator Weichman offered as a substitute amendment for the amendment by Senator Byers and his amendment thereto the following amendment by Senators Weichman and Byers:

Amend Senate File 3, subsection 1 of section 1, by striking from line 6 the following "card,".

On motion of Senator Weichman the substitution was made.

#### ANNOUNCEMENT

Senator Byers asked and received unanimous consent to have the following statement printed in the Senate Journal:

At the time of the debate on the amendment to Senate File 3, filed by Senator Weichman and myself on January 31, 1951, I stated that I wanted all members of the Senate to understand that this amendment, if passed, strikes the word "card" from line 6 of subsection 1 of section 1 of Senate File 3, and that the intent of the amendment was to eliminate playing cards from the bill, and that ordinary playing cards would not be considered a gambling device under the act. I asked for and was granted

unanimous consent to make this statement a matter for the record and that same be printed in the Senate Journal.

On motion of Senator Weichman the substitute amendment was adopted.

Senator Walter moved the previous question on all pending amendments and the main bill, which motion prevailed.

Senator Jacobson offered the following amendment by Senators Bekman and Jacobson and moved its adoption:

Amend Senate File 3 as follows:

In section 6, line 2, strike the words "it appears" and insert in lieu thereof "the issuing authority finds".

The amendment was adopted.

Senator Byers asked and received unanimous consent to withdraw the amendment filed by him relating to section 2 of Senate File 3 and found on page 219 of the Senate Journal.

Senator McCarville offered the following amendment and moved the adoption of the first portion of the amendment relating to section 3:

Amend Senate File 3, by striking all of section 3 and inserting in lieu thereof the following:

"Sec. 3. The proceedings for revocation shall be had before the issuing authority, which shall have power to revoke the license or licenses involved, provided however that no such license can be revoked unless and until the holder thereof shall have been afforded a fair and impartial hearing which shall be open to the public and the person accused of such crime shall be entitled to representation by legal counsel of his own choosing. A full and complete record of such hearing shall be taken down in shorthand and all witnesses shall be properly sworn and the accused shall be entitled to have a complete transcript of all proceedings and all evidence against him the cost thereof to be assessed upon the final hearing."

Further amend Senate File 3 by striking sections 9 and 10 thereof and inserting in lieu thereof the following:

"Sec. 9. Notwithstanding any provisions hereinbefore or hereinafter contained, this Act shall not be construed to require or permit the revocation of any license issued in conformity with law unless the holder of such permit shall have been convicted subsequent to the enactment of this Act of the offense of the illegal possession of gambling devices as hereinafter defined."

"Sec. 10. When the license is revoked under the provisions of this Act, subject to the provisions of section six (6), the owner of the premises upon which any licensed business has been operating or conducted shall not be penalized by reason thereof unless it is conclusively established

that he had actual knowledge of the existence and use upon said premises subsequent to the effective date hereof of the gambling devices resulting in the license revocation."

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 9:

Berg	Henningsen	Utzig	Watson of
Byers	McCarville	Van Eaton	Pottawattamie
Dailey	Myrland		

Nays, 38:

Anderson	Gillespie	Molison	Tudor
Augustine	Hattery	Nesmith	Van Patten
Bateson	Hedin	Oltman	Vest
Bekman	Hultman	O'Malley	Walter
Colburn	Jacobson	Parker	Watson of
Doud	Knudson	Prentis	O'Brien
Dykhous	Linnevold	Ridout	Weichman
Elthon	Lord	Risk	West
Fishbaugh	Lynes	Roberts	Zastrow
Fletcher	Mercer	Sharp	

Absent or not voting, 3:

Hart	Humbert	Whitehead
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The amendment was lost.

Senator McCarville moved the adoption of the balance of his amendment.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 7:

Dailey	McCarville	Utzig	Watson of
Henningsen	Myrland	Van Eaton	Pottawattamie

Nays, 33:

Anderson	Hattery	Oltman	Van Patten
Augustine	Hultman	O'Malley	Vest
Bateson	Jacobson	Parker	Walter
Bekman	Knudson	Prentis	Watson of
Colburn	Linnevold	Ridout	O'Brien
Elthon	Lord	Risk	Weichman
Fishbaugh	Lynes	Sharp	West
Fletcher	Molison	Tudor	Zastrow
Gillespie	Nesmith		

Absent or not voting, 10:

Berg	Dykhous	Humbert	Roberts
Byers	Hart	Mercer	Whitehead
Doud	Hedin		

The amendment was lost.

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

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

Ayes, 46:

Anderson	Fletcher	Mercer	Tudor
Augustine	Gillespie	Molison	Van Eaton
Bateson	Hart	Myrland	Van Patten
Bekman	Hattery	Nesmith	Vest
Berg	Hedin	Oltman	Walter
Byers	Henningsen	O'Malley	Watson of
Colburn	Hultman	Parker	O'Brien
Dailey	Jacobson	Prentis	Weichman
Doud	Knudson	Ridout	West
Dykhouse	Linnevold	Risk	Whitehead
Elthon	Lord	Roberts	Zastrow
Fishbaugh	Lynes	Sharp	

Nays, 3:

McCarville	Utzig	Watson of Pottawattamie
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Absent or not voting, 1:

Humbert

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.

#### PROOF OF PUBLICATION

Published copy of Senate File 103 and verified proof of publication of said bill in the Ellsworth News on January 24, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE, *Secretary of Senate.*

#### BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following assignment of bills to committee:

S. F. 215	Social security
S. F. 216	Public lands and buildings
S. F. 217	Schools and educational institutions
S. F. 218	Schools and educational institutions
S. F. 219	Judiciary 2
S. F. 220	Ways and means



- H. F. 39 Cities and towns  
 H. F. 49 Cities and towns  
 H. F. 87 Tax revision

#### REPORTS OF COMMITTEES

Senator Hattery submitted the following report:

MR. PRESIDENT: Your committee on banks, building and loan to which was referred **Senate File 9**, a bill for an act to amend chapter six hundred twenty-two (622), Code 1950, relating to admission in evidence of memorandum, writing, entry print, representation or combination thereof, of any act, transaction, occurrence or event in the regular course of business reproduced by any photographic, photostatic, microfilm, microcard, miniature photographic or other process, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

JOHN R. HATTERY, *Chairman.*

Ordered passed on file.

Senator Weichman submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 119**, a bill for an act to amend section five hundred forty-four point thirty-seven (544.37), Code 1950, relating to increase in fees to be collected by county recorder for filing warehouse receipts, begs leave to report it has had the same under consideration and recommends the same **do pass.**

H. E. WEICHMAN, *Chairman.*

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 13 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section seventy-five point two (75.2), Code 1950, is hereby amended by inserting after the comma in line seven (7) following the word "sale" the following: "that the same may be offered for sale in whole and separate portions thereof".

Sec. 2. Section seventy-five point nine (75.9), Code 1950, is hereby amended by substituting a comma (,) for the period (.) after the word "law" in line five (5) and adding the following: "providing that said bonds may be offered in whole and separate portions and must be pursuant to public sale following published notice as contemplated in section seventy-five point two (75.2), Code 1950".

R. R. BATESON.

Amend Senate File 18 by striking all of section 21.

O. H. HENNINGSEN.

Amend Senate File 40 as follows:

1. By striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Whenever any peace officer shall request the operator of any motor vehicle who has been placed under arrest to have a chemical test made of his blood, urine, or breath to measure the alcoholic content of his blood, if such operator refuses to have the test requested made, the peace officer shall immediately file a report thereof with the commissioner of public safety of the State of Iowa.

Immediately upon receipt of such report the commissioner shall issue an order directed to the motor vehicle operator to appear and show cause at a time and place within the county in which refusal to take the test occurred, designated by the commissioner, why his motor vehicle operator's license, or non-resident's operating privilege, should not be revoked. The order to show cause shall be served on the licensee or non-resident operator, as an original notice or by registered mail, not less than ten (10) days before the date fixed for the hearing.

If upon the hearing of the order to show cause, it appears that the motor vehicle operator refused the request of the peace officer making the arrest to have the test made, then the license or non-resident's privilege to operate a motor vehicle shall be revoked by the commissioner of public safety.

No motor vehicle operator's license, or non-resident's operating privilege shall thereafter be issued to such operator except as follows:

1. If such operator has not previously been convicted of the offense of operating a motor vehicle while intoxicated and has not previously had his license or operating privilege revoked under the provisions hereof, a license or operating privilege may be granted after six (6) months from the date of revocation.

2. If such operator has had not more than one previous conviction for the offense of operating a motor vehicle while intoxicated or has had not more than one previous revocation under the provisions hereof, a license or operating privilege may be granted after eighteen (18) months from the date of revocation.

Sec. 2. Any person whose license or non-resident's operating privilege has been revoked under the provisions hereof, who operates a motor vehicle upon the public highways of this state during the period for which he would not be eligible to be granted a license or non-resident's operating privilege, as provided herein, shall upon conviction or plea of guilty be punished by imprisonment in the penitentiary for a period of not to exceed three (3) years.

Sec. 3. The provisions of this Act shall not be the basis for an objection to admission in evidence of the results of any test made to measure the alcoholic content of the blood on the ground that submission to such test was not voluntary.

Sec. 4. This Act being deemed of immediate importance shall take effect and be in force from and after its passage and publication in Winterset Madisonian, a newspaper published in Winterset, Iowa, and in Adair County Free Press, a newspaper published in Greenfield, Iowa."

2. Further amend Senate File 40 by striking from the title all after the word "Act" and by substituting in lieu thereof the following: "relating to the licenses and operating privileges of motor vehicle operators."

RAYMOND R. GILLESPIE.

Amend the committee amendment to Senate File 164, found on page 217 of the Senate Journal, with reference to section 3 of said Senate File by striking all of section 1 after the word "allowed" in line 4 of said amendment and adding a period (.).

DEVERE WATSON.

Amend Senate File 165, section 7, by striking the sentence beginning with "The" in line 4 to and including the first period (.) in line 6.

O. H. HENNINGSEN.

Amend Senate File 181 by striking section 20 and inserting in lieu thereof the following:

"Sec. 20. Employees Excepted. This Act shall not apply to employees of public service corporations or municipal utilities distributing or selling electrical energy for light and heat, or power for operating street railway systems or to the work of individuals, firms, or corporations installing, maintaining, or repairing wires, apparatus, and appliances of telephone, telegraph and other communication companies."

ALDEN L. DOUD.

Amend Senate File 189, section 6, by inserting in line 4 following the word "Section" the following: "six hundred fourteen point fourteen (614.14) and",

Further amend Senate File 189, section 3, by adding the following:

"Strike the period (.) at the end of section six hundred fourteen point seventeen (614.17), Code 1950, and add thereto the following: 'and in like manner, such affidavits may be filed and recorded where any action was barred on any claim by this section as in force prior to July 4, 1951.'"

EARL C. FISHBAUGH, JR.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 1, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Russell Shaw, pastor of the First Presbyterian Church, Chariton, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were received and placed on file:

By Senator Colburn, from the officers of the Methodist Church, Atlantic, Cass County, favoring the passage of anti-gambling legislation.

By Senator Dailey, from Robert Dowell, president of the policemen's association, and from Harold Tucker, president of Local 301, association of fire fighters of Burlington, Des Moines County, in opposition to Senate File 18.

By Senator Lord, from members of the Muscatine police department in opposition to Senate Files 17 and 18.

By Senator Utzig, from the members of the Dubuque police association and from Eldon Strohmeier, secretary of the Dubuque fire fighters, in opposition to Senate File 18.

By Senator Walter, from members of the Iowa Association of Fire Fighters of Marshalltown; also, from members of Local 17 Iowa State Policemen's Association of Marshalltown in opposition to Senate File 18.

President pro tempore Hart took the chair at 10:13 a.m.

## INTRODUCTION OF BILLS

Senate File 233, by Senator O'Malley, a bill for an act to amend section four hundred eighty-four point twenty-seven (484.27), Code 1950, relating to street railways and interurban lines in a city of more than twenty thousand population.

Read first and second times, and passed on file.

Senate File 234, by Senators Van Eaton, O'Malley and Dailey, a bill for an act to amend section six hundred two point forty-nine

(602.49), Code 1950, relating to salaries of the clerk and bailiff of the municipal court.

Read first and second times, and passed on file.

Senate File 235, by Senator Prentis, a bill for an act to repeal section one hundred fifty-six point eight (156.8), Code 1950, relating to maintaining a funeral home for a period of two (2) years after the death of a licensed embalmer.

Read first and second times, and passed on file.

Senate File 236, by committee on judiciary 1, a bill for an act to amend section five hundred eighty-six point one (586.1), Code 1950, relating to legalizing acts of notaries public and acknowledgments.

Read first and second times, and placed on the calendar.

Senate File 237, by committee on judiciary 1, a bill for an act relating to claims against estates, guardianships or trusts, limiting the time within which action may be taken on such claims, and limiting the time within which action may be taken to contest the final settlement or discharge of an administrator, executor, guardian or trustee.

Read first and second times, and placed on the calendar.

Senate File 238, by Senator Weichman, a bill for an act to amend section three hundred twenty-one point four hundred sixty-seven (321.467), Code 1950, relating to permits for excess size and weight.

Read first and second times, and passed on file.

Senate File 239, by Senator Linnevold, a bill for an act to amend section five hundred eighteen point eighteen (518.18), Code 1950, relating to the time permitted for filing annual reports with the commissioner of insurance.

Read first and second times, and passed on file.

Senate File 240, by Senator Van Eaton, a bill for an act to amend section one hundred thirty-five point eighteen (135.18), Code 1950, having to do with exemption date of application affecting boundary rivers.

Read first and second times, and passed on file.

Senate File 241, by Senator Watson of Pottawattamie, a bill for

an act to legalize the action of the board of supervisors of Pottawattamie County in authorizing a payment to the city assessor's fund for Council Bluffs, Iowa.

Read first and second times, and passed on file.

### THIRD READING OF BILLS

On motion of Senator Jacobson, Senate File 52, a bill for an act to amend section three hundred twenty-one point two hundred eighty-one (321.281), Code 1950, relating to the criminal operation of a motor vehicle while intoxicated, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Jacobson asked and received unanimous consent that House File 34 be substituted for Senate File 52.

### BILL WITHDRAWN FROM CONSIDERATION

Senator Jacobson asked and received unanimous consent that Senate File 52 be withdrawn from further consideration of the Senate.

On motion of Senator Jacobson, House File 34, a bill for an act to amend section three hundred twenty-one point two hundred eighty-one (321.281), Code 1950, relating to the penalties for operating a motor vehicle while intoxicated, was taken up, and considered.

Senator Bateson offered the following amendment and moved its adoption:

Amend House File 34 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section three hundred twenty-one point two hundred eighty-one (321.281), Code 1950, is hereby amended by striking the first paragraph thereof and inserting in lieu thereof the following:

"Whoever, while in an intoxicated condition or under influence of narcotic drugs, operates a motor vehicle upon the public highways of this state shall, upon conviction or a plea of guilty, be punished for the first offense by a fine of not less than three hundred dollars nor more than one thousand dollars (by imprisonment in the county jail for a period of not less than five (5) days nor more than one (1) year); for the second offense by a fine of not less than five hundred dollars nor more than one thousand dollars and by imprisonment in the county jail for a period of not less than five (5) days nor more than one (1) year; and for each offense subsequent to the second offense by imprisonment in the penitentiary for a period not to exceed three (3) years."

Senator Hattery offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking the following after the word "and" in line 12: "by imprisonment in the county jail for a period of not less than five (5) days nor more than one (1) year;"

Senator Henningsen moved the previous question on all amendments and the main bill which motion prevailed.

Senator Hattery asked and received unanimous consent to withdraw his amendment to the amendment by Senator Bateson and offered in lieu thereof the following:

Amend the amendment by striking the word "and" in line 12 and inserting in lieu thereof the word "or".

Senator Hattery asked and received unanimous consent to withdraw his amendment to the amendment.

Roll call on the amendment was requested.

On the question "Shall the amendment be adopted?" the vote was:

**Ayes, 15:**

Anderson	Elthon	Knudson	West
Augustine	Fishbaugh	Lynes	Whitehead
Bateson	Fletcher	Molison	Zastrow
Colburn	Gillespie	Roberts	

**Nays, 34:**

Bekman	Henningsen	Oltman	Van Eaton
Berg	Hultman	O'Malley	Van Patten
Byers	Humbert	Parker	Vest
Dailey	Jacobson	Prentis	Walter
Doud	Lord	Ridout	Watson of
Dykhouse	McCarville	Risk	O'Brien
Hart	Mercer	Sharp	Watson of
Hattery	Myrland	Tudor	Pottawattamie
Hedin	Nesmith	Utzig	Weichman

**Absent or not voting, 1:**

Linnevoold

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, 50:**

Anderson	Byers	Elthon	Hattery
Augustine	Colburn	Fishbaugh	Hedin
Bateson	Dailey	Fletcher	Henningsen
Bekman	Doud	Gillespie	Hultman
Berg	Dykhouse	Hart	Humbert

Jacobson	Myrland	Roberts	Watson of
Knudson	Nesmith	Sharp	O'Brien
Linnevold	Oltman	Tudor	Watson of
Lord	O'Malley	Utzig	Pottawattamie
Lynes	Parker	Van Eaton	Weichman
McCarville	Prentiss	Van Patten	West
Mercer	Ridout	Vest	Whitehead
Molison	Risk	Walter	Zastrow

Nays, none.

Absent or not voting, none.

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

### PRESENTATION OF VISITORS

Senator Berg asked and received unanimous consent to present to the Senate fifty women members of the Grundy County Farm Bureau, winners of the contest for getting out the vote in the last primary election, who were present in the balcony.

Senator Augustine asked and received unanimous consent to present to the Senate a group of State winners of the letter writing contest sponsored by the Iowa Farm Bureau Federation, "Why My Parents Should Vote," who were present in the balcony accompanied by their teachers and Lloyd Wirth, a representative of the Mahaska County Farm Bureau.

### SENATE CONCURRENT RESOLUTION 9

By Elthon

*Be It Resolved by the Senate, the House Concurring:* That when adjournment is had on Friday, February 23, 1951, it be to reconvene on Monday, March 5, 1951, at 2:00 p.m.

On motion of Senator Elthon and in accordance with the request of Senator Linnevold that the Senate recess at 11:30 a.m., for the program by the Nordic Cathedral Choir of Luther College of Decorah, in the House chamber, the Senate recessed until 1:30 p.m.

### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

### EXECUTIVE SESSION

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



The Senate, in executive session, confirmed the following appointment:

Ernest P. Porter of Polk County, for the office of commerce counsel for the term beginning July 1, 1951.

The Senate arose from executive session and resumed regular session.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate Concurrent Resolution 8, providing that an invitation be extended to Mr. Erle Cocke, Jr., to address a joint convention of both houses of the Fifty-fourth General Assembly at 11:00 o'clock a.m. on February 19, 1951.

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

Senate File 63, a bill for an act relating to the investment of funds of life insurance companies and associations.

Also: That the Speaker of the House has appointed as members of the committee on the part of the House, as provided in House Concurrent Resolution 11, the following: Representatives McFarlane, Palmer, Munger, Hanson of Lyon, Hansen of Carroll, Sloane, Norland and Washburn.

A. C. GUSTAFSON, *Chief Clerk.*

#### PRESENTATION OF VISITORS

Senator Whitehead asked and received unanimous consent to present to the Senate twenty-six members of the senior class of the Dallas Center High School who were present in the balcony with their superintendent, C. C. Peterson.

Senator Roberts asked and received unanimous consent to present to the Senate the members of the American government class of the Tracy High School who were present in the balcony with their instructor.

#### THIRD READING OF BILLS

On motion of Senator Jacobson, Senate File 54, a bill for an act relating to mileage for grand jurors, 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 54 by adding the following:

Sec. 2. Further amend section six hundred seven point five (607.5), Code 1950, by striking the word "three" in line 3 of paragraph 1 of said section and by inserting in lieu thereof the word "five" and by striking the word "one" in line 2 of paragraph 2 of said section and inserting in lieu thereof the word "two".

The amendment was adopted.

Senator Jacobson moved that the bill be read a third time now and placed upon its passage.

Senator O'Malley asked and received unanimous consent that further action on Senate File 54 be deferred and that the bill be placed on the calendar under unfinished business.

Senator Jacobson asked and received unanimous consent to withdraw his motion that the bill be read a third time and placed upon its passage.

#### SPECIAL ORDER

Senator Prentis asked unanimous consent that Senate File 2 be taken up for consideration following action on Senate File 1.

Objection was raised.

Senator Prentis moved that Senate File 2 be taken up immediately following action on Senate File 1.

Senator Elthon moved as a substitute that Senate Files 1 and 2 be made a special order of business for Wednesday, February 7, 1951, at 10:30 a.m.

The motion prevailed and the substitution was made.

On motion of Senator Elthon the substitute motion was adopted.

#### SUBSTITUTION

Senator Watson asked and received unanimous consent that House File 167 be substituted for Senate File 221 now on the Senate calendar. Also, that House File 36 be substituted for Senate File 9 now on the Senate calendar.

## THIRD READING OF BILLS

On motion of Senator Jacobson, Senate File 107, a bill for an act relating to actions against the State of Iowa and amending sections six hundred thirteen point eight (613.8) and six hundred thirteen point nine (613.9), Code 1950, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Jacobson offered the following amendment and moved its adoption:

Amend Senate File 107 by adding at the end of line 6 in section 2 the following:

"and substituting in lieu thereof the following:

"The state shall appear within thirty days after the day such notice is served upon the county attorney or within thirty days after such notice is mailed to the attorney general, whichever is later."

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:**

Anderson	Gillespie	Molison	Utzig
Augustine	Hart	Myrland	Van Eaton
Batson	Hattery	Nesmith	Van Patten
Bekman	Hedin	Oltman	Walter
Berg	Henningsen	O'Malley	Watson of
Byers	Hultman	Parker	O'Brien
Colburn	Humbert	Prentis	Watson of
Dailey	Jacobson	Ridout	Pottawattamie
Doud	Linnevoid	Risk	Weichman
Dykhouse	Lord	Roberts	West
Elthon	Lynes	Sharp	Whitehead
Fishbaugh	McCarville	Tudor	Zastrow
Fletcher	Mercer		

**Nays, none.**

**Absent or not voting, 2:**

Knudson • Vest

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

On motion of Senator Bekman, Senate File 159, a bill for an act to amend section five hundred fifteen point thirty-five (515.35), Code 1950, relating to investments of insurance companies other than life, to authorize investment in obligations issued, assumed or

guaranteed by International Bank for Reconstruction and Development was taken up for consideration.

#### BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following assignment of bills to committee:

- S. F. 227 Motor vehicles
- S. F. 229 Compensation of public officers and employees
- S. F. 230 Compensation of public officers and employees
- S. F. 232 Manufacturing, commerce and trade
- H. F. 7 Judiciary 1

#### REPORTS OF COMMITTEES

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **Senate File 103**, a bill for an act to legalize and validate proceedings taken by the town of Ellsworth, Iowa, authorizing and providing for the issuance and sale of \$12,500 worth of general obligation bonds, 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 44**, a bill for an act to legalize and validate the special election and the proceedings authorizing and providing for the issuance, sale and delivery of school building bonds of the Wayne Township School District in the county of Mitchell, 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 Bekman submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred **Senate File 101**, a bill for an act to amend chapter five hundred twenty-two (522), Code 1950, relating to the licensing of insurance agents, begs leave to report it has had the same under consideration and **returns the bill without recommendation**.

E. K. BEKMAN, *Chairman*.

Ordered passed on file.

Senator Anderson submitted the following report:

MR. PRESIDENT: Your committee on dairy and poultry to which was referred **Senate File 79**, a bill for an act to amend sections one hundred

seventy-nine point two (179.2), one hundred seventy-nine point five (179.5) and one hundred seventy-nine point six (179.6), Code 1950, relating to the compensation of appointive members of the Iowa Dairy Industry Commission and to the extension of the annual butterfat tax period, 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 79 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Section one hundred seventy-nine point two (179.2), Code 1950, is amended by striking from last line of said section the words "three and one-half" and inserting in lieu thereof the word "five".

Sec. 2. Section one hundred seventy-nine point five (179.5), Code 1950, is hereby amended by striking from lines four (4) and five (5) the following words: "June 1 and terminating June 15" and inserting in lieu thereof the following: "May 1 and terminating June 30".

Sec. 3. Section one hundred seventy-nine point six (179.6), Code 1950, is hereby amended by striking from line twelve (12) the following words: "June 1 to June 15" and inserting in lieu thereof the words: "May 1 to June 30".

Sec. 4. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Mt. Pleasant News, a newspaper published at Mt. Pleasant, Iowa, and the Kalona News, a newspaper published at Kalona, Iowa.

CARL T. ANDERSON, *Chairman.*

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 2, section 3, subsection 4, line 15, by striking all after the word "and" and inserting in lieu thereof the following: "make a public report of any illegal or improper practices to the governor and the budget and financial control committee.

X. T. PRENTIS.

1. Amend House File 7 by striking subsection 2 of section 1.

2. Amend House File 7 by striking subsection 3 of section 1.

RALPH ZASTROW.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 2, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Walter A. Olson, pastor of the Lutheran Church of the Good Shepherd, Lincoln Heights, Des Moines, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Watson of O'Brien for the day on request of Senator Sharp.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Knudson, from members of the Mason City police department, Cerro Gordo County, in opposition to Senate File 18.

By Senator Lord, from members of the Mason City police department, Cerro Gordo County, in opposition to Senate File 18.

By Senator Weichman, from 112 students and faculty members of the Dysart High School, Benton County, favoring proposed legislation pertaining to the lowering of the age at which citizens shall be permitted to vote.

## INTRODUCTION OF BILLS

Senate File 242, by Senators Jacobson, Fletcher, Vest and O'Malley, a bill for an act to amend chapter two hundred thirty-seven (237), Code 1950, relating to the definition and licensing of children's boarding homes.

Read first and second times, and passed on file.

Senate File 243, by the committee on judiciary 2, a bill for an act to amend section six hundred eighty-two point twenty-six (682.26), Code 1950, relating to the release and discharge of investments and liens of fiduciaries, and to legalize releases of liens heretofore made by fiduciaries.

Read first and second times, and placed on the calendar.

Senate File 244, by the committee on judiciary 2, a bill for an act relating to the change in the name of the profession of "podiatry" to that of "chiroprody".

Read first and second times, and placed on the calendar.

Senate File 245, by the committee on judiciary 2, a bill for an act to amend section six hundred eighty-two point twenty-three (682.23), Code 1950, relating to the investment of funds by fiduciaries.

Read first and second times, and placed on the calendar.

Senate File 246, by the committee on judiciary 2, a bill for an act to legalize and validate orders, judgments and decrees entered prior to July 4, 1951, upon service of notice by publication or posting.

Read first and second times, and placed on the calendar.

Senate File 247, by the committee on judiciary 2, a bill for an act to legalize and validate orders, judgments and decrees entered prior to July 4, 1951, where acceptance of service of notice, delivery of copy thereof or posting or proof of posting was done by an attorney or his agent.

Read first and second times, and placed on the calendar.

Senate File 248, by the committee on judiciary 2, a bill for an act to amend section six hundred point three (600.3), Code 1950, relating to consent, when necessary, for adoption.

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 92, a bill for an act relating to the purchase of certain land by executive council.

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 legalizing bank or trust company transactions performed after banking hours or on legal holidays.

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

House File 214, a bill for an act relating to surplus funds of state banks and trust companies.

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 per diem compensation paid to any member of an examining committee of a bank.

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

House File 252, a bill for an act relating to appropriation in regard to House Resolution 3.

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

House Joint Resolution 3, relating to the succession of officers to the office of Governor.

A. C. GUSTAFSON, *Chief Clerk.*

### HOUSE MESSAGES CONSIDERED

House File 92, a bill for an act authorizing the executive council to purchase a strip and certain parcels of land in Jones County from the Chicago and North Western Railway Company and to provide an appropriation therefor.

Read first and second times, and passed on file.

House File 213, a bill for an act to legalize the payment, certification or acceptance of a check or other negotiable instrument or any other transaction by a bank or trust company in this state performed after banking hours or on any legal holiday.

Read first and second times, and passed on file.

House File 214, a bill for an act to amend section five hundred twenty-six point thirty-two (526.32), Code 1950, to include the surplus funds of state banks and trust companies.

Read first and second times, and passed on file.

House File 215, a bill for an act to amend section five hundred twenty-eight point twenty-one (528.21), Code 1950, relating to per diem compensation paid to any member of an examining committee of a bank.

Read first and second times, and passed on file.

House File 252, a bill for an act to appropriate from the general fund of the State of Iowa, not otherwise appropriated, the sum of one thousand dollars (\$1,000.00) or so much thereof as may be necessary in payment of miscellaneous expenses of the investigating committee created by the House Resolution 3.

Read first and second times, and passed on file.



## HOUSE JOINT RESOLUTION 3

## A Joint Resolution

Proposing amendments to the Constitution of the State of Iowa relating to the succession of officers to the office of Governor in the event of death or disability of the Governor or person elected to that office and to amend section four (4) of article IV and to repeal section nineteen (19) of article IV and propose a substitute therefor.

*Be It Resolved by the General Assembly of the State of Iowa:*

Section 1. That the following amendments to the Constitution of Iowa are hereby proposed:

Amendment 1. Section four (4) of Article IV of the Constitution of Iowa is amended by adding thereto the following: "If, upon the completion of the canvass of votes for Governor and Lieutenant Governor by the General Assembly, it shall appear that the person who received the highest number of votes for Governor has since died, resigned, is unable to qualify, fails to qualify, or for any other reason is unable to assume the duties of the office of Governor for the ensuing term, the powers and duties of the office shall devolve upon the person who received the highest number of votes for Lieutenant Governor until the disability is removed and, upon inauguration, he shall assume the powers and duties of Governor."

Amendment 2. Section nineteen (19) of Article IV of the Constitution of the State of Iowa is repealed and the following adopted in lieu thereof: "Sec. 19. If there be a vacancy in the office of Governor and the Lieutenant Governor shall by reason of death, impeachment, resignation, removal from office or other disability become incapable of performing the duties pertaining to the office of Governor, the President pro tempore of the Senate shall act as Governor until the vacancy is filled or the disability removed; and if the President pro tempore of the Senate, for any of the above causes, shall be incapable of performing the duties pertaining to the office of Governor the same shall devolve upon the Speaker of the House of Representatives; and if the Speaker of the House of Representatives, for any of the above causes, shall be incapable of performing the duties of the office of Governor, the Justices of the Supreme Court shall convene the General Assembly by proclamation and the General Assembly shall organize by the election of a President pro tempore by the Senate and a Speaker by the House of Representatives. The General Assembly shall thereupon immediately proceed to the election of a Governor and Lieutenant Governor in joint convention."

Sec. 2. The foregoing proposed amendments to the Constitution of the State of Iowa having been adopted and agreed to by the Fifty-third (53rd) General Assembly, thereafter duly published, and now adopted and agreed to by the Fifty-fourth (54th) General Assembly in this Joint Resolution, the same shall be submitted to the people of the State of Iowa at the general election in nineteen hundred fifty-two (1952) in the manner required by the Constitution of the State of Iowa and the laws of the State of Iowa.

Read first and second times, and passed on file.

## THIRD READING OF BILLS

The Senate resumed consideration of Senate File 159, a bill for an act to amend section five hundred fifteen point thirty-five (515.35), Code 1950, relating to investments of insurance companies other than life, to authorize investment in obligations issued, assumed or guaranteed by International Bank for Reconstruction and Development.

On motion of Senator Bekman the committee report was adopted.

Senator McCarville moved the previous question on Senate File 159.

Senator Walter moved as a substitute motion that Senate File 159 be laid on the table.

Senator Mercer moved that the Senate adjourn until 10:00 a.m., Monday, which motion was lost.

On the motion to substitute roll call was requested.

On the question "Shall the substitute motion be adopted?" the vote was:

**Ayes, 4:**

Fishbaugh	Humbert	Lord	Walter
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**Nays, 42:**

Anderson	Gillespie	Mercer	Roberts
Augustine	Hart	Molison	Sharp
Bateson	Hattery	Myrland	Tudor
Bekman	Hedin	Nesmith	Utzig
Berg	Henningsen	Oitman	Van Eaton
Byers	Hultman	O'Malley	Vest
Colburn	Jacobson	Parker	Weichman
Dailey	Knudson	Prentis	West
Doud	Linnevold	Ridout	Whitehead
Elthon	Lynes	Risk	Zastrow
Fletcher	McCarville		

**Absent or not voting, 4:**

Dykhouse	Van Patten	Watson of O'Brien	Watson of Pottawattamie
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The motion to lay Senate File 159 on the table was lost.

The motion by Senator McCarville 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, 27:**

Anderson	Elthon	Nesmith	Utzig
Augustine	Gillespie	Oltman	Vest
Bateson	Henningsen	O'Malley	Watson of
Bekman	Jacobson	Ridout	Pottawattamie
Berg	McCarville	Roberts	West
Byers	Mercer	Sharp	Whitehead
Dailey	Molison	Tudor	Zastrow

**Nays, 16:**

Colburn	Hultman	Myrland	Van Eaton
Dykhouse	Humbert	Parker	Van Patten
Fishbaugh	Lord	Prentis	Walter
Hattery	Lynes	Risk	Weichman

**Absent or not voting, 7:**

Doud	Hart	Knudson	Watson of
Fletcher	Hedin	Linnevold	O'Brien

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 Jacobson, Senate File 54, a bill for an act relating to mileage for grand jurors, was taken up for further consideration.

Senator Jacobson offered the following amendment and moved its adoption:

Amend the title to Senate File 54 to read as follows: "An Act to amend section six hundred seven point five (607.5), Code 1950, relating to fees and mileage for jurors."

The amendment was adopted.

Senator West asked and received unanimous consent that action on Senate File 54 be temporarily deferred and that the bill retain its place on the calendar.

On motion of Senator Bekman, Senate File 160, a bill for an act to amend section five hundred eleven point eight (511.8), Code 1950, relating to the investment of funds of life insurance companies and associations, to authorize investment in obligations issued, assumed or guaranteed by International Bank for Reconstruction and Development, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Fishbaugh offered the following amendment by Senators Fishbaugh, Prentis and Lord and moved its adoption:

Amend Senate File 160 by adding thereto the following: "Provided, however, that such bonds or other evidences of indebtedness have been issued by nations having a form of government in which the fundamental freedoms of speech, press, assembly and suffrage are guaranteed to its citizens."

Senator Utzig moved the previous question on the amendment, which motion prevailed.

The amendment was lost.

Senator Weichman asked and received unanimous consent that action on Senate File 160 be deferred and that the bill retain its place on the calendar.

Senator Bateson asked and received unanimous consent to take up Senate File 103, a bill for an act to legalize and validate proceedings taken by the town council of the town of Ellsworth, Iowa, authorizing and providing for the issuance and sale of \$12,500 worth of general obligation bonds of said incorporated town, with report of committee recommending passage, which report of committee was adopted.

Senator Bateson moved that the bill be read a third 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:**

Anderson	Gillespie	Mercer	Tudor
Augustine	Hart	Molison	Utzig
Bateson	Hattery	Myrland	Van Eaton
Bekman	Hedin	Nesmith	Van Patten
Berg	Henningsen	Oltman	Vest
Byers	Hultman	O'Malley	Walter
Colburn	Humbert	Parker	Watson of
Dailey	Jacobson	Prentis	Pottawattamie
Doud	Knudson	Ridout	Weichman
Dykhouse	Linnevoid	Risk	West
Elthon	Lord	Roberts	Whitehead
Fishbaugh	Lynes	Sharp	Zastrow
Fletcher	McCarville		

**Nays, none.**

**Absent or not voting, 1:**

Watson of  
O'Brien

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

Senator Bateson moved that the 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 Nesmith, 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 63.

**JAMES H. NESMITH, *Chairman Senate Committee.***

**ELMER A. BASS, *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 63.

#### BILL SENT TO THE GOVERNOR

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

**MR. PRESIDENT:** Your committee on enrolled bills respectfully reports that it has, on this 2nd day of February, 1951, sent to the Governor for his approval: Senate File 63.

**JAMES H. NESMITH, *Chairman.***

Passed on file.

#### PRESENTATION OF VISITOR

Senator Fletcher asked and received unanimous consent to present to the Senate a member of the junior class of the Chariton High School, Bob Lindquist, who was present in the Senate chamber.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on February 1 the Governor had approved the following bills:

**Senate File 62, relating to gross premium tax payable by life insurance companies and associations.**

**Also, House File 21, relating to the amount a surviving spouse may select from the estate of a deceased spouse.**

## BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following assignment of bills to committee:

- S. F. 233 Public utilities
- S. F. 234 Compensation of public officers and employees
- S. F. 235 Public health
- S. F. 238 Highways
- S. F. 239 Insurance
- S. F. 240 Conservation
- S. F. 241 Judiciary 1

## REPORTS OF COMMITTEES

Senator Byers submitted the following report:

**MR. PRESIDENT:** Your committee on judiciary 2 to which was referred **House File 169**, a bill for an act relating to the change in the name of the Soldiers' Orphans Home to The Iowa Annie Wittenmyer Home, begs leave to report it has had the same under consideration and recommends the same **be amended in accordance with the Dailey amendment filed February 2, 1951; and when so amended the bill do pass.**

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Senator Doud submitted the following report:

**MR. PRESIDENT:** Your committee on schools and education to which was referred **Senate File 177**, a bill for an act relating to appeals from orders made by local school boards and county boards of education respecting school transportation and bus routes and by repealing sections two hundred eighty-five point twelve (285.12) and two hundred eighty-five point thirteen (285.13), Code 1950, and enacting substitutes therefor, begs leave to report it has had the same under consideration and recommends the same **do pass.**

ALDEN L. DOUD, *Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on schools and education to which was referred **Senate Joint Resolution 2**, a joint resolution creating a special committee to survey the present and future needs and the proposed use of advanced education facilities in the State of Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass.**

ALDEN L. DOUD, *Chairman.*

Ordered passed on file.

## AMENDMENTS FILED

Amend Senate File 13 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section seventy-five point two (75.2), Code 1950, is amended by adding at the end thereof a new sentence as follows: "Said bonds may be offered individually, in blocks or en masse or by any two or all three of these methods as shall be considered most advantageous by the issuing body and bids taken accordingly."

Sec. 2. Section seventy-five point nine (75.9), Code 1950, is amended by striking the period (.) in line five (5) after the word "law" and adding the following: ", except whenever bonds are offered for sale or exchange, the provisions of section seventy-five point two (75.2) of the Code shall be applicable to said sale."

R. R. BATESON.

Amend Senate File 160 by striking lines 4, 5 and 6 and inserting in lieu thereof the following: "Bonds issued by the International Bank for Reconstruction and Development in an amount not to exceed five per cent (5%) of its legal reserve and then only upon the approval of the commissioner of insurance."

ELMER K. BEKMAN.

ALDEN L. DOUD.

HARRY E. WEICHMAN.

Amend Senate File 203 by striking all of section 4 and inserting in lieu thereof the following:

"Sec. 4. Section two hundred seventy-four point sixteen (274.16), Code 1950, is hereby amended by adding thereto the following: "The concurrent action of the boards to become effective shall have the approval of the county board of education.'"

GEORGE O'MALLEY.

Amend Senate File 54 by adding a new section as follows:

Sec. 3. Further amend section six hundred seven point five (607.5), Code 1950, by striking from lines four (4) and five (5) of subsection one (1) the words "traveled from his residence to the place of trial, ten cents" and inserting in lieu thereof the following:

"actually traveled each day to and from his residence and the place of trial, five cents".

SHERMAN WEST.

Amend House File 169 as follows:

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

Section 1. Section two hundred eighteen point one (218.1), Code 1950, is amended by striking all of subsection eleven (11)

and inserting in lieu thereof the following: "11. The Iowa Annie Wittenmyer Home."

Sec. 2. Section two hundred eighteen point eighty (218.80), Code 1950, is amended by striking from lines three (3) and four (4) of subsection one (1) the words, "soldiers' orphans home" and inserting in lieu thereof the following: "The Iowa Annie Wittenmyer Home".

Sec. 3. Section two hundred fifty-five point twenty-eight (255.28), Code 1950, is amended by striking from lines three (3) and four (4) the words, "the soldiers' orphans home" and inserting in lieu thereof the following: "The Iowa Annie Wittenmyer Home".

Sec. 4. Section four hundred forty-four point twelve (444.12), Code 1950, is amended by striking from line nineteen (19) the words, "the Iowa soldiers' orphans home" and inserting in lieu thereof the following: "The Iowa Annie Wittenmyer Home".

2. Amend the title by striking all after the words "An Act" and inserting in lieu thereof the words "relating to the change in name of the soldiers' orphans home to The Iowa Annie Wittenmyer Home."

THOMAS J. DAILEY.

On motion of Senator Elthon, the Senate adjourned until 1:00 p.m., Monday, February 5, 1951.



# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 5, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend William Eller, pastor of the St. Mark's Lutheran Church, Davenport, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Byers for the day on request of Senator Hart; Senator Tudor for the day on request of Senator Hultman.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Dykhouse, from members of the LeMars, Plymouth County, federated clubs in opposition to the use of live pigeons in hunting; also, from W. Walker McGann, warehouse manager of Carstensen Transfer and Storage Company, Clinton, in opposition to proposed legislation authorizing municipalities to regulate carriers.

By Senator Hedin, from Walter R. Ehrmann, president of local unit 2 of the Iowa State Policemen's Association, of Davenport, Scott County, in opposition to Senate File 18; also, from John Denekas, president of Davenport firemen's local 546 in opposition to Senate File 18.

By Senator Henningsen, from D. B. Miller, secretary of the Clinton police officers association in opposition to Senate File 18; also, from the Clinton fire fighter's association in opposition to Senate File 18; also, from members of the Clinton police department in opposition to Senate File 17; also, from Lester Woodward, president of the Cedar Rapids policemen's protective association in opposition to Senate Files 17 and 18; also, from members of the Mason City police department in opposition to Senate File 17; also, from Sheriff Marvin Bruhn and deputies of Clinton, favoring an increase of salaries for county officers; also, from Alfred J. Klocke, clerk of the district court, Carroll County, favoring an increase of

salaries for county officers; also, from the county officers of Sioux County favoring an increase of salaries for county officers; also, from the county officials and deputies of Crawford County, favoring an increase in salaries for county officers; also, from county officials, supervisors, deputies and clerks of Kossuth County favoring an increase in salaries for county officers; also, from L. J. Schuster of Clinton in opposition to proposed legislation authorizing municipalities to regulate carriers.

By Senator Lord, a resolution from the Iowa Junior Chamber of Commerce in convention assembled at Mason City, Cerro Gordo County, favoring proposed legislation increasing the number of Iowa highway patrolmen from one hundred sixty to two hundred seventy-five.

By Senator Lynes, from county officials and deputies of Crawford County favoring an increase in salaries for county officers; also, from Kossuth County officers, supervisors, deputies and clerks, favoring an increase in salaries for county officers.

By Senator Myrland, from county officials and deputies of Crawford County favoring an increase in salaries for county officers; also, from Kossuth County officers, supervisors, deputies and clerks favoring an increase in salaries for county officers.

By Senator Van Eaton, from county officials and deputies of Crawford County favoring an increase in salaries for county officers; also, from Kossuth County officers, supervisors, deputies and clerks favoring an increase in salaries for county officers.

By Senator Weichman, from county officials and deputies of Crawford County favoring an increase in salaries for county officers; also, from Kossuth County officers, supervisors, deputies and clerks favoring an increase in salaries for county officers.

#### INTRODUCTION OF BILLS

Senate File 249, by Senator West, a bill for an act relating to the display of warning flags on tractors and other machines moved on a public highway and to amend section three hundred twenty-one point three hundred eighty-three (321.383), Code 1950.

Read first and second times, and passed on file.

Senate File 250, by Senator Bateson, a bill for an act to amend

section three hundred ninety point nine (390.9), Code 1950, relating to off-street parking and issuance of revenue bonds.

Read first and second times, and passed on file.

Senate File 251, by Senators Jacobson, Myrland, Vest and Fletcher, a bill for an act to amend sections three hundred twenty-one point one hundred forty-five (321.145) and three hundred twenty-one point one hundred fifty-two (321.152), Code 1950, relating to fees to be charged and retained by the county treasurer for each motor vehicle registration and transfer.

Read first and second times, and passed on file.

Senate File 252, by Senators Jacobson, Myrland, Vest and Fletcher, a bill for an act to amend section six hundred six point fifteen (606.15), Code 1950, relating to fees to be charged by the clerk of the district court.

Read first and second times, and passed on file.

Senate File 253, by Senators Jacobson, Myrland, Vest, Nesmith and Hattery, a bill for an act to amend section three hundred thirty-seven point eleven (337.11), Code 1950, relating to fees to be charged by the county sheriff.

Read first and second times, and passed on file.

#### PROOFS OF PUBLICATION

Published copy of Senate File 72 and verified proof of publication of said bill in the Iowa Recorder, Greene, Iowa, on January 31, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

Published copy of House File 44 and verified proof of publication of said bill in the Mitchell County Press, Osage, Iowa, on January 4, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE, *Secretary of Senate.*

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 34.

**JAMES H. NESMITH,** *Chairman Senate Committee.*

**ELMER A. BASS,** *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 34.

**PRESENTATION OF VISITORS**

Senator Roberts asked and received unanimous consent to present to the Senate a former member of the Senate from Marion County, the Honorable Tunis H. Klein, who was present in the Senate chamber.

Senator Hedin asked and received unanimous consent to present to the Senate Herbert Meyer a member of the Scott County Farm Bureau federation who was present in the Senate chamber.

Senator Hattery asked and received unanimous consent to present to the Senate Mrs. Homer Clark of Ames together with a group of members of the Iowa Christian Citizenship Seminar.

**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 6, a bill for an act relating to the crime of operating a motor vehicle while intoxicated.

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

House File 38, a bill for an act relating to the duties of the attorney general.

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

House File 83, a bill for an act relating to secondary roads.

Also: 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 funds derived from parking meters.

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

House File 158, a bill for an act relating to corn and small grain growers association.

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 payment for capital stock.

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 the expenses of the banking department.

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

House File 224, a bill for an act relating to milldams and races.

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 relating to floodways and flood control.

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

House File 226, a bill for an act relating to permits for construction of dams.

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

House Joint Resolution 6, making an appropriation for printing of a booklet entitled "Iowa Government in Action."

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File 6, a bill for an act to amend section three hundred twenty-one point two hundred eighty-one (321.281), Code 1950, relating to the crime of operating a motor vehicle while intoxicated or under the influence of drugs or a combination of drugs and alcohol.

Read first and second times, and passed on file.

House File 38, a bill for an act to amend section thirteen point two (13.2), Code 1950, relating to the duties of the attorney general.

Read first and second times, and passed on file.

House File 83, a bill for an act to amend chapter three hundred nine (309), Code 1950, and to repeal section three hundred twenty-one point three hundred fifty-one (321.351), Code 1950, relating to secondary roads.

Read first and second times, and passed on file.

House File 150, a bill for an act to amend section three hundred ninety point eight (390.8), Code 1950, relating to funds derived from parking meters.

Read first and second times, and passed on file.

House File 158, a bill for an act to amend chapter one hundred seventy-seven (177), Code 1950, relating to corn and small grain growers association.

Read first and second times, and passed on file.

House File 216, a bill for an act to amend chapter four hundred ninety-two (492), Code 1950, relating to payment in property other than cash for capital stock.

Read first and second times, and passed on file.

House File 217, a bill for an act to amend section five hundred twenty-four point sixteen (524.16), Code 1950, relating to the expenses of the banking department.

Read first and second times, and passed on file.

House File 224, a bill for an act to amend sections four hundred sixty-nine point five (469.5) and four hundred sixty-nine point nine (469.9), Code 1950, relating to milldams and races.

Read first and second times, and passed on file.

House File 225, a bill for an act to amend sections four hundred fifty-five A point nineteen (455A.19), four hundred fifty-five A point twenty-two (455A.22) and four hundred fifty-five A point twenty-four (455A.24), Code 1950, relating to floodways and flood control.

Read first and second times, and passed on file.

House File 226, a bill for an act to amend section one hundred eleven point four (111.4), Code 1950, relating to permits for construction of dams.

Read first and second times, and passed on file.

House Joint Resolution 6, a joint resolution making an appropriation for the printing of copies of the booklet called "Iowa Government in Action."

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

#### SENATE CONCURRENT RESOLUTION 9

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

#### SENATE CONCURRENT RESOLUTION 9

*Be It Resolved by the Senate, the House Concurring:* That when adjournment is had on Friday, February 23, 1951, it be to reconvene on Monday, March 5, 1951, at 2:00 p.m.

The motion prevailed and the resolution was adopted.

## THIRD READING OF BILLS

On motion of Senator Bateson, Senate File 13, a bill for an act to amend sections seventy-five point two (75.2) and seventy-five point nine (75.9), Code 1950, relating to the sale of public bonds, was taken up for further consideration.

Senator Bateson asked and received unanimous consent to withdraw the amendment filed by him to Senate File 13 and found on page 233 of the Senate Journal.

Senator Bateson offered the following amendment and moved its adoption :

Amend Senate File 13 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section seventy-five point two (75.2), Code 1950, is amended by adding at the end thereof a new sentence as follows: "Said bonds may be offered individually, in blocks or en masse or by any two or all three of these methods as shall be considered most advantageous by the issuing body and bids taken accordingly."

Sec. 2. Section seventy-five point nine (75.9), Code 1950, is amended by striking the period (.) in line five (5) after the word "law" and adding the following: ", except whenever bonds are offered for sale or exchange, the provisions of section seventy-five point two (75.2) of the Code shall be applicable to said sale."

The amendment was adopted.

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

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

Ayes, 30:

Anderson	Hart	Linnevoid	Vest
Bateson	Hattery	Lord	Walter
Bekman	Hedin	Molison	Watson of
Dailey	Henningesen	Nesmith	O'Brien
Elthon	Hultman	Parker	Weichman
Fishbaugh	Humbert	Prentis	Whitehead
Fletcher	Jacobson	Risk	Zastrow
Gillespie	Knudson	Sharp	

Nays, 16:

Augustine	Mercer	Ridout	Van Patten
Colburn	Myrland	Roberts	Watson of
Dykhouse	Oltman	Utzig	Pottawattamie
Lynes	O'Malley	Van Eaton	West
McCarville			

Absent or not voting, 4:

Berg	Byers	Doud	Tudor
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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 Bateson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Zastrow, Senate File 72, a bill for an act to legalize and validate the proceedings taken by the town council of the town of Greene, Butler County, Iowa, for the construction of extensions and improvements to the municipal waterworks and to authorize the provisions made for the levy of taxes for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said town, was taken up for further consideration.

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, 47:

Anderson	Hattery	Molison	Van Eaton
Augustine	Hedin	Myrland	Van Patten
Bateson	Henningsen	Nesmith	Vest
Bekman	Hultman	Oltman	Walter
Berg	Humbert	O'Malley	Watson of
Colburn	Jacobson	Parker	O'Brien
Dailey	Knudson	Prentis	Watson of
Dykhouse	Linnevoild	Ridout	Pottawattamie
Elthon	Lord	Risk	Weichman
Fishbaugh	Lynes	Roberts	West
Fletcher	McCarville	Sharp	Whitehead
Gillespie	Mercer	Utzig	Zastrow
Hart			

Nays, none.

Absent or not voting, 3:

Byers	Doud	Tudor
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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 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.

#### RESIGNATION OF EMPLOYEE

Senator Ridout announced the resignation of his committee clerk, Dorothy Ling.



## APPOINTMENT OF COMMITTEE CLERK

Senator Ridout announced the appointment of Gladyce Mongar of Polk County as his committee clerk.

## BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following assignment of bills to committee:

S. F. 242 Board of control  
 S.J.R. 2 Appropriations  
 H. F. 92 Public lands and buildings  
 H. F. 213 Banks, building and loan  
 H. F. 214 Banks, building and loan  
 H. F. 215 Banks, building and loan  
 H. F. 252 Appropriations  
 H.J.R. 3 Judiciary 1  
 H.J.R. 6 Appropriations

## REPORTS OF COMMITTEES

Senator Whitehead submitted the following report:

MR. PRESIDENT: Your committee on printing to which was referred **Senate File 110**, a bill for an act to amend section six hundred eighteen point two (618.2), Code 1950, relating to the publication of notices, reports of proceedings and similar matter, begs leave to report it has had the same under consideration and recommends the same **do pass**.

G. E. WHITEHEAD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on printing to which was referred **Senate File 114**, a bill for an act relating to the form of publication of the Acts of the General Assembly, begs leave to report it has had the same under consideration and recommends the same **be amended in accordance with the amendment filed to Senate File 114 by Senator Vest and found on pages 177 and 178 of the Senate Journal and when so amended the bill do pass**.

G. E. WHITEHEAD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on printing to which was referred **Senate File 128**, a bill for an act to amend chapter forty-three (43), Code

1950, relating to nominations by primary election, begs leave to report it has had the same under consideration and recommends the same **do pass**.

G. E. WHITEHEAD, *Chairman*.

Ordered passed on file.

Senator Fishbaugh submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 40**, a bill for an act relating to issuance of drivers license upon signed consent to the taking of tests to determine intoxication, begs leave to report it has had the same under consideration and recommends the same **be indefinitely postponed**.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 113**, a bill for an act to amend section four hundred forty-one point nine (441.9), Code 1950, relating to the duties of the county assessor, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

Senator Jacobson submitted the following report:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade to which was referred **Senate File 124**, a bill for an act repealing section two hundred eight A point four (208A.4) and two hundred eight A point five (208A.5) and enacting substitutes therefor, and repealing sentence number two (2) of section two hundred eight A point three (208A.3) and enacting a substitute therefor, and repealing section two hundred eight A point six (208A.6), Code 1950, relating to the issuing of a written permit authorizing the sale of antifreeze, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

Amend Senate File 124, section 1, by striking all after the period following the word "provided" in line 11 and inserting in lieu thereof the following:

"If the antifreeze is not altered or misbranded, and is not in violation of this act, the department shall give the applicant a written permit authorizing the sale of such antifreeze in this state, with calendar year beginning on the first day of May and ending on the thirtieth day of April next following, for which the inspection fee is paid."

Amend line 1 of section 3 by striking the following: "(3)" and inserting in lieu thereof the figures "(208A.3)".

ARTHUR H. JACOBSON, *Chairman*.

Ordered passed on file.

Senator Colburn submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred **House Joint Resolution 6**, a joint resolution making an appropriation for the printing of copies of the booklet called "Iowa Government in Action," begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAY C. COLBURN, *Chairman*.

Ordered passed on file.

Senator Dykhouse 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 three hundred twenty-one point four hundred seventy-three (321.473), Code 1950, relating to the powers of municipal corporations to regulate the use of streets, 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 cities and towns to which was referred **Senate File 27**, a bill for an act to amend section three hundred ninety-seven point twenty-six (397.26), Code 1950, relating to protection of municipal water supplies, 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 cities and towns to which was referred **Senate File 33**, a bill for an act relating to the ordinances of municipal corporations, and to repeal certain sections of chapter three hundred sixty-six (366), Code 1950, relating thereto, and to amend certain sections of said chapter, begs leave to report it has had the same under consideration and recommends the same **be amended in accordance with the amendment to Senate File 33 filed by Senators Hattery and Dykhouse and found on pages 221 and 222 of the Senate Journal, and when so amended the bill do pass**.

J. T. DYKHOUSE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred **Senate File 165**, a bill for an act relating to the forms of government, classification and fiscal year of municipal corporations and to the election of officers thereof, and to repeal certain sections of chapters three hundred sixty-three (363), four hundred sixteen (416), four hundred nineteen (419) and four hundred twenty (420), 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 165, section 7, by striking the sentence beginning with "The" in line 4 to and including the first period (.) in line 6.

J. T. DYKHOUSE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred **House File 39**, a bill for an act to amend section four hundred twelve point five (412.5), Code 1950, relating to municipal utilities retirement systems, 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 18, section 7, subsection 7, line 4, by striking the period (.) following the word "provided" and inserting in lieu thereof a comma (,) and adding the following: "subject, however, to the provisions of chapters seventy (70) and three hundred sixty-five (365)."

GEORGE E. O'MALLEY.

Amend Senate File 18 as follows:

1. Strike from line 14 of section 2 the figures "419.9" and insert in lieu thereof the figures "419.19".
2. Insert after the word "government" in line 10 of section 7 the words "and may appoint with approval of the council such administrative assistants as shall be deemed advisable".
3. Insert after the word "appointed" in line 12 of section 7 the words "and shall take active control of the police, fire, and engineering departments of the city".
4. Insert after the words and figures "three hundred sixty-five (365)" in line 24 of section 7 the words ", except that any administrative assistants to the manager shall hold office at his pleasure".
5. Insert after the word "city," in line 26 of section 7 the words "and all public buildings,"
6. Strike from lines 29 and 30 of section 7 the words ", and of all public buildings".
7. Strike from line 43 of section 7 the words "of trustees".
8. Insert after the word "election." in line 45 of section 7 the following sentence: "If a board or commission is abolished or ceases to exist, management

theretofore exercised by such board or commission shall thereupon vest in the manager."

9. Strike from lines 6 and 7 of section 12 the words "during the period necessary to perfect municipal reorganization".

10. Strike from line 2 of section 13 the comma (,) after the word "police".

11. Strike all of section 17 and insert in lieu thereof the following: "Sec. 17. Section four hundred nineteen point thirty-seven (419.37) and four hundred nineteen point thirty-eight (419.38), Code 1950, are hereby repealed."

12. Insert following section 13 the following section:

"Sec. 14. Applicable statutes. Unless otherwise specifically provided by statute, all laws which are applicable by their terms to all cities and towns shall be applicable to cities under the city manager plan by popular election, and all laws applicable by their terms to cities of a certain population shall be applicable to cities of like population under the city manager plan by popular election." (419.70, 419.71, C50 revised.)

Further amend Senate File 18 by renumbering the remaining sections.

JOHN R. HATTERY.  
J. T. DYKHOUSE.

Amend Senate File 79 by adding at the end of section 2 the following paragraph:

Further amend section one hundred seventy-nine point five (179.5) by inserting after the word "thereto" in the last line the words ", provided that four-fifths of all money derived under the provisions of this section shall be used by said commission for the purpose of advertising butterfat and products made primarily from butterfat.

J. T. DYKHOUSE.

Amend Senate File 97 by adding the following:

Sec. 2. Section three hundred ninety-seven point one (397.1), Code 1950, is hereby amended by adding at the end thereof the following: "In the event that the city or town purchases street railways, motor busses or trackless trolley systems, and there is existing at the time of said purchase a collective bargaining agreement covering the employees of said system so purchased, said city and town shall have the power to continue said collective bargaining agreement, and shall have the power to bargain collectively in the future with the representatives of the employees own choosing, and the results of such collective bargaining efforts may be reduced to

writing and executed in the form of an agreement.

Sec. 3. Section three hundred ninety-seven point twenty (397.20), Code 1950, is hereby amended by adding after the comma (,) after the word "gasworks" in line four (4) the following: "street railways, motor busses, trackless trolley systems".

GEORGE E. O'MALLEY.

Amend Senate File 109 by inserting in line 7 after the word "trustees" the following: "of the township where the cemetery is located"

ALAN VEST.

Amend Senate File 126 by striking the words "three hundred twenty-one point" in the first line of the title and the words "one (321.1)," in the second line of the title.

Amend Senate File 126 by striking all that follows the enacting clause and substituting in lieu thereof the following:

"Section 1. Section three hundred twenty-one point four hundred fifty-seven (321.457), Code 1950, is hereby amended by striking subsection three (3) thereof and inserting in lieu thereof the following:

"3. No combination of truck tractor and semi-trailer, nor any other combination of vehicles coupled together, unladen or with load, shall have an over-all length, inclusive of front and rear bumpers, in excess of forty-five feet; provided, however, that the restrictions herein imposed shall not apply to a combination of trailer coach and motor vehicle coupled together. No combination of trailer coach and motor vehicle, when coupled together, shall have an over-all length, inclusive of front and rear bumpers, in excess of fifty-five feet. The term "trailer coach" as used in this section and in section 321.467 shall mean either a trailer or a semi-trailer designed for being drawn by a motor vehicle and to permit occupancy thereof for dwelling purposes.'

"Sec. 2. Section three hundred twenty-one point four hundred sixty-seven (321.467), Code 1950, is hereby amended by striking the period (.) at the end of said section and inserting in lieu thereof a comma (,) and adding the following: 'and provided further, however, that the state highway commission or such local authorities may, in their discretion, issue a special permit authorizing the applicant to operate or move for a distance in excess of twenty-five (25) miles a combination of trailer coach and motor vehicle of a size exceeding the maximum specified in this chapter.'

"Sec. 3. Section three hundred twenty-one point four hundred sixty-eight (321.468), Code 1950, is hereby

amended by inserting after the word 'and' and before the word 'load' in line three (3) thereof the words 'the size or'."

GEORGE E. O'MALLEY.

Amend Senate File 154 by striking from line 4 the word "shall" and inserting in lieu thereof the word "may".

ERNEST L. HUMBERT.  
SHERMAN WEST.

Amend Senate File 237 by striking from line 6 of section 1 the words "final settlement or".

ARTHUR H. JACOBSON.

Amend House File 38 as follows:

By striking the period and quotation mark in line 8 and adding the following: "and to accompany his request with his opinion."

R. R. BATESON.

Amend Senate File 203, section 3, by striking the period at the end of the section and adding the following words: "and enacting in lieu thereof the following: The county board of education shall prepare and approve tentative plans for reorganization of school districts within the county after consultation with the boards of the various districts in the county and the state department of public instruction. Any proposal for merger, consolidation or boundary change shall first be submitted to the county board of education for approval before being submitted to the affected districts at an election. Such proposal shall in no way interfere with the county-wide plan for reorganization which has been approved by the county board.

ALDEN L. DOUD.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 6, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Harold Drown, pastor of the First Presbyterian Church, Ottumwa, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Byers for the day on request of Senator Hart; Senator Tudor for the day on request of Senator Hultman.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Hultman, from members of the LeMars, Plymouth County, federated clubs in opposition to the use of live pigeons in hunting.

By Senator Lord, from employees of the state highway maintenance, Howard County, relating to old age and survivors insurance.

By Senator Myrland, from county officials and deputies of Monona County favoring an increase in salary for county officers.

By Senator O'Malley, from residents of Polk County in favor of the continuance of rent control in the Des Moines area.

By Senator Utzig, from county officials and deputies of Crawford County favoring an increase in salary for county officers.

By Senator Weichman, from students and faculty members of the Dysart, Benton and Tama Counties High School favoring proposed legislation pertaining to the lowering of the age at which citizens shall be permitted to vote; also, from county officials of Benton County favoring an increase in salary for county officers; also, from county officials of Wayne County favoring an increase in salary for county officers.



## INTRODUCTION OF BILLS

Senate File 254, by Senator O'Malley, a bill for an act to amend section three hundred forty-seven point seven (347.7), Code 1950, to raise the limitation on the power to levy annually special taxes for the improvement and maintenance fund of county public hospitals in counties having a population of one hundred thirty-five thousand (135,000) inhabitants or over.

Read first and second times, and passed on file.

Senate File 255, by Senator Anderson, a bill for an act to amend section one hundred nine point one hundred eleven (109.111), Code 1950, section one hundred nine point one hundred twelve (109.112), Code 1950, and section one hundred nine point one hundred thirteen (109.113), Code 1950, relating to permissive catch of fish in the Mississippi and Missouri Rivers with licensed nets and seines.

Read first and second times, and passed on file.

Senate File 256, by Senator Roberts, a bill for an act to legalize and validate proceedings taken by the city council of the city of Pella, Iowa, authorizing and providing for the construction of extensions and improvements to its municipal electric light and power plant.

Read first and second times, and passed on file.

Senate File 257, by Senator Van Patten, a bill for an act to prohibit the participation in motor vehicle races, speed contests, endurance contests and similar tests of skill and endurance by persons who are not licensed as chauffeurs and who have not attained the age of twenty-five years, and to provide penalties for the violation of the provisions of this act.

Read first and second times, and passed on file.

Senate File 258, by Senators Watson of O'Brien, Bekman, Henningsen, Molison, Elthon, Zastrow, Whitehead, Augustine and Gillespie, a bill for an act to amend chapter one hundred seventy-six (176), Code 1950, relating to farm aid associations and amending the law relative to the annual meetings of such associations, the amounts to be appropriated for such associations and the method of disbursing the money appropriated.

Read first and second times, and passed on file.

Senate File 259, by Senators McCarville, Hultman and O'Malley, a bill for an act to regulate the making and sale of abstracts of title to real estate for the protection of the public, to create a board of examiners and to prescribe its powers and duties to provide for licensing of persons, firms and corporations engaged in said business, to require the maintenance of surety bonds by licensees, to require the examination and registration of persons engaged in the business of making and certifying abstracts of title to real estate, and prescribing penalties for violations, and to provide for the licensing without examination of persons, firms and corporations engaged in said business since October 1, 1950.

Read first and second times, and passed on file.

Senate File 260, by Senator Henningsen, a bill for an act to amend various sections of the Code 1950 to make certain restrictions on minors and offenses against said minors apply to all persons under twenty-one years of age.

Read first and second times, and passed on file.

Senate File 261, by Senator Hattery, a bill for an act to amend section one hundred nine point forty-eight (109.48), and section one hundred nine point thirty-nine (109.39), Code 1950, to provide for an open season on deer and to authorize the conservation commission to regulate the method by which they may be taken.

Read first and second times, and passed on file.

Senate File 262, by Senator Hart, a bill for an act relating to the right of any person and the duty of peace officers to kill a licensed dog known to have bitten a person, and to amend section three hundred fifty-one point twenty-seven (351.27), Code 1950.

Read first and second times, and passed on file.

Senate File 263, by Senator Oltman, a bill for an act to amend section one hundred nine point thirty-nine (109.39), Code 1950, relating to providing the conservation commission power to regulate methods of taking of fish and game.

Read first and second times, and passed on file.

Senate File 264, by Senators Utzig, Henningsen and O'Malley, a bill for an act to amend chapter two hundred seventy-nine (279), Code 1950, relating to school directors, powers and duties, by amending section two hundred seventy-nine point three (279.3).

Read first and second times, and passed on file.

Senate File 265, by Senators Utzig, Henningsen and O'Malley, a bill for an act to amend chapter two hundred ninety-eight (298), Code 1950, relating to school taxes and bonds, by amending section two hundred ninety-eight point one (298.1).

Read first and second times, and passed on file.

Senate File 266, by Senators Utzig, Henningsen and O'Malley, a bill for an act to direct the State Department of Public Instruction to revise the uniform financial accounting system for Iowa school districts.

Read first and second times, and passed on file.

Senate File 267, by Senators Utzig, Henningsen and O'Malley, a bill for an act to amend chapter two hundred seventy-nine (279), Code 1950, relating to directors, powers and duties, by repealing section two hundred seventy-nine point thirty-four (279.34).

Read first and second times, and passed on file.

Senate File 268, by Senators Utzig, Henningsen and O'Malley, a bill for an act to amend chapter two hundred eighty-six A (286A), Code 1950, relating to general aid to schools, by amending section two hundred eighty-six A point seven (286A.7).

Read first and second times, and passed on file.

Senate File 269, by Senator O'Malley, a bill for an act to amend chapter four hundred seventeen (417), Code 1950, relating to cities operating under the commission plan of municipal government and having a population of one hundred twenty-five thousand (125,000) or more by making said chapter four hundred seventeen (417) apply and relate to cities having a population of one hundred twenty-five thousand (125,000) or more even though not operating under the commission plan of government; and to amend section four hundred seventeen point fifty-four (417.54), Code 1950, by further particularizing as to and defining the property which is exempt from other taxes on account of the two and three-fourths per cent ( $2\frac{3}{4}\%$ ) gross revenue tax on bus operations of street railways or passenger carriers in cities having a population of one hundred twenty-five thousand (125,000) or over; and to redefine

the carriers which shall be subject to the two and three-fourths per cent ( $2\frac{3}{4}\%$ ) gross revenue tax on bus operations.

Read first and second times, and passed on file.

Senate File 270, by Senator O'Malley, a bill for an act to amend section two hundred ninety-seven point two (297.2), Code 1950, relating to the acreage limitation on schoolhouse sites.

Read first and second times, and passed on file.

Senate File 271, by Senators Gillespie, Molison and Anderson, a bill for an act to amend section four hundred sixty-seven A point five (467A.5), Code 1950, relating to election of commissioners in soil conservation districts.

Read first and second times, and passed on file.

Senate File 272, by Senators Hattery and Dykhous, a bill for an act relating to the form and issuance of municipal bonds; to amend certain sections of the Code relating thereto; to repeal certain sections of the Code relating thereto, and to enact a substitute therefor.

Read first and second times, and passed on file.

Senate File 273, by Senators Bekman, Hedin, Hultman and Mercer, a bill for an act to amend section five hundred twenty-two point one (522.1), Code 1950, relating to the qualifying licensing and supervision of life insurance agents.

Read first and second times, and passed on file.

#### SENATE FILE 40 RE-REFERRED

Senator Gillespie asked and received unanimous consent that Senate File 40 be re-referred to the committee on judiciary 1.

#### SUBSTITUTION OF BILLS

Senator Hattery asked and received unanimous consent that House File 217 be substituted for Senate File 231; that House File 215 be substituted for Senate File 213; and that House File 213 be substituted for Senate File 214.

#### BILL WITHDRAWN

Senator Dykhous asked and received unanimous consent that

Senate File 16 be withdrawn from further consideration of the Senate.

### PRESENTATION OF VISITORS

Senator Fletcher asked and received unanimous consent to present to the Senate twenty-one members of the sophomore class in citizenship of Allerton High School who were present in the balcony accompanied by their instructor, Virginia Dare North.

### 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 17, a bill for an act relating to expenditures of county boards of supervisors.

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

House File 90, a bill for an act relating to teachers' contracts and to the issuance of teachers' certificates.

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

House File 96, a bill for an act relating to the parking of vehicles.

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

House File 221, a bill for an act relating to legalizing acts of notaries public and acknowledgments.

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

House File 223, a bill for an act relating to the taking of acknowledgments within the state by a notary public.

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

House Concurrent Resolution 13, fixing a final date for the filing of claims against the State of Iowa for consideration by the Fifty-fourth General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

### HOUSE CONCURRENT RESOLUTION 13

*Whereas*, it is deemed advisable to fix a final date for the filing of claims against the State of Iowa to be considered by the Fifty-fourth General Assembly;

*Therefore, Be It Resolved by the House, the Senate Concurring:* That the 15th day of February, 1951, be fixed as the final date for the filing of all claims to be considered by the Fifty-fourth General Assembly of Iowa. Any claim which has not been filed with the joint committee on

claims before said date will not be considered by the Fifty-fourth General Assembly.

#### HOUSE MESSAGES CONSIDERED

House File 17, a bill for an act to amend section three hundred forty-five point one (345.1), Code 1950, relating to expenditures of county boards of supervisors.

Read first and second times, and passed on file.

House File 90, a bill for an act to amend section two hundred seventy-nine point thirteen (279.13), Code 1950, relating to teachers' contracts and section two hundred sixty point ten (260.10) relating to the issuance of teachers' certificates by the board of educational examiners to foreign applicants and providing for the exchange of teachers between school districts and other schools, and providing for necessary regulations and rules governing the same.

Read first and second times, and passed on file.

House File 96, a bill for an act to amend section three hundred twenty-one point three hundred sixty-one (321.361), Code 1950, relating to the parking of vehicles.

Read first and second times, and passed on file.

House File 221, a bill for an act to amend section five hundred eighty-six point one (586.1), Code 1950, relating to legalizing acts of notaries public and acknowledgments.

Read first and second times, and passed on file.

House File 223, a bill for an act to amend section five hundred fifty-eight point twenty (558.20), Code 1950, relating to the taking of acknowledgments within the state by a notary public.

Read first and second times, and passed on file.

#### THIRD READING OF BILLS

On motion of Senator Fishbaugh, Senate File 189, a bill for an act to amend sections six hundred fourteen point fourteen (614.14), six hundred fourteen point fifteen (614.15), six hundred fourteen point seventeen (614.17), six hundred fourteen point twenty (614.20), six hundred fourteen point twenty-two (614.22), and six

hundred fourteen point sixteen (614.16), Code 1950, relating to special limitations of actions in regard to recovery of interests in real estate, was taken up and considered.

Senator Fishbaugh offered the following amendment and moved its adoption:

Amend Senate File 189, section 6, by inserting in line 4 following the word "Section" the following: "six hundred fourteen point fourteen (614.14) and".

Further amend Senate File 189, section 3, by adding the following:

"Strike the period (.) at the end of section six hundred fourteen point seventeen (614.17), Code 1950, and add thereto the following: 'and in like manner, such affidavits may be filed and recorded where any action was barred on any claim by this section as in force prior to July 4, 1951.'"

Senator Sharp took the chair at 10:30 a.m.

The amendment was adopted.

Senator Fishbaugh moved that the bill be read a third 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:**

Anderson	Hattery	Molison	Van Eaton
Augustine	Hedin	Myrland	Van Patten
Bateson	Henningsen	Nesmith	Vest
Bekman	Hultman	Oltman	Walter
Berg	Humbert	O'Malley	Watson of
Colburn	Jacobson	Parker	O'Brien
Dailey	Knudson	Prentis	Watson of
Dykhouse	Linnevoold	Ridout	Pottawattamie
Elthon	Lord	Risk	Weichman
Fishbaugh	Lynes	Roberts	West
Fletcher	McCarville	Sharp	Whitehead
Gillespie	Mercer	Utzig	Zastrow
Hart			

**Nays, none.**

**Absent or not voting, 3:**

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

On motion of Senator Whitehead, Senate File 83, a bill for an act to amend section two hundred seventy-nine point fourteen (279.14), Code 1950, relating to powers and duties of directors and superintendents of school boards, 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 83 by striking all of lines 4 to 13 inclusive and substituting in lieu thereof the following :

"The superintendent shall make a written report to the board of directors each month of all receipts and disbursements from the school activity fund and similar non-public funds, if any, showing the activity from which the funds were derived and the amount from each such activity, the names and addresses of the persons, firms, corporations or associations to whom disbursements have been made, the amount thereof and the reason therefor. The board may cause such reports to be published in a newspaper of general circulation published within the district, or if none is published in the district, then in a nearby newspaper having general circulation within the district."

Senator O'Malley offered the following amendment to the amendment and moved its adoption :

Amend the amendment by striking the balance of the amendment following the period in line 9.

Senator Whitehead asked and received unanimous consent that action on Senate File 83 be deferred and that the bill retain its place on the calendar.

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

#### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

The Senate returned to the consideration of Senate File 83, and the amendment to the committee amendment by Senator O'Malley.

The amendment to the amendment was lost.

On motion of Senator Doud, the committee amendment was adopted.

Senator Doud asked and received unanimous consent that action on Senate File 83 be deferred and that the bill retain its place on the calendar.

#### SENATE CONCURRENT RESOLUTION 10

By Elthon and Watson of Pottawattamie

*Whereas*, the number and gravity of motor vehicle accidents on the Iowa highways gives cause for alarm, and

*Whereas*, the large number of our citizens permanently injured and killed annually in such accidents is to a great extent inexcusable and results directly from negligence and reckless driving, and



*Whereas*, the percentage of such accidents causing permanent injuries and death resulting from operation of motor vehicles by the teen-age group is extremely out of proportion to the number of drivers in such group, and

*Whereas*, it appears that the reason that such a large percentage of the group of teen-age drivers are careless and reckless in their operation of motor vehicles is because of a lack of safety education and parental supervision and discipline, and

*Whereas*, there are many drivers in the teen-age group who operate motor vehicles with a high degree of skill and caution, and

*Whereas*, it is unfair to the skillful and cautious teen-age driver to deny him the privilege of operating a motor vehicle on the highways because of the acts of the irresponsible members of his group, and

*Whereas*, it is deemed desirable, if possible, to avoid denying driving privileges to the entire group thereby punishing the prudent teen-age driver, and

*Whereas*, it is believed that by proper parental supervision, instruction and discipline the driving evils of the teen-age group can be effectively corrected, and

*Whereas*, it appears necessary to declare and emphasize the responsibility of the parent or person standing in the position of a parent of a teen-age driver,

*Now, Therefore, Be It Resolved by the Senate, the House Concurring*, that the Fifty-fourth General Assembly of Iowa disapproves of the irresponsibility of parents and persons standing in the position of parents of teen-age drivers, who permit their children or wards to operate motor vehicles without being assured that such teen-agers have been thoroughly educated in the safe operation of a motor vehicle, and that said teen-agers are impressed with the necessity of such operation without declaring and emphasizing that parental consent will be withheld unless safe driving practices are followed, and who fail to appropriately discipline their children or wards when infractions of safe driving practices occur; and that this Assembly most emphatically urges that parents and persons standing in the position of a parent discharge their aforesaid responsibilities; and further most emphatically urges the courts of this state to make no disposition of any case in which a teen-age driver is charged with a violation of the traffic laws of this state or any of its political subdivisions without first requiring that the parent or person standing in the position of a parent of such teen-age violator appear in court with such violator, and that upon final disposition such parent or person standing in the position of a parent be made to realize and accept with fitting dignity his responsibilities, and that clear and positive admonition of these responsibilities be administered by the court.

*Be It Further Resolved*, that those who hold important executive, legislative and judicial positions in the State of Iowa should do all within their power to further public interest and cooperation in helping to solve this problem of motor vehicle accidents on Iowa highways.

## COMMUNICATION FROM STATE COMPTROLLER

The following communication was received from the office of the State Comptroller:

OFFICE  
STATE COMPTROLLER

February 6, 1951.

Mr. Carroll A. Lane,  
Secretary of Senate.

Dear Mr. Lane:

There is transmitted herewith claims against the State of Iowa to be filed with the claims committee of the House of Representatives as follows:

Claims of a general nature numbers 86, 87, 98, 99, 119, 121, 122, 123, 124, 128 and 129.

Highway claim numbers 103, 105, 114, 143 and 145 to 159, inclusive.

Index is attached showing number of claim, name of claimant, amount claimed together with decision of the State Appeal Board.

R. E. JOHNSON, *Chairman,*  
*State Appeal Board.*

No.	Name of Claimant and Nature of Claim	Amount of Claim	Amount Approved By Board
86	Estate of Benjamin Franklin Howard; Attorneys, Jones, Cambridge & Carl, Atlantic, Iowa—Deceased was killed in an auto accident involving deceased's car and a car stolen by Dean Matthews, an inmate of the Clarinda State Hospital.....	\$11,514.10	Rejected
87	Estate of Mary Idell Howard; Attorneys, Jones, Cambridge & Carl, Atlantic Iowa—Deceased was riding in her husband's car when the collision occurred with a car driven by an escaped inmate of the Clarinda State Hospital.....	10,935.05	Rejected
98	General Mills, Inc., Minneapolis, Minn.—Refund of fuel tax.....	643.00	\$ 643.00
99	D. J. McNamara, Iowa City, Iowa—Car damaged by falling debris caused by high wind.....	147.00	Rejected
119	Fred Ulch, Elberon, Iowa—Damage to car by deer.....	66.87	Rejected
121	Leo Kiefer, Keota, Iowa—Overcharge on car registration fee .....	6.00	6.00

No.	Name of Claimant and Nature of Claim	Amount of Claim	Amount Approved By Board
122	Chester L. Book, Allstate Insurance Co.—Car damaged by fireworks while attending Iowa State Fair in August, 1950..	15.00	Rejected
123	Independent School District, Council Bluffs, Iowa—Refund of sales tax.....	524.32	524.32
124	County Treasurer, Pocahontas County—Drainage assessment.....	3,007.20	3,007.20
128	City of Clinton—Refund of sales or use tax.....	683.53	683.53
129	Employers Mutual Casualty Co., Des Moines, Iowa—Damage to car by truck of the Iowa State Penitentiary.....	23.49	23.49
H-103-51	Mrs. W. C. Kanuitt, Waterloo, Iowa—Damage to car by highway commission truck.....	61.18	30.54
H-105-51	Leo Kelley, Creston, Iowa—Damage to car.....	72.29	72.29
H-114-51	Hubert Ulm, Hammond, Ind.—Damage to semi-trailer by highway commission snowplow.....	429.18	129.18
H-143-51	Mr. and Mrs. Omar Benson, Sioux Rapids, Iowa—Damage to car and pain and suffering due to collision between claimant's car and highway commission power mower.....	898.67	448.67
H-145-51	William A. Pasutti, Des Moines, Iowa—Damage to car by highway commission truck.....	412.16	200.00
H-146-51	G. R. Babbitt, Columbus Junction, Iowa—Loss of 60 small evergreen trees by highway commission operation of power mower .....	125.00	75.00
H-147-51	Theodore Webb, Cherokee, Iowa—Damage to car by highway commission motor grader.....	54.49	54.49
H-148-51	William Ross, Creston, Iowa—Wrecked auto, medical expense caused by collision with highway commission car.....	1,200.00	200.00
H-149-51	Mrs. Riley Campbell, Rudd, Iowa—Damage to vegetables, shrubbery, flowers and raspberries caused by weed spray.....	50.00	Rejected

No.	Name of Claimant and Nature of Claim	Amount of Claim	Amount Approved By Board
H-150-51	Forrest Johnson, Mason City, Iowa—Damage to car by snow- plow .....	225.87	Rejected
H-151-51	Northern Casualty Co., Des Moines, Iowa—Damage to car caused by highway commission snowplow .....	176.56	Rejected
H-152-51	Robert A. Shaver, Cumberland, Iowa—Damage to car by high- way commission snowplow.....	262.50	177.89
H-153-51	Everett Stickley, Jr., Anamosa, Iowa—Damage to car by high- way commission truck.....	210.91	Rejected
H-154-51	O. D. Farney, Hornick, Iowa— Damage to car by high- way commission motor grader.....	55.82	55.82
H-155-51	A. W. Martin, Davis City, Iowa— Damage to car by highway commission truck .....	16.04	Rejected
H-156-51	Iowa Home Mutual Casualty Co., Des Moines, Iowa—Dam- age to car by highway com- mission truck .....	202.92	202.92
H-157-51	Carl W. Moddrell, Ottumwa, Iowa—Damage to car by high- way commission truck .....	50.00	50.00
H-158-51	Vernon K. Smith, Fostoria, Iowa—Damage to station wagon caused by highway com- mission snowplow .....	172.59	Rejected
H-159-51	Allied Mutual Casualty Co., Des Moines, Iowa—Damage to car and medical bill.....	350.00	Rejected

Passed on file.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on February 5, 1951, the Governor had approved the following bill:

Senate File 63, relating to the investment of funds of life insurance companies and associations.

Also, that on February 6, the Governor had approved House File 34, relating to penalties for operating a motor vehicle while intoxicated.

#### BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following assignment of bills to committee:

- S. F. 249 Highways
- S. F. 250 Banks, building and loan
- S. F. 251 Compensation of public officers and employees
- S. F. 252 Compensation of public officers and employees
- S. F. 253 Compensation of public officers and employees
- H. F. 6 Judiciary 2
- H. F. 38 Cities and towns
- H. F. 83 Highways
- H. F. 150 Cities and towns
- H. F. 158 Agriculture
- H. F. 216 Banks, building and loan
- H. F. 217 Banks, building and loan
- H. F. 224 Conservation
- H. F. 225 Conservation
- H. F. 226 Conservation

#### REPORTS OF COMMITTEES

Senator Whitehead submitted the following report:

**MR. PRESIDENT:** Your committee on printing to which was referred **Senate File 105**, a bill for an act to amend section forty-nine point fifty-four (49.54), Code 1950, relating to the publication of official ballots, begs leave to report it has had the same under consideration and recommends the same **do pass**.

G. E. WHITEHEAD, *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on printing to which was referred **Senate File 123**, a bill for an act providing for supplemental returns and listings by owners of property subject to taxation in the State of Iowa; providing for the manner of use of such supplemental returns by assessors in the preparation of assessment rolls; and providing that such supplemental returns may be in lieu of certain procedures provided by law in the assessment of property, begs leave to report it has had the same under consideration and recommends the same **do pass**.

G. E. WHITEHEAD, *Chairman*.

Ordered passed on file.

Senator Parker submitted the following report:

**MR. PRESIDENT:** Your committee on public health to which was referred **Senate File 115**, a bill for an act relating to the qualifications to practice a profession, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EDWARD S. PARKER, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on public health to which was referred **Senate File 122**, a bill for an act to amend chapter one hundred thirty-five B (135B), Code 1950, relating to licensure and regulations of hospitals, and chapter one hundred thirty-five C (135C), Code 1950, relating to the regulation of nursing homes, and to provide that county homes shall be exempt from the provisions thereof, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EDWARD S. PARKER, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on public health to which was referred **Senate File 156**, a bill for an act to amend section one hundred forty-seven point seventeen (147.17), Code 1950, relating to general provisions of the practice acts to change the provisions governing medical examiners, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EDWARD S. PARKER, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on public health to which was referred **Senate File 202**, a bill for an act to amend sections two hundred fifty-four point four (254.4), two hundred fifty-four point five (254.5), two hundred fifty-four point eight (254.8), two hundred seventy-one point fourteen (271.14) and four hundred forty-four point twelve (444.12), Code 1950, relating to cost of care of persons in tuberculous hospitals and inspection of tuberculous hospitals, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EDWARD S. PARKER, *Chairman*.

Ordered passed on file.

Senator Weichman 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 to amend section forty-three point thirty-two (43.32), Code 1950, relating to compensation of judges and clerks of primary elections, begs leave to report it has had the same under consideration and recommends the same **do pass**.

H. E. WEICHMAN, *Chairman*.

Ordered passed on file.

Senator Knudson submitted the following report :

MR. PRESIDENT: Your committee on ways and means to which was referred **Senate File 65**, a bill for an act relating to the sales tax and to

exempt the gross receipts from sales of certain items from the provisions thereof and to amend section four hundred twenty-two point forty-five (422.45), Code 1950, relating thereto, begs leave to report it has had the same under consideration and recommends the same **be indefinitely postponed.**

HERMAN M. KNUDSON, *Chairman.*

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 33 by striking from line 3 of section 2 the words "permanent and general" and inserting in lieu thereof the words "general or permanent".

ARTHUR H. JACOBSON.

Amend Senate File 149 as follows:

1. Section 1, line 9, is amended by striking the word "twenty-two" and inserting in lieu thereof the word "twenty-eight".
2. Section 1, line 13, is amended by striking the word "twenty-two" and inserting in lieu thereof the word "twenty-eight".

PAUL E. MCCARVILLE.

House File 39 is amended by striking from the title all after the word "amend" in the first line thereof, and by substituting therefor "sections four hundred twelve point one (412.1), four hundred twelve point two (412.2), four hundred twelve point three (412.3), four hundred twelve point four (412.4) and four hundred twelve point five (412.5), Code 1950, relating to municipal utilities retirement systems, and group hospital and surgical insurance, group health and accident insurance, and group life insurance systems."

House File 39 is further amended by adding thereto the following new sections:

Sec. 2. Section four hundred twelve point one (412.1), Code 1950, is amended by striking the word "a" in line ten (10) thereof, and by striking the word "system" in line eleven (11) thereof and substituting therefor " , group hospital and surgical insurance, group health and accident insurance and group life insurance systems".

Sec. 3. Section four hundred twelve point two (412.2), Code 1950, is amended by striking the word "system" in line two (2) thereof and substituting therefor " , group hospital and surgical insurance, group health and accident insurance and group life insurance systems".

Sec. 4. Section four hundred twelve point three (412.3), Code 1950, is amended by striking the word "system" in line seven (7) thereof and substituting therefor " , group hospital and surgical insurance, group health and accident insurance and group life insurance systems".

Sec. 5. Section four hundred twelve point four (412.4),

Code 1950, is amended by striking the word "system" in line twelve (12) thereof and substituting therefor ", group hospital and surgical insurance, group health and accident insurance and group life insurance systems".

E. K. BEKMAN.

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



# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 7, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Peter Jansen, pastor of the First Congregational Church, Mason City, Iowa.

## PRESENTATION OF VISITORS

The Chair announced that the Honorable Kenneth A. Evans was present in the Senate chamber and asked that Senator Byers escort Mr. Evans to the rostrum.

President Nicholas presented former Lieutenant Governor Evans, who addressed the Senate briefly.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Doud, from county officials of Jefferson County favoring an increase in salary for county officers; also, from Mrs. Merrill S. Bird, president, and Mrs. Ewart Parker, legislative chairman, of the Des Moines Council of Parent-Teacher Associations, favoring state aid to schools.

By Senator Henningsen, from county officials of Clinton County favoring an increase in salary for county officers.

By Senator Mercer, from residents of Iowa County relating to the regulation of speed at which motor vehicles can be driven on the public highways.

## INTRODUCTION OF BILLS

Senate File 274, by Senators Bekman and Dykhouse, a bill for an act to amend section five hundred eight point twenty-eight (508.28), Code 1950, and to repeal section five hundred nine point thirteen (509.13), Code 1950, relating to the requirement that issuance of life insurance policies be based upon medical examinations.

Read first and second times, and passed on file.

Senate File 275, by Senator O'Malley, a bill for an act to amend chapter one (1), section fifty (50), Acts of the Fifty-third General Assembly, relating to compensation of members of board of social welfare.

Read first and second times, and passed on file.

Senate File 276, by Senator Doud, a bill for an act to amend section six hundred five point two (605.2), Code 1950, to provide expenses for judges of the Supreme Court.

Read first and second times, and passed on file.

Senate File 277, by Senators Doud and Fletcher, a bill for an act to amend section forty-three point seven (43.7) and section forty-three point forty-nine (43.49), Code 1950, relating to the time of voting the primary election and making a canvass of the returns thereof.

Read first and second times, and passed on file.

Senate File 278, by Senators Parker and Byers, a bill for an act to provide for the creation of county and district or multi-county boards of health and the establishment of county and district or multicounty health departments; to provide for their organization and their powers and duties; to provide jurisdiction over health matters and to control preventable diseases; to provide for the appointment of necessary health officers and the employment of medical, nursing, sanitation and other essential personnel, and to authorize the levy and collection of taxes for the purposes of this act.

Read first and second times, and passed on file.

Senate File 279, by Senator Watson of Pottawattamie, a bill for an act to amend sections four hundred twenty-two point thirteen (422.13), Code 1950, relating to income taxes to provide for a joint return by a husband and wife, and splitting of income by a husband and wife equally for insome tax purposes.

Read first and second times, and passed on file.

Senate File 280, by Senator Jacobson, a bill for an act to prescribe the requirements of personal surety bonds filed in any action

or proceeding in court, in connection with which bonds, real property is offered as security.

Read first and second times, and passed on file.

Senate File 281, by Senator Jacobson, a bill for an act to amend chapter six hundred eighty-two (682), Code 1950, relating to securities and investments of trust funds, to authorize agreements between the principal or principals and surety or sureties for the deposit and joint control of funds and property.

Read first and second times, and passed on file.

Senate File 282, by Senator Bateson, a bill for an act to amend section two hundred eighty-six point four (286.4), Code 1950, and section two hundred eighty-six point five (286.5), Code 1950, relating to supplementary aid to school districts.

Read first and second times, and passed on file.

Senate File 283, by Senator Knudson, a bill for an act to repeal certain sections of the Code 1950 relating to school bus drivers.

Read first and second times, and passed on file.

Senate File 284, by Senators Watson of O'Brien and Doud, a bill for an act to amend section two hundred ninety-nine point one (299.1) and section two hundred ninety-nine point two (299.2), Code 1950, relating to the school attendance requirements of children.

Read first and second times, and passed on file.

Senate File 285, by Senators McCarville, Henningsen, Dailey, Lord, O'Malley and Berg, a bill for an act to amend section four hundred eleven point six (411.6), Code 1950, relating to retirement systems for policemen and firemen and benefits thereunder.

Read first and second times, and passed on file.

Senate File 286, by Senators Fishbaugh, Ridout, Vest and Risk, a bill for an act to provide headquarters for each congressionally chartered veterans' organization having a membership in the State of Iowa, and space in the state office building, when built, based on the numerical strength of said veterans' organizations.

Read first and second times, and passed on file.

## THIRD READING OF BILLS

Senator Elthon asked and received unanimous consent to take up House File 44, a bill for an act to legalize and validate the special election and the proceedings authorizing and providing for the issuance, sale and delivery of school building bonds of the Wayne Township School District in the county of Mitchell, State of Iowa, being one and the same school corporation as the school township of Wayne in the county of Mitchell, State of Iowa, and declaring said bonds issued and sold pursuant to said proceedings to be enforceable obligations of said school district, with report of committee recommending passage, which was 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, 50:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevoid	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

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.

## SPECIAL ORDER

The hour of 10:30 a.m. having arrived, President Nicholas announced the special order of business for the consideration of Senate Files 1 and 2.

On motion of Senator Prentis, Senate File 1, a bill for an act to create a budget and financial control committee with certain powers relating to state budget and finance, and to abolish the retrenchment and reform committee and transfer its powers to the

budget and financial control committee, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Jacobson took the chair at 11:00 a.m.

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

The Senate reconvened, Senator Jacobson presiding.

Senator Watson of Pottawattamie offered the following amendment and moved its adoption:

Amend Senate File 1 by striking from lines 1 and 2 of section 13 the words and figures "two hundred eight point fifty-eight (208.58)" and inserting in lieu thereof the words and figures "two hundred eighteen point fifty-eight (218.58)".

The amendment was adopted.

On motion of Senator Watson of Pottawattamie the following section 8 of the committee amendment was adopted:

8. Amend section 14, line 3, by striking the words "the code editor is authorized" and inserting in lieu thereof the following: "it is the intention of the General Assembly".

Senator Watson of Pottawattamie moved the adoption of the balance of the following committee amendments:

1. Strike all of section 1 and insert in lieu thereof the following: "Section 1. Committee created. There is hereby created a committee to be known as the budget and financial control committee, which shall have 10 members. Five of said members shall be members of the House of Representatives and appointed by the Speaker; three of these members shall be from the majority party and two from the minority party. Five of said members shall be members of the Senate and appointed by the President of the Senate; three of which shall be from the majority party and two from the minority party.

2. Strike from line 2 of section 2 the word "six" and insert in lieu thereof the word "four".

3. Strike from line 11 of section 2 all after the word "be" and insert in lieu thereof the following: "three members for the two year terms and two members for the four year terms, and initial appointments by the President of the Senate shall be three members for four year terms and two members for two year terms."

4. Strike from section 3, subsection 3, paragraph (d), line 29, the words "under a single head".

5. Strike all of subsection 2 of section 4 and insert in lieu thereof the following: "2. Meetings. To hold monthly meetings at the office of the

state comptroller or at such meeting place as the committee may direct. Six members shall constitute a quorum."

6. Amend section 4, subsection 6, by striking the word "not" in line 18 and by striking the word "otherwise" in line 19.

7. Strike the word "ten" in section 5, line 4, and insert in lieu thereof the word "twenty".

Senator Watson of Pottawattamie asked and received unanimous consent to withdraw his motion for the adoption of the balance of the committee amendment.

Senator Watson of Pottawattamie moved the adoption of sections 1, 2, 3, 4, 5 and 6 of the committee amendment which motion prevailed and the amendments were adopted.

Senator Watson of Pottawattamie moved the adoption of section 7 of the committee amendment.

Senator Weichman offered the following amendment as a substitute for section 7 of the committee amendment.

Amend Senate File 1, section 5, by striking the word "traveling" in line 4.

Further amend Senate File 1, section 5, by striking the words "ten dollars" and inserting in lieu thereof the words "fifteen dollars", in line 4.

Roll call was demanded.

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

Ayes, 5:

Berg	Walter	Weichman	Zastrow
Sharp			

Nays, 39:

Augustine	Hedin	Myrland	Utzig
Bateson	Henningsen	Nesmith	Van Eaton
Dailey	Hultman	Oltman	Van Patten
Doud	Humbert	O'Malley	Vest
Dykhouse	Jacobson	Parker	Watson of
Elthon	Knudson	Prentis	O'Brien
Fishbaugh	Linnevold	Ridout	Watson of
Fletcher	McCarville	Risk	Pottawattamie
Gillespie	Mercer	Roberts	West
Hart	Molison	Tudor	Whitehead
Hattery			

Absent or not voting, 6:

Anderson	Byers	Lord	Lynes
Bekman	Colburn		

The motion to substitute was lost.

The motion by Senator Watson of Pottawattamie prevailed and section 7 of the committee amendment was adopted.

Senator Berg offered the following amendment and moved its adoption:

Amend Senate File 1, section 3, by striking the following after the word "all" in line 14: "offices, agencies, boards, commissions and departments", and inserting in lieu thereof the following: "offices, departments, agencies, boards, bureaus and commissions".

Further amend Senate File 1, section 4, by striking the following after the word "all" in line 23: "departments, bureaus and commissions", and substituting in lieu thereof the following: "offices, departments, agencies, boards, bureaus and commissions".

The motion prevailed and the amendment was adopted.

Senator Prentis offered the following amendment and moved its adoption:

Amend Senate File 1 by adding the following section: Sec. 16. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the New Nonpareil, a newspaper published at Council Bluffs, Iowa, and the Mount Ayr Record News, a newspaper published at Mount Ayr, Iowa.

The amendment was adopted.

Senator Watson of Pottawattamie moved that the bill be read a third 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:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

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 Walter called up the following resolution and moved its adoption:

#### HOUSE CONCURRENT RESOLUTION 13

*Whereas*, it is deemed advisable to fix a final date for the filing of claims against the State of Iowa to be considered by the Fifty-fourth General Assembly;

*Therefore, Be It Resolved by the House, the Senate Concurring:* That the 15th day of February, 1951, be fixed as the final date for the filing of all claims to be considered by the Fifty-fourth General Assembly of Iowa. Any claim which has not been filed with the joint committee on claims before said date will not be considered by the Fifty-fourth General Assembly.

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

Senate Concurrent Resolution 9, relating to the adjournment of the Fifty-fourth General Assembly for the spring recess.

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

Senate File 111, a bill for an act legalizing the proceedings of the board of directors of the Consolidated School District of Winfield, Iowa, relative to schoolhouse fund bonds.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 189, a bill for an act relating to special limitations of actions in regard to recovery of interests in real estate.

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

House File 94, a bill for an act relating to bounties on wild animals.

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 termination of farm tenancy.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 189

Amend Senate File 189, section 6, line 6, by striking the word "it" and substituting in lieu thereof the word "they".



## HOUSE MESSAGES CONSIDERED

House File 94, a bill for an act to amend sections three hundred fifty point one (350.1), three hundred fifty point five (350.5) and three hundred fifty point six (350.6), Code 1950, relating to bounties on wild animals.

Read first and second times, and passed on file.

House File 101, a bill for an act to amend section five hundred sixty-two point seven (562.7), Code 1950, relating to termination of farm tenancy.

Read first and second times, and passed on file.

## PRESENTATION OF VISITORS

Senator Hattery asked and received unanimous consent to present to the Senate Mrs. Theodore Stroud, state legislative chairman of the Iowa League of Women Voters, together with legislative chairmen from the local leagues of Iowa who were present in the balcony.

Senator Elthon called to the attention of the members of the Senate the proposed civilian defense bill prepared by the joint committee on military affairs, and also the proposed act providing that the State of Iowa enter into a compact with any other state for mutual helpfulness in meeting any civilian defense emergency, and asked and received unanimous consent that the bills be printed in advance of their introduction.

## SENATE FILE 1 REPRINTED

Senator Warren of Pottawattamie asked and received unanimous consent to have Senate File 1 as passed by the Senate printed.

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

## AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

## APPOINTMENT OF COMMITTEE

In accordance with Senate File 106, the President of the Senate announced the appointment of the following members of the Senate

to the State Office Building Commission: Senators Sharp, Henning-  
sen and Hart.

#### PRESENTATION OF VISITORS

Senator Dailey asked and received unanimous consent to present to the Senate Floyd L. Partridge, Burlington, Des Moines County, vice president of Iowa Traffic League and president of Illinois Industrial Traffic League, who was present in the Senate chamber.

Senator Van Patten asked and received unanimous consent to present to the Senate a group of representatives of Farm Bureau from Warren and Clarke Counties who were present in the Senate chamber.

Senator Bateson asked and received unanimous consent to present to the Senate the members of the senior class of the Woolstock High School who were present in the balcony with their instructor, Al Nothem.

#### THIRD READING OF BILLS

On motion of Senator Prentis, Senate File 2, a bill for an act relating to the administration of state budget and finances and to assign or transfer certain duties relating thereto to the auditor of state, state comptroller or treasurer of state, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Prentis offered the following amendment:

Amend Senate File 2, section 3, subsection 4, line 15, by striking all after the word "and" and inserting in lieu thereof the following: "make a public report of any illegal or improper practices to the governor and the budget and financial control committee."

On motion of Senator Prentis, action on Senate File 2 was deferred until 10:30 a.m., Thursday, February 8, 1951.

Senator Colburn asked and received unanimous consent to take up House Joint Resolution 6, a joint resolution making an appropriation for the printing of copies of the booklet called "Iowa Government in Action," with report of committee recommending passage, which was considered, and the report of the committee adopted.

Senator Colburn 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, 50:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

Nays, none.

Absent or not voting, none.

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

On motion of Senator Doud, Senate File 203, a bill for an act to amend section two hundred seventy-five point three (275.3), Code 1950, section two hundred seventy-five point ten (275.10), Code 1950, repeal section four (4), chapter one hundred fifty (150), Acts of the Fifty-second (52nd) General Assembly, and amend section two hundred seventy-four point sixteen (274.16), Code 1950, relating to the reorganization of school districts and changing the boundary lines of school corporations, was taken up, and considered.

Senator Doud offered the following amendment filed by Senators Doud, Zastrow and Lynes and moved its adoption:

Amend Senate File 203, by adding the following sections:

Sec. 5. Section two hundred seventy-five point four (275.4), Code 1950, is hereby amended by striking from line one (1) the word "final" and by striking the lines two (2), three (3), four (4), five (5), and inserting in lieu thereof the following: "approval by the county board of any plan of reorganization, consolidation or merger, the boards of the affected districts shall, at a special election, submit same to the qualified electors of each of".

Section two hundred seventy-five point four (275.4), Code 1950, is further amended by striking all of said section after the word "election" in line thirteen (13) thereof and inserting a period (.) in lieu of the semi-colon (;) following the word "election."

Sec. 6. Section two hundred seventy-three point thirteen (273.13), Code 1950, subsection twelve (12), is hereby amended by striking line one (1) and the words "of public instruction" in line two (2) and capitalize the word "With" in line two (2).

Section two hundred seventy-three point thirteen (273.13), subsection twelve (12), Code 1950, is further amended by striking the words ", and the superintendent of public instruction" from lines twelve (12) and thirteen (13).

The amendment was adopted.

Senator Doud offered the following amendment and moved its adoption:

Amend Senate File 203, section 3, by striking the period at the end of the section and adding the following words: "and enacting in lieu thereof the following: The county board of education shall prepare and approve tentative plans for reorganization of school districts within the county after consultation with the boards of the various districts in the county and the state department of public instruction. Any proposal for merger, consolidation or boundary change shall first be submitted to the county board of education for approval before being submitted to the affected districts at an election. Such proposal shall in no way interfere with the county-wide plan for reorganization which has been approved by the county board.

The amendment was adopted.

Senator O'Malley offered the following amendment and moved its adoption:

Amend Senate File 203 by striking all of section 4 and inserting in lieu thereof the following:

"Sec. 4. Section two hundred seventy-four point sixteen (274.16), Code 1950, is hereby amended by adding thereto the following: 'The concurrent action of the boards to become effective shall have the approval of the county board of education.'"

The amendment was lost.

Senator Doud offered the following amendment and moved its adoption:

Amend the title to Senate File 203 by inserting after the figures "1950" in line 3 the words and figures "section two hundred seventy-five point four (275.4), Code 1950" and by inserting at the end of line 6 the words and figures "section two hundred seventy-three point thirteen (273.13)" and by striking the period (.) at the end of the title and inserting in lieu thereof the following: "and the duties of the county board of education in relation thereto."

The motion prevailed and 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, 49:

Anderson	Gillespie	Mercer	Tudor
Augustine	Hart	Molison	Utzig
Bateson	Hattery	Myrland	Van Eaton
Bekman	Hedin	Nesmith	Van Patten
Berg	Henningsen	Oltman	Vest
Byers	Hultman	O'Malley	Walter
Colburn	Humbert	Parker	Watson of
Dailey	Jacobson	Prentis	Pottawattamie
Doud	Knudson	Ridout	Weichman
Dykhouse	Linnevold	Risk	West
Elthon	Lord	Roberts	Whitehead
Fishbaugh	Lynes	Sharp	Zastrow
Fletcher	McCarville		

Nays, none.

Absent or not voting, 1:

Watson of  
O'Brien

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

#### SENATE FILE 203 REPRINTED

Senator Doud asked and received unanimous consent to have 300 copies of Senate File 203 as passed by the Senate printed.

#### BILL WITHDRAWN

Senator O'Malley asked and received unanimous consent that Senate File 197 be withdrawn from further consideration of the Senate.

#### SENATE CONCURRENT RESOLUTION 11

By Lord, Prentis, Elthon, Walter, Fishbaugh, Van Eaton and Hedin  
(Hendrix and Moore)

A concurrent resolution making application to the Congress of the United States for the calling of a convention to propose an amendment to the Constitution of the United States.

Whereas, Article V of the Constitution of the United States reads in part as follows: "The Congress \* \* \* on the application of the legisla-

tures of two-thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this constitution, when ratified by the legislatures of three-fourths of the several states \* \* \*"; and

*Whereas*, the legislature of the State of Iowa, in view of the increasing tax problems of the state, caused in large part by the invasion of tax sources by the federal government, believes that its problems as well as the problems of other states similarly situated can be solved only by some restraint upon present unrestrained exercise of the taxing power by the federal government; and

*Whereas*, the federal government is using and has been using for a number of years the taxing power to produce revenue beyond a legitimate necessity of a federal government, other than defense needs, and has been using the funds so raised to invade the province of legislation of the states and to appropriate in many fields that which amounts to a dole to the states of the money raised therefrom to accomplish many purposes, most of them worthy, but by the described process making the money available only under conditions which result in a control by the federal government from centralized agencies in Washington, in many cases unfit, and in other cases unable to administer the laws according to the local needs because of varying conditions in the country as a whole; resulting in inequities in the administration of the very benefits purported to be granted; and

*Whereas*, state and local needs are disadvantaged because the people are already taxed far beyond the real need for any purpose other than forcing the centralization of all government in Washington; and

*Whereas*, the framers of the Constitution of the United States clearly foresaw the possibility of a condition similar to that herein described, and made provision in the Constitution for safeguarding the states against any oppression or invasion of rights by the federal government; therefore be it

*Resolved, by the Legislature of the State of Iowa*, that said legislature, hereby and pursuant to Article V of the Constitution of the United States, makes application to the Congress of the United States to call a convention for the proposing of the following amendment to the Constitution of the United States:

## ARTICLE

Section 1. The power to levy taxes and appropriate the revenues therefrom heretofore granted to the Congress by the states in the several articles of this constitution is hereby limited.

Sec. 2. This article shall be in effect except during a state of war, hereafter declared, when it shall be suspended. The suspension thereof shall end upon the termination of the war but not later than three months after the cessation of hostilities, whichever shall be earlier. The cessation of hostilities may be declared by proclamation of the President or by concurrent resolution of the Congress or by concurrent action of the legislatures of 32 states.

Sec. 3. Notwithstanding the provisions of Article V, this article may be suspended for a time certain or amended at any time by concurrent action of the legislatures of three-fourths of the states.

Sec. 4. There shall be set aside in the treasury of the United States a separate fund into which shall be paid 25 per cent of all taxes collected by authority derived from the sixteenth amendment to this constitution, except as provided in section 5, and 25 per cent of all sums collected by the United States from any other tax levied for revenue.

Sec. 5. There shall be set aside in the treasury of the United States a separate fund into which shall be paid all sums received from taxes levied on personal incomes in excess of 50 per cent thereof and from taxes levied on income or profits of corporations in excess of 38 per cent thereof.

Sec. 6. Before paying any sums into the funds created by sections 4 and 5 hereof, the treasurer of the United States shall deduct therefrom 20 per cent which shall be used in payment of the principal of the national debt of the United States.

Sec. 7. No tax shall hereafter be imposed on that portion of the incomes of individuals which does not exceed, in the case of unmarried persons, the sum of \$600 per annum, and in the case of married persons the sum of \$1,200 per annum jointly. A minimum deduction of \$600 per annum shall be allowed for each dependent.

Sec. 8. The treasurer of the United States shall once in each year, from the separate fund created by section 4 hereof, pay to each of the several states  $\frac{1}{4}$  of 1 per cent of said fund and from the remainder of said fund shall pay to each state a portion of such remainder determined by the population of each state in ratio to the entire population of the several states according to the last federal decennial census or any subsequent general census authorized by law.

Sec. 9. The treasurer of the United States shall, from the separate fund created by section 5 hereof, pay to each state, once in each year, a sum equal to the amount of money in such fund which was collected from persons or corporations within such state.

Sec. 10. Any sums paid hereunder to the several states shall be available for appropriation only by the legislatures thereof. The legislatures may appropriate therefrom for any purpose not forbidden by the constitutions of the respective states and may appropriate therefrom for expenditures within the states for any purpose for which appropriations have heretofore been made by the Congress except such purposes as are specifically reserved by this constitution for the exclusive power of the Congress. The people of each state may limit the expenditures of funds herein made available to the legislature, but shall not direct the appropriations thereof.

Sec. 11. Each legislature shall have power by rule or resolution to provide for the assembly thereof in special sessions for the purpose of considering amendments to, the suspension of or the ratification of amendments proposed to this article.

Sec. 12. Each legislature shall have power to elect one or more persons to represent such legislature in any council or convention of states

created by concurrent action of the legislatures of 32 states for the purpose of obtaining uniform action by the legislatures of the several states in any matters connected with the amendment of this article.

Sec. 13. The Congress shall not create, admit or form new states from the territory of the several states as constituted on the first day of January, 1949, and shall not create, form or admit more than three states from the territories and insular possessions under the jurisdiction of the United States on the first day of January, 1949, or from territory thereafter acquired without the express consent of the legislatures of three-fourths of the several states.

Sec. 14. On and after January 1, 1949, the dollar shall be the unit of the currency. The gold content of the dollar as fixed on January 1, 1949, shall not be decreased.

Sec. 15. Concurrent action of the legislatures of the several states as used herein shall mean the adoption of the same resolution by the required number of legislatures. A limit of time may be fixed by such resolution within which such concurrent action shall be taken. No legislature shall revoke the affirmative action of a preceding legislature taken therein.

Sec. 16. During any period when this article is in effect the Congress may, by concurrent resolution adopted by two-thirds of both houses wherein declaration is made that additional funds are necessary for the defense of the nation, limit the amount of money required by this article to be returned to the several states. Such limitation shall continue until terminated by the Congress or by concurrent action of a majority of the legislatures of the several states. Upon termination of any such limitation the Congress may not thereafter impose a limitation without the express consent by concurrent action of a majority of the legislatures of the several states.

Sec. 17. This article is declared to be self-executing, and be it further *Resolved*, that attested copies of this concurrent resolution be sent to the presiding officers of each house of the Congress and to each member of the Iowa delegation in Congress, and that printed copies thereof, showing that said concurrent resolution was adopted by the legislature of Iowa, be sent to each house of each legislature of each state of the United States; and be it further

*Resolved*, that this application hereby made by the legislature of the State of Iowa shall constitute a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the legislatures of the several states shall have made similar applications pursuant to said Article V; and be it further

*Resolved*, that since this is an exercise by a state of the United States of a power granted to it under the Constitution, the request is hereby made that the official journals and record of both houses of Congress shall include the resolution or a notice of its receipt by the Congress, together with similar applications from other states, so that the Congress and the various states shall be apprised of the time when the necessary number of states shall have so exercised their power under Article V of the Constitution; and be it further



*Resolved*, that since this method of proposing amendments to the Constitution has never been completed to the point of calling a convention and no interpretation of the power of the states in the exercise of this right has ever been made by any court or any qualified tribunal, if there be such, and since the exercise of the power is a matter of basic sovereign rights and the interpretation thereof is primarily in the sovereign government making such exercise and since the power to use such right in full also carries the power to use such right in part the legislature of the State of Iowa interprets Article V to mean that if two-thirds of the states make application for a convention to propose an identical amendment to the Constitution for ratification with a limitation that such amendment be the only matter before it, that such convention would have power only to propose the specified amendment and would be limited to such proposal and would not have power to vary the text thereof nor would it have power to propose other amendments on the same or different propositions; and be it further

*Resolved*, that the legislature of the State of Iowa does not, by this exercise of its power under Article V, authorize the Congress to call a convention for any purpose other than the proposing of the specific amendment which is a part hereof; nor does it authorize any representative of the State of Iowa who may participate in such convention to consider or to agree to the proposing of any amendment other than the one made a part hereof; and be it further

*Resolved*, that by its actions in these premises, the legislature of the State of Iowa does not in any way limit in any other proceeding its right to exercise its power to the full extent; and be it further

*Resolved*, that the Congress, in exercising its power of decision as to the method of ratification of the proposed article by the legislatures or by conventions, is hereby requested to require that the ratification be by the legislatures.

#### BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following assignment of bills to committee:

- S. F. 254 Tax revision
- S. F. 255 Conservation
- S. F. 256 Judiciary 1
- S. F. 257 Motor vehicles
- S. F. 258 Agriculture
- S. F. 259 Judiciary 2
- S. F. 260 Judiciary 2
- S. F. 261 Conservation
- S. F. 262 Judiciary 2
- S. F. 263 Conservation
- S. F. 264 Schools and educational institutions

S. F. 265	Schools and educational institutions
S. F. 266	Schools and educational institutions
S. F. 267	Schools and educational institutions
S. F. 268	Schools and educational institutions
S. F. 269	Cities and towns
S. F. 270	Schools and educational institutions
S. F. 271	Conservation
H. F. 17	Judiciary 2
H. F. 90	Schools and educational institutions
H. F. 92	Appropriations
H. F. 96	Cities and towns
H. F. 221	Judiciary 1
H. F. 223	Judiciary 2

#### REPORTS OF COMMITTEES

Senator Doud submitted the following report:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **Senate File 125**, a bill for an act to amend section two hundred seventy-nine point thirteen (279.13), Code 1950, relating to teachers' contracts, and section two hundred sixty point ten (260.10), Code 1950, relating to the issuance of teachers' certificates, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ALDEN L. DOUD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **Senate File 217**, a bill for an act to change the name of the state school for the blind to the Iowa Braille and Sight-Saving School, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ALDEN L. DOUD, *Chairman*.

Ordered passed on file.

Senator Hultman submitted the following report:

MR. PRESIDENT: Your committee on conservation to which was referred **Senate File 88**, a bill for an act to amend chapter one hundred nine (109), Code 1950, relating to hunting from aircraft, begs leave to report it has had the same under consideration and recommends the same **be indefinitely postponed**.

O. N. HULTMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on conservation to which was referred **Senate File 60**, a bill for an act to permit trolling from power boats and sail boats on the waters of the State of Iowa where the use of out-board motors is permitted, 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 Hattery submitted the following report:

MR. PRESIDENT: Your committee on banks, building and loan to which was referred **House File 214**, a bill for an act to amend section five hundred twenty-six point thirty-two (526.32), Code 1950, to include the surplus funds of state banks and trust companies, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN R. HATTERY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on banks, building and loan to which was referred **House File 216**, a bill for an act to amend section four hundred ninety-two point six (492.6), Code 1950, relating to payment in property other than cash for capital stock, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN R. HATTERY, *Chairman*.

Ordered passed on file.

Senator Sharp submitted the following report:

MR. PRESIDENT: Your committee on public lands and buildings to which was referred **House File 92**, a bill for an act authorizing the executive council to purchase a strip and certain parcels of land in Jones County from the Chicago and North Western Railway Company and to provide an appropriation 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.

Senator Weichman submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 66**, a bill for an act relating to witness fees and mileage in courts of record and to amend section six hundred twenty-two point sixty-nine (622.69), Code 1950, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HARRY E. WEICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 118**, a bill for an act to amend section five hundred forty-seven point three (547.3), Code 1950, relating to fees charged by county recorder with reference to trade name, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HARRY E. WEICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 137**, a bill for an act to amend section four hundred forty-six point twenty-nine (446.29), Code 1950, relating to fees charged by county treasurer with reference to tax certificates, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HARRY E. WEICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 138**, a bill for an act to amend chapter four hundred forty-five (445), Code 1950, relating to fees to be charged by county treasurer for certificates of taxes due, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HARRY E. WEICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 139**, a bill for an act to amend chapter five hundred fifty-eight (558), Code 1950, relating to fees charged by county auditor with reference to transfer of title to real property, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HARRY E. WEICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 140**, a bill for an act to amend section three hundred thirty-three point fifteen (333.15), Code 1950, relating to fees to be charged by county auditor with reference to land transfers, redemption certificates and tax certificates, begs leave to report

it has had the same under consideration and recommends the same be amended in accordance with the amendment filed by Senator Jacobson to Senate File 140 and found on page 137 of the Senate Journal, and when so amended the bill do pass.

HARRY E. WEICHMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 141**, a bill for an act to amend section one hundred eighty-eight point forty-eight (188.48), Code 1950, relating to fee charged by county auditor with reference to estrays, begs leave to report it has had the same under consideration and recommends the same do pass.

HARRY E. WEICHMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 229**, a bill for an act to amend section five hundred thirty-four point ninety-seven (534.97), Code 1950, relating to compensation of building and loan examiners, begs leave to report it has had the same under consideration and recommends the same do pass.

HARRY E. WEICHMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 230**, a bill for an act relating to the per diem salary of county, municipal and school examiners and their assistants and to amend section eleven point nine (11.9), Code 1950, begs leave to report it has had the same under consideration and recommends the same do pass.

HARRY E. WEICHMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 251**, a bill for an act to amend sections three hundred twenty-one point one hundred forty-five (321.145) and three hundred twenty-one point one hundred fifty-two (321.152), Code 1950, relating to fees to be charged and retained by the county treasurer, for each motor vehicle registration and transfer, begs leave to report it has had the same under consideration and recommends the same do pass.

HARRY E. WEICHMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 252**, a bill for an act to amend section six hundred six point fifteen (606.15), Code 1950, relating to fees to be charged by the clerk of the district court, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HARRY E. WEICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 253**, a bill for an act to amend section three hundred thirty-seven point eleven (337.11), Code 1950, relating to fees to be charged by the county sheriff, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HARRY E. WEICHMAN, *Chairman*.

Ordered passed on file.

Senator Zastrow submitted the following report:

MR. PRESIDENT: Your committee on private corporations to which was referred **Senate File 5**, a bill for an act relating to the issuance of stock and the payment thereof of certain corporations, begs leave to report it has had the same under consideration and recommends the same **do pass**.

RALPH W. ZASTROW, *Chairman*.

Ordered passed on file.

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **Senate File 50**, a bill for an act to amend section four hundred fifty point fifty-nine (450.59), Code 1950, relating to jurisdiction of the court in the release of real or personal property from the lien of inheritance 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.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **Senate File 55**, a bill for an act to amend section seven hundred thirteen point three (713.3), Code 1950, relating to the punishment for false drawing or uttering of checks, drafts or written orders, 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 109**, a bill for an act to amend section three hundred fifty-nine point thirty-five (359.35), Code 1950, relating to use of cemetery funds by township trustees, 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 109 by inserting in line 7 after the word "trustees" the following: "of the township where the cemetery is located".

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **Senate File 169**, a bill for an act to amend section six hundred thirty-eight point twenty-five (638.25), Code 1950, relating to expenses and extraordinary services in probate matters, 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 174**, a bill for an act to amend section six hundred sixty-eight point thirty-three (668.33), Code 1950, relating to the termination of exhausted guardianships, 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 176**, a bill for an act to amend section six hundred sixty-eight point three (668.3), Code 1950, relating to the appointment of a guardian for a minor owning 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.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **Senate File 191**, a bill for an act to amend section ninety-four point six (94.6), Code 1950, relating to limitation of employment agency fee, 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 204**, a bill for an act relating to the preservation of the report of amendments to Rules of Civil Procedure and to amend section six hundred eighty-four point nineteen (684.19), Code 1950, 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 219**, 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 renewal articles of incorporation of Scharff Realty Company, and to provide for the renewal of the charter of said company, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 2 by striking section 188 and inserting in lieu thereof the following:

Sec. 188. 1. It is the intention of the General Assembly that wherever the statutes, other than in this act, provide that the comptroller shall draw or issue any warrant, to strike such reference and insert in lieu thereof "the auditor of state".

2. It is the intention of the General Assembly that wherever the statutes, other than in this act, provide that any payments for deposit in the state treasury shall be made to the comptroller, to strike such reference and insert in lieu thereof "treasurer of state".

3. It is the intention of the General Assembly wherever the statutes, other than in this act, provide that the comptroller shall charge or credit any account, to strike such reference and insert in lieu thereof "the auditor of state".

4. It is the intention of the General Assembly that wherever the statutes, other than in this act, provide for annual examination or audit of the accounts of any state department or office other than that of the comptroller by the auditor of state, such reference to the auditor be stricken and the word comptroller inserted in lieu thereof.

ALDEN L. DOUD.



Amend Senate File 12 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section eighty-five point thirty-one (85.31), Code 1950, is hereby amended by inserting after the word "shall" and before the word "cease" in line six (6) of subsection five (5) the following: 'be made to the dependents who were wholly dependent on earnings of the employee for support at the time of his injury, and if there are no such dependents, then payments of the unpaid balance shall'."

R. R. BATESON.

Amend the amendment to Senate File 18 filed by Senator Henningsen and found on page 233 of the Senate Journal by adding the following:

"Further amend Senate File 18 by renumbering the following section."

O. H. HENNINGSEN.

Amend Senate File 19 as follows:

1. Strike the word "repeal" from the first line of the title and insert in lieu thereof the word "amend".

2. Strike the word "repealed" from line 2 of section 1 and insert in lieu thereof the following: "amended by striking from lines six (6) to eight (8) the words 'such improvement shall not exceed in width that of the primary road system and'".

JOHN R. HATTERY.  
J. T. DYKHOUSE.

Amend Senate File 54 by adding the following:

Section six hundred eighty-seven point five (687.5), Code 1950, is further amended by striking the word "dollar" in line 2 of paragraph 2 and by inserting in lieu thereof the word "dollars".

FRANK C. BYERS.

Amend Senate File 96, section 1, by adding the following:

"Provided, however, that this requirement shall not apply to students who on October 1, 1950, were regularly enrolled and in resident attendance at approved schools or colleges of chiropractic."

PHILIP T. HEDIN.

Amend Senate File 157, section 9, line 75, by inserting after the word "not" the word "less".

Further amend Senate File 157, section 21, line 9, by striking the period and inserting a semi-colon in lieu thereof, and adding the following: "nor shall this act apply to manufacturers where a regular maintenance man or crew is continuously employed."

E. K. BEKMAN.

Amend Senate File 177 as follows:

1. Amend section 1 by striking all after the word "board" in line 18 and substituting in lieu thereof the following:

"to the state superintendent of public instruction by notifying the opposite party and the county superintendent of schools in writing within five days after receipt of notice of the decision of the county board of education and shall file with the state superintendent of public instruction an affidavit of appeal, reasons for appeal, and the facts involved in the disagreement. The county superintendent of schools shall, within ten days of said notice, file with the state superintendent of public instruction all records and papers pertaining to the case, including action of the county board of education. The state superintendent of public instruction shall hear the appeal within fifteen days of the filing of the records in his office, notifying all parties and the county superintendent of schools of the time of hearing. The state superintendent of public instruction shall forthwith decide the same and notify all parties of his decision and return all papers with a copy of the decision to the county superintendent of schools. The decision of the state superintendent of public instruction shall be subject to appeal to the district court. Any order of the district court shall be subject to appeal to the supreme court in accord with the statutes respecting appeals to that court."

2. Amend section 2 by striking all after the word "appeal" in line 6 and inserting in lieu thereof the following:

"to the state superintendent of public instruction and the procedure and times provided for in section two hundred eighty-five point twelve (285.12), Code 1950, shall prevail in any such case. The decision of the state superintendent of public instruction shall be subject to appeal to the courts as provided for in section two hundred eighty-five point twelve (285.12), Code 1950."

HARRY E. WEICHMAN.

Amend the title to Senate File 222 by striking all after the word "Act" and inserting in lieu thereof the following:

"providing for the repeal of sections four hundred ninety-one point forty-six (491.46), four hundred ninety-one point forty-seven (491.47), four hundred ninety-one point fifty (491.50), and part of section four hundred ninety-one point fifty-three (491.53), Code 1950, relating to the furnishing of stockholders' lists, stock books and transfers of shares and the right of inspection of such records, and the enactment of substitutes therefor providing for the preparation and keeping

of capital stock and stock ownership and transfer records and for the examination of corporation records by stockholders."

E. K. BEKMAN.

Amend the title to Senate File 224 by striking the period (.) at the end of the title and adding the following:

"relating to the posting of by-laws and statements of capital stock and indebtedness of corporations."

E. K. BEKMAN.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 8, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by the Reverend Harold McGee, rector of the Trinity Episcopal Church, Iowa City, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Utzig, from county officials of Dubuque County favoring and increase in the salary of county officers; also, from Floyd Rubey, officer of the Izaak Walton League Dubuque Chapter, favoring the use of live pigeons in hunting; also, from Ed Rettenmaier, secretary of the English Springer Spaniel Club, of Dubuque, favoring the use of live pigeons in hunting.

## COMMUNICATION

The Secretary of the Senate announced the receipt of the following copy of a communication addressed to the Secretary of State:

February 5, 1951.

Honorable Melvin D. Synhorst,  
Secretary of State,  
State of Iowa,  
Des Moines 19, Iowa.

My dear Mr. Synhorst:

This is in reply to your letter of January 22, 1951, addressed to the President of the United States which has been referred to the Veterans Administration, and to your letter of the same date addressed to the Administrator, both of which forwarded copies of Senate Concurrent Resolution 4, adopted by the Senate and House of the Fifty-fourth General Assembly of Iowa. This concurrent resolution requests that the Veterans Administration Domiciliary at Clinton, Iowa, be used to full capacity.

Due to our present budgetary limitations, the Veterans Administration is confined to the operation of only those beds presently authorized in our existing hospitals and domiciliaries. An increase in either hospital or domiciliary beds, therefore, cannot be granted at this time.

Sincerely yours,  
O. W. CLARK,  
*Deputy Administrator.*

## INTRODUCTION OF BILLS

Senate File 287, by Senator O'Malley, a bill for an act to amend section four hundred twenty-two point forty-five (422.45), Code 1950, relating to retail sales tax exemptions.

Read first and second times, and passed on file.

Senate File 288, by Senator O'Malley, a bill for an act to amend section four hundred thirty-four point fifteen (434.15), Code 1950, relating to the valuation and assessment for taxation of property for railway companies; and to provide that property subject to taxation of companies operating a public passenger transit system in cities having a population of one hundred twenty-five thousand (125,000) or over shall be subject to assessment in the same manner as a railway.

Read first and second times, and passed on file.

Senate File 289, by Senator Augustine, a bill for an act to amend section ninety-seven point thirteen (97.13), Code 1950, relating to benefits under the Iowa Old Age and Survivors Insurance System for individuals with a record of fifty years or more of employment for the State of Iowa or its political subdivisions, and providing for funds for the payment thereof.

Read first and second times, and passed on file.

Senate File 290, by Senators McCarville and Dailey, a bill for an act to amend sections eighty-five point twenty-seven (85.27), eighty-five point thirty-one (85.31), eighty-five point thirty-two (85.32), eighty-five point thirty-three (85.33), eighty-five point thirty-four (85.34), eighty-five point thirty-five (85.35), eighty-five point thirty-six (85.36) and eighty-five point thirty-seven (85.37), Code 1950, relating to the Iowa workmen's compensation law.

Read first and second times, and passed on file.

Senate File 291, by Senators McCarville and Dailey, a bill for an act to amend chapter eighty-five A (85A), Code 1950, relating to Iowa occupational disease law.

Read first and second times, and passed on file.

Senate File 292, by Senators McCarville and Dailey, a bill for an act to amend section eighty-five point sixty-four (85.64), Code

1950, relating to the second injury fund of the Iowa Workmen's Compensation Law.

Read first and second times, and passed on file.

Senate File 293, by Senator Weichman, a bill for an act to amend section forty-three point twenty-nine (43.29), Code 1950, relating to the rotation of candidates names on ballots in territories smaller than a county.

Read first and second times, and passed on file.

Senate File 294, by Senators Lynes, Molison, Anderson and Augustine, a bill for an act to amend section one hundred sixty-four point eight (164.8), section one hundred sixty-four point seventeen (164.17), section one hundred sixty-four point eighteen (164.18), section one hundred sixty-four point nineteen (164.19), section one hundred sixty-four point twenty (164.20), section one hundred sixty-four point twenty-one (164.21) and section one hundred sixty-four point twenty-six (164.26) relating to the eradication of Bang's Disease.

Read first and second times, and passed on file.

Senate File 295, by Senator Doud, a bill for an act to amend section two hundred forty-seven point twenty-three (247.23), Code 1950, relating to expenditures of the board of parole in caring for a court parolee.

Read first and second times, and passed on file.

Senate File 296, by Senators Zastrow, West and Anderson, a bill for an act to amend certain sections of the Code 1950 relating to presence of minors in pool halls and billiard rooms.

Read first and second times, and passed on file.

Senate File 297, by Senators Fletcher and Colburn, a bill for an act to amend sections twenty-four point seven (24.7), twenty-four point ten (24.10), seventy-six point two (76.2), four hundred forty-four point twenty (444.20) and four hundred forty-four point twenty-three (444.23), Code 1950, requiring the certification of budgets, supplemental budgets, levies for bond issues and other levies to be filed with the county auditor on or before November first in the year for which tax is to be assessed.

Read first and second times, and passed on file.

Senate File 298, by Senator Doud, a bill for an act to amend section two hundred sixty point twelve (260.12), section two hundred sixty point thirteen (260.13) section two hundred sixty point twenty-one (260.21), Code 1950, relating to the renewal of teacher's certificates.

Read first and second times, and passed on file.

#### HOUSE CONCURRENT RESOLUTION 10

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

#### HOUSE CONCURRENT RESOLUTION 10

*Whereas*, chapter two hundred nineteen (219), section two (2), Acts of the Fiftieth General Assembly, provides that to be entitled to World War I bonus, applicant must have on file his application on or before December 31, 1944, and,

*Whereas*, George Dewey Ellis, a veteran of World War I, through no fault of his own was unable to file prior to the expiration date, and,

*Whereas*, it would be unfair and unjust that George Dewey Ellis should be deprived of the benefits of the World War I bonus, if entitled thereto;

*Therefore, Be It Resolved by the House, the Senate Concurring*, that the World War I "Bonus Board" is hereby authorized to accept for consideration the application of George Dewey Ellis for the bonus payable to veterans of World War I, notwithstanding the provisions of chapter two hundred nineteen (219), section two (2), Acts of the Fiftieth General Assembly contrary hereto.

Senator Elthon asked and received unanimous consent that action on House Concurrent Resolution 10 be temporarily deferred.

#### THIRD READING OF BILLS

Senator Prentis called up for further consideration Senate File 2, a bill for an act relating to the administration of state budget and finances and to assign or transfer certain duties relating thereto to the auditor of state, state comptroller or treasurer of state.

Senator Prentis also called up the following amendment and moved its adoption :

Amend Senate File 2, section 3, subsection 4, line 15, by striking all after the word "and" and inserting in lieu thereof the following: "make a public report of any illegal or improper practices to the governor and the budget and financial control committee."

The amendment was adopted.

Senator Prentis offered the following amendment and moved its adoption:

1. Amend Senate File 2 by striking from line 1 of section 6 the words and figures "eight point eight (8.8)" and inserting in lieu thereof the words and figures "eight point nine (8.9)".

The motion prevailed and the amendment was adopted.

Senator Prentis offered the following amendment and moved its adoption:

2. Amend Senate File 2 by adding the following section:  
"Sec. 189. The notes, historical references, and explanatory material incorporated in this bill shall be considered no part of the enactment hereof and shall not be included in the enrolled Act."

The motion prevailed and the amendment was adopted.

Senator Doud offered the following amendment and moved its adoption:

Amend Senate File 2 by striking section 188 and inserting in lieu thereof the following:

Sec. 188. 1. It is the intention of the General Assembly that wherever the statutes, other than in this act, provide that the comptroller shall draw or issue any warrant, to strike such reference and insert in lieu thereof "the auditor of state".

2. It is the intention of the General Assembly that wherever the statutes, other than in this act, provide that any payments for deposit in the state treasury shall be made to the comptroller, to strike such reference and insert in lieu thereof "treasurer of state".

3. It is the intention of the General Assembly wherever the statutes, other than in this act, provide that the comptroller shall charge or credit any account, to strike such reference and insert in lieu thereof "the auditor of state".

4. It is the intention of the General Assembly that wherever the statutes, other than in this act, provide for annual examination or audit of the accounts of any state department or office other than that of the comptroller by the auditor of state, such reference to the auditor be stricken and the word comptroller inserted in lieu thereof.

The motion prevailed and the amendment was adopted.

Senator Watson of Pottawattamie offered the following amendment and moved its adoption:

Amend Senate File 2 by striking from lines 1 and 2 of section 117 the words and figures "two hundred eighty-three point twenty-three (283.23)" and inserting in lieu thereof the words and figures "two hundred eighty-two point twenty-three (282.23)".

The motion prevailed and the amendment was adopted.



Senator Prentis moved that the bill be read a third 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:**

Anderson	Hattery	Myrland	Van Eaton
Augustine	Hedin	Nesmith	Van Patten
Bateson	Hultman	Oltman	Vest
Berg	Humbert	O'Malley	Walter
Colburn	Jacobson	Parker	Watson of
Dailey	Knudson	Prentis	O'Brien
Doud	Linnevold	Ridout	Watson of
Dykhouse	Lynes	Risk	Pottawattamie
Elthon	McCarville	Roberts	West
Fishbaugh	Mercer	Tudor	Whitehead
Gillespie	Molison	Utzig	Zastrow
Hart			

**Nays, 4:**

Byers	Fletcher	Henningsen	Sharp
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**Absent or not voting, 3:**

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

Senator Prentis moved that the 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 called up for further consideration Senate File 54, a bill for an act relating to mileage for grand jurors.

Senator West offered the following amendment and moved its adoption:

Amend Senate File 54 by adding a new section as follows:

Sec. 3. Further amend section six hundred seven point five (607.5), Code 1950, by striking from lines four (4) and five (5) of subsection one (1) the words "traveled from his residence to the place of trial, ten cents" and inserting in lieu thereof the following:

"actually traveled each day to and from his residence and the place of trial, five cents".

The amendment was lost.

Senator Byers offered the following amendment and moved its adoption:

Amend Senate File 54 by adding the following:

Section six hundred eighty-seven point five (687.5), Code 1950, is further amended by striking the word "dollar" in line 2 of paragraph 2 and by inserting in lieu thereof the word "dollars".

The amendment was adopted.

Senator Jacobson asked and received unanimous consent that action on Senate File 54 be deferred and that the bill retain its place on the calendar.

Senator Weichman asked and received unanimous consent that Senate Files 66, 118, 137, 138, 139, 140, 141, 251, 252 and 253 be taken up in the order named when considered.

Senator Bekman called up for further consideration Senate File 160, a bill for an act to amend section five hundred eleven point eight (511.8), Code 1950, relating to the investment of funds of life insurance companies and associations, to authorize investment in obligations issued, assumed or guaranteed by International Bank for Reconstruction and Development.

Senator Bekman offered the following amendment by Senators Bekman, Doud and Weichman and moved its adoption:

Amend Senate File 160 by striking lines 4, 5 and 6 and inserting in lieu thereof the following: "Bonds issued by the International Bank for Reconstruction and Development in an amount not to exceed five per cent (5%) of its legal reserve and then only upon the approval of the commissioner of insurance."

The amendment was adopted.

Senator Hattery moved the previous question on the 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:

Rule 8 was invoked.

Ayes, 23:

Augustine	Gillespie	Nesmith	Tudor
Bateson	Hart	Oltman	Utzig
Bekman	Henningsen	O'Malley	Watson of
Byers	Jacobson	Ridout	Pottawattamie
Dailey	McCarville	Roberts	West
Elthon	Mercer	Sharp	Zastrow

Nays, 23:

Anderson	Hedin	Molison	Van Patten
Colburn	Hultman	Myrland	West
Dykhouse	Humbert	Parker	Walter
Fishbaugh	Knudson	Prentis	Weichman
Fletcher	Lord	Risk	Whitehead
Hattery	Lynes	Van Eaton	

## Absent or not voting, 4:

Berg	Doud	Linnevold	Watson of O'Brien
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

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

On motion of Senator Dykhousé, House File 111, a bill for an act to amend section four hundred five point six (405.6), Code 1950, to provide for the reappointment of an incumbent city assessor to a new term without reexamination, 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, 45:

Augustine	Hattery	Nesmith	Van Patten
Bateson	Hedin	Oltman	Vest
Bekman	Henningsen	O'Malley	Walter
Byers	Hultman	Parker	Watson of
Colburn	Humbert	Prentis	O'Brien
Dailey	Jacobson	Ridout	Watson of
Dykhousé	Knudson	Risk	Pottawattamie
Elthon	Lynes	Roberts	Weichman
Fishbaugh	McCarville	Sharp	West
Fletcher	Mercer	Tudor	Whitehead
Gillespie	Molison	Utzig	Zastrow
Hart	Myrland	Van Eaton	

## Nays, none.

## Absent or not voting, 5:

Anderson	Doud	Linnevold	Lord
Berg			

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.

## 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 1, a bill for an act to create a budget and financial control committee.

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

Senate File 48, a bill for an act legalizing the proceedings relative to hospital bonds for the city of Spencer, Iowa.

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

Senate File 69, a bill for an act to legalize proceedings of board of directors of Consolidated School District of Ainsworth, Washington County, Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

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

## AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mercer for the balance of the day on request of Senator Elthon; Senator Linnevold for the balance of the day on request of Senator Sharp.

## REPORTS OF COMMITTEE

Senator Hattery submitted the following report:

**MR. PRESIDENT:** Your committee on banks, building and loan to which was referred **House File 213**, a bill for an act to legalize the payment, certification or acceptance of a check or other negotiable instrument or any other transaction by a bank or trust company in this state performed after banking hours or on any legal holiday, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN R. HATTERY, *Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on banks, building and loan to which was referred **House File 215**, a bill for an act to amend section five hundred twenty-eight point twenty-one (528.21), Code 1950, relating to per diem compensation paid to any member of an examining committee of a

bank, begs leave to report it has had the same under consideration and recommends the same *do pass*.

JOHN R. HATTERY, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on banks, building and loan to which was referred **House File 217**, a bill for an act to amend section five hundred twenty-four point sixteen (524.16), Code 1950, relating to the expenses of the banking department, begs leave to report it has had the same under consideration and recommends the same *do pass*.

JOHN R. HATTERY, *Chairman*.

Ordered passed on file.

#### PRESENTATION OF VISITORS

Senator Jacobson asked and received unanimous consent to present to the Senate a former member of the Senate from Allamakee County, the Honorable T. W. Mullaney, who was present in the Senate chamber.

Senator Utzig asked and received unanimous consent to present to the Senate a former member of the House of Representatives from Dubuque County, the Honorable Frank J. Less; also, Leo J. Martin, Dubuque County sheriff, who were present in the Senate chamber.

Senator O'Malley asked and received unanimous consent to present to the Senate the members of the American problem class and the members of the senior class in government and economics of East High School who were present in the balcony with their instructor, Charles E. Gregory.

Senator O'Malley asked and received unanimous consent to present to the Senate the members of the social science class of Drake University who were present in the balcony with their instructor, Mr. Mikesell; also, thirty-five members of the class in government of the Mitchellville High School who were present in the balcony with their instructor, Gene Sancke.

#### ADDITIONAL COPIES

Senator Bekman asked and received unanimous consent to have two hundred additional copies of Senate File 70 printed.

## HOUSE AMENDMENTS CONSIDERED

Senator Fishbaugh called up for consideration Senate File 189, a bill for an act to amend sections six hundred fourteen point fourteen (614.14), six hundred fourteen point fifteen (614.15), six hundred fourteen point seventeen (614.17), six hundred fourteen point twenty (614.20), six hundred fourteen point twenty-two (614.22), and six hundred fourteen point sixteen (614.16), Code 1950, relating to special limitations of actions in regard to recovery of interests in real estate, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 189, section 6, line 6, by striking the word "it" and substituting in lieu thereof the word "they".

The Senate concurred in the House amendment.

Senator Watson of Pottawattamie took the chair at 2:00 p.m.

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

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

Ayes, 47:

Anderson	Gillespie	Myrland	Van Eaton
Augustine	Hart	Nesmith	Van Patten
Bateson	Hattery	Oltman	Vest
Bekman	Hedin	O'Malley	Walter
Berg	Henningsen	Parker	Watson of
Byers	Hultman	Prentiss	O'Brien
Colburn	Humbert	Ridout	Watson of
Dailey	Jacobson	Risk	Pottawattamie
Doud	Knudson	Roberts	Weichman
Dykhouse	Lynes	Sharp	West
Elthon	McCarville	Tudor	Whitehead
Fishbaugh	Molison	Utzig	Zastrow
Fletcher			

Nays, none.

Absent or not voting, 3:

Linnevoold	Lord	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.

## THIRD READING OF BILLS

On motion of Senator Hattery, House File 215, a bill for an act to amend section five hundred twenty-eight point twenty-one (528.21), Code 1950, relating to per diem compensation paid to

any member of an examining committee of a bank, was taken up, and considered and the report of the committee adopted.

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

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

**Ayes, 47:**

Anderson	Gillespie	Myrland	Van Eaton
Augustine	Hart	Nesmith	Van Patten
Bateson	Hattery	Oltman	Vest
Bekman	Hedin	O'Malley	Walter
Berg	Henningsen	Parker	Watson of
Byers	Hultman	Prentis	O'Brien
Colburn	Humbert	Ridout	Watson of
Dailey	Jacobson	Risk	Pottawattamie
Doud	Knudson	Roberts	Weichman
Dykhouse	Lynes	Sharp	West
Elthon	McCarville	Tudor	Whitehead
Fishbaugh	Molison	Utzig	Zastrow
Fletcher			

**Nays, none.**

**Absent or not voting, 3:**

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

On motion of Senator Hattery, House File 213, a bill for an act to legalize the payment, certification or acceptance of a check or other negotiable instrument or any other transaction by a bank or trust company in this state performed after banking hours or on any legal holiday, was taken up, and considered and the report of the committee adopted.

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

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

**Ayes, 46:**

Anderson	Fletcher	Molison	Utzig
Augustine	Gillespie	Myrland	Van Eaton
Bateson	Hart	Nesmith	Van Patten
Bekman	Hattery	Oltman	Vest
Berg	Hedin	O'Malley	Walter
Byers	Henningsen	Parker	Watson of
Colburn	Hultman	Prentis	O'Brien
Dailey	Humbert	Ridout	Watson of
Doud	Jacobson	Risk	Pottawattamie
Dykhouse	Knudson	Roberts	West
Elthon	Lynes	Sharp	Whitehead
Fishbaugh	McCarville	Tudor	Zastrow

Nays, none.

Absent or not voting, 4:

Linnevold

Lord

Mercer

Weichman

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

#### BILLS WITHDRAWN

Senator Hattery asked and received unanimous consent that Senate Files 213 and 214 be withdrawn from further consideration of the Senate.

On motion of Senator Berg, Senate Joint Resolution 3, a joint resolution proposing amendments to the constitution of the State of Iowa relating to the succession of officers to the office of Governor in the event of death or disability of the Governor or person elected to that office and to amend section four (4) of article IV and to repeal section nineteen (19) of article IV and propose a substitute therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Berg asked and received unanimous consent that House Joint Resolution 3 be substituted for Senate Joint Resolution 3.

On motion of Senator Berg, House Joint Resolution 3, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the succession of officers to the office of Governor in the event of death or disability of the Governor or person elected to that office and to amend section four (4) of article IV and to repeal section nineteen (19) of article IV and propose a substitute therefor, was taken up and considered.

*Be It Resolved by the General Assembly of the State of Iowa:*

Section 1. That the following amendments to the Constitution of Iowa are hereby proposed:

Amendment 1. Section four (4) of Article IV of the Constitution of Iowa is amended by adding thereto the following: "If, upon the completion of the canvass of votes for Governor and Lieutenant Governor by the General Assembly, it shall appear that the person who received the highest number of votes for Governor has since died, resigned, is unable to qualify, fails to qualify, or for any other reason is unable to assume the duties of the office of Governor for the ensuing term, the powers and duties of the office shall devolve upon the person who received the highest number of votes for Lieutenant Governor until the disability is removed and, upon inauguration, he shall assume the powers and duties of Governor."



Amendment 2. Section nineteen (19) of Article IV of the Constitution of the State of Iowa is repealed and the following adopted in lieu thereof: "Sec. 19. If there be a vacancy in the office of Governor and the Lieutenant Governor shall by reason of death, impeachment, resignation, removal from office or other disability become incapable of performing the duties pertaining to the office of Governor, the President pro tempore of the Senate shall act as Governor until the vacancy is filled or the disability removed; and if the President pro tempore of the Senate, for any of the above causes, shall be incapable of performing the duties pertaining to the office of Governor the same shall devolve upon the Speaker of the House of Representatives; and if the Speaker of the House of Representatives, for any of the above causes, shall be incapable of performing the duties of the office of Governor, the Justices of the Supreme Court shall convene the General Assembly by proclamation and the General Assembly shall organize by the election of a President pro tempore by the Senate and a Speaker by the House of Representatives. The General Assembly shall thereupon immediately proceed to the election of a Governor and Lieutenant Governor in joint convention."

Sec. 2. The foregoing proposed amendments to the Constitution of the State of Iowa having been adopted and agreed to by the Fifty-third (53rd) General Assembly, thereafter duly published, and now adopted and agreed to by the Fifty-fourth (54th) General Assembly in this Joint Resolution, the same shall be submitted to the people of the State of Iowa at the general election in nineteen hundred fifty-two (1952) in the manner required by the Constitution of the State of Iowa and the laws of the State of Iowa.

Senator Berg 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:

Anderson	Gillespie	Myrland	Van Eaton
Augustine	Hart	Nesmith	Van Patten
Bateson	Hattery	Oltman	Vest
Bekman	Hedin	O'Malley	Walter
Berg	Henningsen	Parker	Watson of
Byers	Hultman	Prentis	O'Brien
Colburn	Humbert	Ridout	Watson of
Dailey	Jacobson	Risk	Pottawattamie
Doud	Knudson	Roberts	Weichman
Dykhouse	Lord	Sharp	West
Elthon	Lynes	Tudor	Whitehead
Fishbaugh	McCarville	Utzig	Zastrow
Fletcher	Molison		

Nays, none.

Absent or not voting, 2:

Linnevold            Mercer

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

Senator Berg asked and received unanimous consent that Senate Joint Resolution 3 be withdrawn from further consideration of the Senate.

On motion of Senator Jacobson, Senate File 53, a bill for an act to amend section seven hundred eighty-nine point thirteen (789.13), Code 1950, relating to the imposition of sentences for crimes the maximum punishment for which is life imprisonment, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Jacobson asked and received unanimous consent that action on Senate File 53 be temporarily deferred.

On motion of Senator Berg, Senate File 166, a bill for an act relating to the construction and maintenance of garages for storage, repair and servicing of motor vehicles and other equipment of cities and towns, and to amend section four hundred seven point three (407.3), Code 1950, 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 166 by inserting after the word "amend" in line 3 of the title the following: "Chapter three hundred sixty-eight (368), Code of 1950, and".

Further amend Senate File 166 by inserting after section 1 the following: "Chapter three hundred sixty-eight (368), Code of 1950, is amended by adding the following new section:".

The amendment was adopted.

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

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

**Ayes, 47:**

Augustine	Hart	Myrland	Van Eaton
Bateson	Hattery	Nesmith	Van Patten
Bekman	Hedin	Oltman	Vest
Berg	Henningsen	O'Malley	Walter
Byers	Hultman	Parker	Watson of
Colburn	Humbert	Prentis	O'Brien
Dailey	Jacobson	Ridout	Watson of
Doud	Knudson	Risk	Pottawattamie
Dykhouse	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	West
Fishbaugh	McCarville	Tudor	Whitehead
Fletcher	Molison	Utzig	Zastrow
Gillespie			

**Nays, none.**

**Absent or not voting, 3:**

Anderson            Linnevold            Mercer

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 Bateson, Senate File 129, a bill for an act to amend section four hundred five point three (405.3), Code 1950, relating to the appointment of city assessors, and section four hundred five point eight (405.8) relating to the appointment of city deputy assessors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bateson offered the following amendment and moved its adoption:

Amend Senate File 129 by striking from line 3 of section 2 the words "The board" and inserting in lieu thereof the words "This board".

The amendment was adopted.

Senator Bateson moved that the bill be read a third 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	Myrland	Van Eaton
Bateson	Hattery	Nesmith	Van Patten
Bekman	Hedin	Oltman	Vest
Berg	Henningsen	O'Malley	Walter
Byers	Hultman	Parker	Watson of
Colburn	Humbert	Prentis	O'Brien
Dailey	Jacobson	Ridout	Watson of
Doud	Knudson	Risk	Pottawattamie
Dykhouse	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	West
Fishbaugh	McCarville	Tudor	Whitehead
Fletcher	Molison	Utzig	Zastrow
Gillespie			

**Nays, none.**

**Absent or not voting, 3:**

Anderson            Linnevold            Mercer

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

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

**MR. PRESIDENT:** Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate File 111 and House File 44.

**JAMES H. NESMITH**, *Chairman Senate Committee.*

**ELMER A. BASS**, *Chairman House Committee.*

Report adopted.

#### BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate File 111 and House File 44.

#### BILL SENT TO THE GOVERNOR

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

**MR. PRESIDENT:** Your committee on enrolled bills respectfully reports that it has, on this 8th day of February, 1951, sent to the Governor for his approval: Senate File 111.

**JAMES H. NESMITH**, *Chairman.*

Passed on file.

#### BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following assignment of bills to committee:

- S. F. 272 Cities and towns
- S. F. 273 Insurance
- S. F. 274 Insurance
- S. F. 275 Compensation of public officers and employees
- S. F. 276 Compensation of public officers and employees
- S. F. 277 Election reform
- S. F. 278 Public health
- S. F. 279 Tax revision
- S. F. 280 Judiciary 1
- S. F. 281 Judiciary 1

- S. F. 282 Schools and educational institutions
- S. F. 283 Schools and educational institutions
- S. F. 284 Schools and educational institutions
- S. F. 285 Social security
- S. F. 286 Military affairs
- H. F. 94 Conservation
- H. F. 101 Agriculture

#### REPORTS OF COMMITTEES

Senator Prentis submitted the following report:

MR. PRESIDENT: Your committee on governmental affairs to which was referred **Senate File 142**, a bill for an act relating to the public archives and authorizing destruction of certain documents after custody for a fixed period and for amending section three hundred three point ten (303.10), Code 1950, begs leave to report it has had the same under consideration and recommends the same **do pass**.

X. T. PRENTIS, *Chairman*.

Ordered passed on file.

Senator Dykhouse submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred **Senate File 32**, a bill for an act to make all general laws pertaining to municipal corporations applicable to cities organized under special charter, etc., 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 cities and towns to which was referred **Senate File 163**, a bill for an act relating to the general powers of municipal corporations and to repeal chapter three hundred sixty-eight (368) of the Code, relating thereto, and certain other sections of the Code relating thereto, and to enact a substitute therefor, and to amend various sections of the Code relating thereto, 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 Van Eaton submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles to which was referred **Senate File 87**, a bill for an act to amend section three hundred twenty-one point four hundred sixty-seven (321.467), Code 1950, relating to permits for excess size and weight, begs leave to report it has had the same under consideration and recommends the same **do pass**.

CHARLES S. VAN EATON, *Chairman*.

Ordered passed on file.

## AMENDMENTS FILED

Amend Senate File 32 as follows:

1. Strike all of section 4 and insert in lieu thereof the following:

"Sec. 4. Sections four hundred twenty point forty-two (420.42) to four hundred twenty point one hundred fifty-four (420.154), inclusive, and four hundred twenty point one hundred ninety (420.190) to four hundred twenty point two hundred eighty-eight (420.288), inclusive, all of the Code of 1950, are hereby repealed."

JOHN R. HATTERY.  
J. T. DYKHOUSE.

Amend Senate File 54 by striking section 1 and inserting in lieu thereof the following: "Section 1. Section six hundred seven point five (607.5), Code 1950, is amended by inserting after the word 'mile' in line five (5) of subsection three (3) the word 'actually' and inserting after the word 'traveled' in line five (5) of subsection three (3) the words 'each day',".

ARTHUR H. JACOBSON.

Amend Senate File 60 by adding the following:

Sec. 2. Amend section one hundred six point sixteen (106.16), Code 1950, by adding after the Roman numeral V in line two (2) the following: "equipped with an outboard motor in excess of five (5) horsepower".

J. T. DYKHOUSE.

Amend Senate File 164 by inserting after section 24 the following new section:

"Sec. 25. Utilities boards—proceedings. Immediately following each meeting of the trustees or governing board of each municipally owned public utility, the trustees or board members shall publish by one insertion in at least one newspaper a summary of the proceedings together with a list of warrants drawn, the names of persons, firms, or corporations to whom drawn, the amount thereof, and the reason therefor. Publication shall be made in the manner provided by section six hundred eighteen point fourteen (618.14). Failure to make such publication shall constitute a misdemeanor."

Further amend said Senate File by renumbering the remaining sections.

X. T. PRENTIS.  
Filed at the request of  
Representative Metz.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 9, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend O. E. Ellis, pastor of the Methodist Church, Afton, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Linnevold for the day on request of Senator Hultman; Senator Byers for the day on request of Senator Hart.

## PETITIONS AND MEMORIALS

By Senator Dykhouse, from two hundred three members of the Junior Women's Club of Rock Rapids, Lyon County, relating to the regulation of speed on highways.

By Senator Fishbaugh, from the county officials of Fremont County favoring an increase in the salary for county officers.

By Senator Hedin, from twenty-one residents, volunteer firemen of Buffalo, Scott County, relating to motor vehicles and law of the road; also, from the staff of the Scott County board of social welfare, relating to the administration of the poor laws.

By Senator McCarville, from members of the Dayton, Webster County, Bowling Association relating to the employment of persons under sixteen years of age.

By Senator Risk, from residents, volunteer firemen of Lamont, Buchanan County, relating to motor vehicles and law of the road.

By Senator Walter, from realtors of Marshalltown, Marshall County, asking that property owners be relieved from federal controls of rent.

## INTRODUCTION OF BILLS

Senate File 299, by Senator O'Malley, a bill for an act to amend section two hundred forty-one point three (241.3), Code 1950, relating to assistance for blind persons.

Read first and second times, and passed on file.

Senate File 300, by Senator O'Malley, a bill for an act to provide for an engineering survey preparatory to the establishment of a state owned lake in Polk County and to make appropriation therefor.

Read first and second times, and passed on file.

Senate File 301, by committee on motor vehicles, a bill for an act to amend section three hundred twenty-one point one (321.1), Code 1950, relating to motor vehicles and law of road, defining chauffeurs.

Read first and second times, and placed on the calendar.

Senate File 302, by committee on motor vehicles, a bill for an act to amend section three hundred twenty-one point one hundred nine (321.109), Code 1950, relating to motor vehicles and law of road and transit permits.

Read first and second times, and placed on the calendar.

Senate File 303, by committee on motor vehicles, a bill for an act to amend section three hundred twenty-one point three hundred forty-two (321.342), Code 1950, relating to the stopping of vehicles at certain railroad crossings.

Read first and second times, and placed on the calendar.

Senate File 304, by committee on motor vehicles, a bill for an act to amend section three hundred twenty-one point thirty-four (321.34), section three hundred twenty-one point thirty-seven (321.37) and section three hundred twenty-one point one hundred sixty-seven (321.167), Code 1950, relating to registration plates issued for motor vehicles.

Read first and second times, and placed on the calendar.

Senate File 305, by committee on motor vehicles, a bill for an act to amend chapter three hundred twenty-one (321), Code 1950, relating to motor vehicles and law of road; also, to reregistration of vehicles that have been in storage.

Read first and second times, and placed on the calendar.

Senate File 306, by committee on motor vehicles, a bill for an act to amend section three hundred twenty-one point four hundred



twenty-two (321.422), Code 1950, relating to motor vehicles and law of road, and the display of red lights.

Read first and second times, and placed on the calendar.

Senate File 307, by committee on motor vehicles, a bill for an act to amend chapter three hundred twenty-one (321), Code 1950, relating to motor vehicles and law of road; also, to reporting of motor vehicle accidents where damage exceeds \$50.

Read first and second times, and placed on the calendar.

Senate File 308, by committee on motor vehicles, a bill for an act to amend chapter three hundred twenty-one (321), Code 1950, relating to motor vehicles and law of road, and chapter three hundred twenty-two (322), Code 1950, relating to motor vehicle dealers and to define the terms "used motor vehicle" or "second-hand motor vehicle".

Read first and second times, and placed on the calendar.

Senate File 309, by Senators Watson of Pottawattamie and Olman, a bill for an act to amend sections four hundred twenty-two point five (422.5), four hundred twenty-two point twelve (422.12) and four hundred twenty-two point thirteen (422.13), Code 1950, relating to decreasing the rate of tax imposed on income; increasing the deductions from the computed tax and relating to returns by individuals for the filing of individual income tax for the years nineteen hundred fifty-one (1951) and nineteen hundred fifty-two (1952).

Read first and second times, and passed on file.

#### SPECIAL ORDER

Senator Elthon asked and received unanimous consent that the consideration of the proposed civilian defense bill and the compact act, by the Senate as a committee of the whole, be made a special order of business for Thursday, February 15, 1951, at 10:30 a.m.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 9, a bill for an act relating to the imposition of sentences for crimes the maximum punishment for which is life imprisonment.

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

House File 23, a bill for an act relating to motor vehicles and law of road.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED .

House File 9, a bill for an act to amend section seven hundred eighty-nine point thirteen (789.13), Code 1950, relating to the imposition of sentences for crimes the maximum punishment for which is life imprisonment.

Read first and second times, and passed on file.

House File 23, a bill for an act to amend chapter three hundred twenty-one (321), Code 1950, relating to motor vehicles and law of road.

Read first and second times, and passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 6.

JAMES H. NESMITH, *Chairman Senate Committee.*

ELMER A. BASS, *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 6.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that, on February 9, the Governor had approved the following bills:

Senate File 111, relating to the Consolidated School District of Winfield, Henry and Louisa Counties.

Also, House File 44, relating to school building bonds of the Wayne Township School District in Mitchell County.

## MOTION TO RECONSIDER

**MR. PRESIDENT:** I move to reconsider the vote by which the motion to reconsider the vote by which Senate File 160 failed to pass the Senate was laid upon the table.

ALAN VEST.

## THIRD READING OF BILLS

On motion of Senator Bateson, Senate File 96, a bill for an act to amend chapter one hundred fifty-one (151), Code 1950, relating to the practice of chiropractic, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hedin offered the following amendment and moved its adoption:

Amend Senate File 96, section 1, by adding the following:

"Provided, however, that this requirement shall not apply to students who on October 1, 1950, were regularly enrolled and in resident attendance at approved schools or colleges of chiropractic."

Senator Watson of Pottawattamie offered the following amendment to the amendment and moved its adoption:

Amend the amendment by inserting the word "either" after the word "and" in line five.

Further amend the amendment by inserting after the word "attendance" in line five the words "or in military service".

The amendment to the amendment was adopted.

Senator Elthon took the chair at 11:20 a.m.

The amendment as amended was adopted.

Senator Bateson moved that the bill be read a third 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:**

Anderson	Hart	Molison	Utzig
Augustine	Hattery	Myrland	Van Eaton
Bateson	Hedin	Nesmith	Van Patten
Bekman	Henningesen	Oltman	Vest
Berg	Hultman	O'Malley	Walter
Colburn	Humbert	Parker	Watson of
Dailey	Jacobson	Prentis	O'Brien
Dykhous	Knudson	Ridout	Watson of
Elthon	Lord	Risk	Pottawattamie
Fishbaugh	Lynes	Roberts	Weichman
Fletcher	McCarville	Sharp	Whitehead
Gillespie	Mercer	Tudor	Zastrow

Nays, none.

Absent or not voting, 4:

Byers	Doud	LinnevoId	West
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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 Hattery, House File 217, a bill for an act to amend section five hundred twenty-four point sixteen (524.16), Code 1950, relating to the expenses of the banking department, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 46:

Anderson	Hart	Molison	Van Eaton
Augustine	Hattery	Myrland	Van Patten
Bateson	Hedin	Nesmith	Vest
Bekman	Henningesen	Oltman	Walter
Berg	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Ridout	Watson of
Dykhouse	Knudson	Risk	Pottawattamie
Elthon	Lord	Roberts	Weichman
Fishbaugh	Lynes	Sharp	West
Fletcher	McCarville	Tudor	Whitehead
Gillespie	Mercer	Utzig	Zastrow

Nays, none.

Absent or not voting, 4:

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

#### BILL WITHDRAWN

Senator Hattery asked and received unanimous consent that Senate File 231 be withdrawn from further consideration of the Senate.

On motion of Senator Fishbaugh, Senate File 236, a bill for an act to amend section five hundred eighty-six point one (586.1), Code 1950, relating to legalizing acts of notaries public and acknowledgments, with report of committee recommending passage, was taken up, and considered.

Senator Fishbaugh asked and received unanimous consent that House File 221 be substituted for Senate File 236.

On motion of Senator Fishbaugh, House File 221, a bill for an act to amend section five hundred eighty-six point one (586.1), Code 1950, relating to legalizing acts of notaries public and acknowledgments, was taken up, and considered.

Senator Fishbaugh moved that the bill be read a third 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	Hattery	Nesmith	Van Eaton
Bateson	Hedin	Oltman	Van Patten
Bekman	Henningsen	O'Malley	Vest
Berg	Hultman	Parker	Walter
Colburn	Humbert	Prentis	Watson of
Dailey	Jacobson	Ridout	O'Brien
Dykhouse	Knudson	Risk	Watson of
Elthon	Lord	Roberts	Pottawattamie
Fishbaugh	Lynes	Sharp	Weichman
Fletcher	McCarville	Tudor	Whitehead
Gillespie	Mercer	Utzig	Zastrow
Hart	Myrland		

**Nays, none.**

**Absent or not voting, 6:**

Anderson	Doud	Molison	West
Byers	Linnevoid		

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

**BILL WITHDRAWN**

Senator Fishbaugh asked and received unanimous consent that Senate File 236 be withdrawn from further consideration of the Senate.

**BILLS ASSIGNED TO COMMITTEE**

President Nicholas announced the following assignment of bills to committee:

S. F. 287	Ways and means
S. F. 288	Ways and means
S. F. 289	Social security
S. F. 290	Social security
S. F. 291	Social security
S. F. 292	Social security
S. F. 293	Election reform
S. F. 294	Agriculture

- S. F. 295 Board of control
- S. F. 296 Judiciary 1
- S. F. 297 Tax revision
- S. F. 298 Schools and educational institutions
- S. F. 299 Social security
- S. F. 300 Conservation
- S. F. 309 Tax revision
- H. F. 9 Judiciary 1
- H. F. 23 Motor vehicles

COMMUNICATION FROM STATE COMPTROLLER

The following communication was received from the office of the State Comptroller:

OFFICE  
STATE COMPTROLLER

February 9, 1951.

Mr. A. C. Gustafson, Chief Clerk,  
House of Representatives.

Dear Mr. Gustafson:

There is transmitted herewith claims against the State of Iowa to be filed with the claims committee of the House of Representatives as follows:

Claims of a general nature numbers 120, 125, 132 to 138, inclusive, 140, 141, 143, 144 and 146.

Highway claims numbers 160, 161, 163 and 164.

Index is attached showing number of claim, name of claimant and amount claimed, together with decision of the State Appeal Board.

R. E. JOHNSON, *Chairman,*  
*State Appeal Board.*

Receipt of the above is hereby acknowledged.

A. C. GUSTAFSON, *Chief Clerk,*  
*House of Representatives.*

No.	Name of Claimant and Nature of Claim	Amount of Claim	Amount Approved By Board
120	Mary Greeley Memorial Hospital, Ames, Iowa—Hospital expenses for Ernest L. Peterson, employed by Iowa State College .....	\$ 1,126.44	No recommendation
125	Mrs. Effie Lawrence, Olathe, Kansas—Personal injury, employed as a waitress, School for the Deaf.....	1,720.14	No recommendation
132	Estes & Son Funeral Home, Des Moines, Iowa—Funeral expense, Alfred Clayburn, old age recipient.....	150.00	\$150.00
133	Agnes M. Brennan, Des Moines, Iowa—Result of eye strain, poor light .....	?	Rejected

No.	Name of Claimant and Nature of Claim	Amount of Claim	Amount Approved By Board
134	County Treasurer, Cass County, Atlantic, Iowa—Refund on agricultural land tax credit.....	229.70	No recommendation
135	County Treasurer, Allamakee County, Waukon, Iowa—Agricultural land tax credit, refund....	891.20	No recommendation
136	County Treasurer, Woodbury County, Sioux City, Iowa—Agricultural land tax credit refund .....	39.94	No recommendation
137	Pleasant Valley Fire Dept., Bettendorf, Iowa—Refund of sales tax .....	92.00	92.00
138	County Treasurer, Page County, Clarinda, Iowa—Agricultural land tax credit refund, 1948.....	14.90	No recommendation
140	County Treasurer, Kossuth County, Algona, Iowa—Agricultural land tax credit refund, 1949 .....	214.53	214.53
141	Arthur E. Kelley, Davenport, Iowa—Damage to car by bus belonging to the Iowa Annie Wittemyer Home, Davenport, Iowa..	155.00	155.00
143	County Treasurer, Marion County, Knoxville, Iowa—Agricultural land tax credit, 1946-1947 and 1948.....	3,974.02	No recommendation
144	Robert V. Miller, Harlan, Iowa—Damage to car by deer.....	254.94	Rejected
146	Mrs. Alva Cavitt, Council Bluffs, Iowa .....	162.00	162.00

## STATE HIGHWAY COMMISSION CLAIMS

H-160-51	Floyd J. Hawn, Arnolds Park, Iowa—Personal injuries, loss of car damaged by tree being blown down during a storm, crushing said car and injuring claimant .....	3,058.00	Rejected
H-161-51	Arrowhead Construction Co., Minneapolis, Minn.—Damage to car by highway commission pickup truck .....	192.00	192.00
H-163-51	Norbert Tenge, New Hampton, Iowa—Damage to tractor by highway commission car.....	54.74	39.74
H-164-51	William E. Judd, Clinton, Iowa—Damage to car by highway commission snowplow.....	124.78	124.78

Passed on file.

## AMENDMENTS FILED

Amend Senate File 87 as follows:

1. By striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Section three hundred twenty-one point four hundred sixty-seven (321.467), Code 1950, is hereby amended as follows:

1. By striking all of said section following the word "of" in line nineteen (19) of said section and substituting the following in lieu thereof: "construction machinery, equipment or material for a distance exceeding twenty-five (25) miles if such machinery, equipment or material is to be moved to or from construction projects in this state or is manufactured within this state".

HARRY E. WEICHMAN.

Amend Senate File 226 by striking all of section 5 and inserting in lieu thereof the following:

Sec. 5. Sections four hundred ninety-one point twenty-five (491.25) and four hundred ninety-one point twenty-six (491.26), Code 1950, are amended to read as follows:

"491.25. Corporations existing for a period of years may be renewed from time to time for the same or shorter periods, or may be renewed to exist perpetually, if a majority of votes cast at any regular election or special election called for that purpose be in favor of such renewal, at any time during the corporate life or within three months after the termination thereof, with such renewal taking effect upon the filing with and approval by the secretary of state and the payment of fees as set forth in section 491.28, although corporations may renew within a three months period prior to normal expiration with renewal taking effect at normal expiration, and if those voting for such renewal will purchase at its real value the stock voted against such renewal. Stockholders voting for renewal shall have three years from the date such action for renewal was taken in which to purchase the stock voted against such renewal, which purchase price shall bear interest at five per cent per annum from the date of such renewal action until paid.

"491.26. The provisions of this act shall not apply to any renewal voted before this act becomes operative but all rights of any corporation described or referred to in the last two paragraphs of section 491.20 to purchase stock of dissenting stockholders or any portion thereof are preserved to said corporation both before and after this section becomes operative."

LEROY S. MERCER.

On motion of Senator Hart, the Senate adjourned until 10:30 a.m., Monday, February 12, 1951.



# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 12, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend R. C. Kruschwitz, pastor of the Baptist Church, Independence, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Doud, from members of the Jefferson County Chapter of the Izaak Walton League of America in opposition to legislative control of firearms.

By Senator Dykhouse, from members of the Rock Rapids, Lyon County, Cooperative Creamery in opposition to legislation pertaining to the withholding of the butterfat tax for two months.

By Senator Gillespie, from members of the Iowa Retail Food Dealers Association, Des Moines, Polk County, favoring the extension of the present seventy-five per cent state income tax rate for two years.

By Senator Hedin, from members of the Scott County board of supervisors, in opposition to proposed legislation relating to the administration of the poor laws.

By Senator Humbert, from twenty-five residents of Adams County favoring the establishment of artificial lakes in southern Iowa.

By Senator Mercer, from thirty-one employees at Children's Hospital, University of Iowa, favoring an increase in salary in proportion to the increased cost of living; also, from eighteen volunteer firemen of Marengo, Iowa County, favoring proposed legislation relative to volunteer firemen.

By Senator Myrland, from volunteer firemen of Dow City, Crawford County, favoring proposed legislation relative to volunteer firemen.

By Senator Parker, from county officials of Plymouth County favoring an increase in salary for county officers.

By Senator Tudor, from volunteer firemen of Olin, Jones County, favoring proposed legislation relative to volunteer firemen.

By Senator Walter, from residents of Marshall County favoring the repeal of rent control.

#### INTRODUCTION OF BILLS

Senate File 310, by committee on military affairs, a bill for an act to amend the military code, chapter twenty-nine (29), Code 1950, to provide for the payment of expenses of the Iowa State Guard.

Read first and second times, and placed on the calendar.

Senate File 311, by Senators Anderson and Tudor, a bill for an act to amend section six hundred one point one hundred twenty-eight (601.128), Code 1950, relating to fees of justice.

Read first and second times, and passed on file.

Senate File 312, by Senators Vest and O'Malley, a bill for an act to require regulation and licensing of representatives of non-resident business schools, trade schools, technical schools and correspondence schools, and prescribing penalties for violations.

Read first and second times and passed on file.

Senate File 313, by Senators Gillespie, Lynes, Tudor, Anderson, Molison and Humbert, a bill for an act to require the registration of bulls used for public service and to require a certificate of health.

Read first and second times, and passed on file.

Senate File 314, by Senators Hattery and Dykhouse, a bill for an act relating to special assessment of public improvements in municipal corporations, and to repeal chapters three hundred ninety-one (391), three hundred ninety-one A (391A), and four hundred seventeen (417), Code 1950, relating thereto, and to enact a substitute in lieu thereof, and to repeal certain other sections of the Code relating thereto and to amend certain sections of the Code relating thereto.

Read first and second times, and passed on file.

Senate File 315, by Senator Whitehead, a bill for an act to amend sections three hundred fifty-nine point forty-six (359.46) and three hundred fifty-nine point forty-seven (359.47), Code 1950, relating to compensation of township trustees and clerks.

Read first and second times, and passed on file.

Senate File 316, by Senator Watson of Pottawattamie, a bill for an act amending section four hundred fifty-five A point eighteen (455A.18), Code 1950, and granting to the Natural Resources Council authority for permitting diversion of water from any natural watercourse for the purpose of replenishing or maintaining the waters of any state owned lake.

Read first and second times, and passed on file.

Senate File 317, by Senator Augustine, a bill for an act to amend chapter three hundred twenty-one (321), Code 1950, relating to motor vehicles and law of road.

Read first and second times, and passed on file.

Senate File 318, by Senators Zastrow, Bateson, Parker and Oltman, a bill for an act to amend chapter six hundred thirty-six (636), Code 1950, relating to descent and distribution and providing that aliens may inherit to the extent that citizens of the United States may inherit in such foreign country.

Read first and second times, and passed on file.

Senate File 319, by Senators McCarville, Walter and Augustine, a bill for an act to amend chapter three hundred ninety (390), Code 1950, relating to municipal parking lots by amending section three hundred ninety point eight (390.8), by repealing section three hundred ninety point twelve (390.12) and enacting a substitute therefor.

Read first and second times, and passed on file.

Senate File 320, by Senator O'Malley, a bill for an act to prohibit discriminatory practices in employment and in membership in labor unions based upon race, color, creed, national origin or ancestry; to create a commission on job discrimination, prescribing its duties and powers; and for other purposes; and providing penalties for violation thereof.

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 58, a bill for an act relating to primary roads.

**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 relating to compensation of county board members of the department of social welfare.

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

House File 156, a bill for an act relating to eligibility of trustees in drainage districts.

**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 number of councilmen elected in a city under the manager plan.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE MESSAGES CONSIDERED

House File 58, a bill for an act to amend, revise and codify chapter three hundred thirteen (313), Code 1950, relating to primary roads.

Read first and second times, and passed on file.

House File 107, a bill for an act to amend section two hundred thirty-four point ten (234.10), Code 1950, relating to compensation of county board members of the department of social welfare.

Read first and second times, and passed on file.

House File 156, a bill for an act to amend section four hundred sixty-two point seven (462.7), Code 1950, relating to eligibility of trustees in drainage districts.

Read first and second times, and passed on file.

House File 161, a bill for an act relating to the number of city councilmen to be elected under a city organized under the manager by election plan, and for amending section four hundred nineteen point seven (419.7), Code 1950.

Read first and second times, and passed on file.

## COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that, in accordance with House Concurrent Resolution 8, 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 law and concurrent resolution duly adopted, the joint convention was called to order, President Nicholas presiding.

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

Hendrix of Muscatine presented to the House Fred Messenger, principal of Muscatine High School, and the Muscatine High School chorus of 115 voices. The chorus, under the direction of Max Collins, gave a concert of choral numbers appropriate to the celebration of Lincoln's birthday.

President Nicholas expressed the appreciation of the joint convention to the chorus for their musical program.

President Nicholas recognized the gentleman from Scott, Mr. Schwengel, who addressed the joint convention as follows:

At the suggestion of the committee in the legislature and also of several people outside the legislature who thought it would be appropriate to give recognition to a great Iowan, I have consented to speak to you for just a few moments on the life of Judge James Bollinger, affectionately known by us in Davenport as "Judge".

On occasions like this, words seem so inadequate to give expression and to do justice to the true meaning of the lives of people; and so I approach this subject in a spirit of humility, but realizing that it is good for us to reflect upon the good things of the past, and that the contributions of great people should be pointed up occasionally as guide posts for our actions in our daily lives and in legislative halls.

I will attempt, to the best of my ability, very briefly and with your permission, to pay tribute to a great citizen, and eminent Iowan and, above all, a true American. The man about whom I am to speak was born just two years and five days after the death of the eminent American whose birthday we are celebrating today, in our sister state, Illinois.

At the age of six he moved to, and was until his death a citizen of, Iowa. He was a product of our public schools and the University of Iowa. He was recognized by his fellow men as an eminent lawyer, a

jurist of distinction, a scholar without peer, a humanitarian, a great civic leader, and was considered nationally as one of the outstanding students of the life of Abraham Lincoln.

Early in his life he became interested, as a sort of a hobby, in the life of the object of our affections and celebration today. He began collecting books and writings and documents of this great American until, at his death, he had a total of 3,000 volumes that he had collected and read and studied and thought about. He became so enthusiastic about this study that those who knew him and held him in high esteem said, "There was something in Lincoln's character akin to his own," and those of us who knew him well could appreciate this beyond question.

He made a great contribution to the study of the life of Lincoln in his book "Lincoln, the Statesman and Logician." This work was hailed by authors of Lincoln as a great contribution in showing the true character of this eminent American as a statesman and logician.

Largely because of his study of the life of this great man, he became thoroughly imbued with what has become known as the "American Proposition," believing inherently in the great philosophy of freedom and truth embodied therein.

In the practice of his profession as a lawyer and jurist, and in the spirit of honesty and greatness which marked his life and were his outstanding traits, he once said a very characteristic thing, and one that needs pondering today, that "the law was his mistress and he held her precepts sacred."

This man, James "Judge" Bollinger, of whom I speak and who has set such a wonderful example for us, has gone on to his reward. In the words that are credited to that great Secretary of War of Lincoln's administration, who is reputed to have said them at Lincoln's deathbed: "Now he belongs to the ages."

Iowa becomes the beneficiary of Judge Bollinger's collection of Lincoln books, documents and articles. His personal will provides that the great University of Iowa become the beneficiary, so that students of history will forever have access to this invaluable collection. So Iowa becomes the sole owner of one of the finest collections of its kind in the world, a truly great monument built by a great man, for a great state, and through the state facilities for the nation. All who knew him well can share the words of Edwin Markham when he wrote about Lincoln and apply them to this man, "Here was a man to hold against the world, a man to match the mountains and the sea."

Ludwig of Johnson presented to the joint convention Professor H. J. Thornton, department of history, State University of Iowa, who delivered the following Lincoln's Day memorial address:

MR. PRESIDENT, MR. SPEAKER, MR. LUDWIG, SENATOR MERCER, LADIES AND GENTLEMEN OF THE GENERAL ASSEMBLY:

I was much moved by the speech of the gentleman from Davenport paying tribute to the late Judge Bollinger. May I add that his loss is a great grief on the campus of your state university. That university is very proud to have been appointed the custodian of the valuable library of Lincolniana he assembled.

I am as proud to be here today to address you for a little while as the young ladies and gentlemen who have entertained us so magnificently this morning with their singing. We have come to pay tribute to one of the greatest Americans who ever lived. It is fourscore and seven years ago since, in 1863, the great emancipator spoke at Gettysburg that immortal sentence, "Fourscore and seven years ago our fathers brought forth on this continent a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal." And here we are, fourscore and seven years later, at the midway point of the twentieth century, assembled in this honorable place to pay tribute to one who was born 142 years ago today.

The American people look back with unusual sensitivity to that great life. It is their habit to search their past for understanding of the present. They have an instinct that was voiced by Patrick Henry when he said, "I know no light whereby my feet are guided save the light of experience." For Americans, the great book of experience is history. And periodically, they observe, there comes one who personifies some great crisis or some noble movement in their own history that is etched upon their minds and hearts forevermore, and from whom they draw unflinching strength and wisdom.

There is a very loose statement that history repeats itself, which really it never does precisely. Things cannot be exactly as they were. If later events and situations present striking similarities with the past, always there are differences.

In Abraham Lincoln's time the nation was scourged by war, even as our own. But the conflict for that generation was vastly different. It was civil war, in which brother shed brother's blood. Lincoln's government had problems of foreign relations to face. They were few and simple compared with ours, but they loomed large in that day. For example, during the civil war, or the war between the states as some prefer to say, the French invaded this continent using an Austrian puppet to establish a monarchy in Mexico, thereby violating the Monroe Doctrine. Normally, had the Federal Union not been engaged in civil strife its army would instantly have marched to expel the invaders from the soil of the new world. Lincoln, however, was a patient man who knew how to put first things first. Nothing could turn him aside from the task of saving the Union. By the time the war was over, with the United States possessing an immense and experienced army, the French, like the Arabs, folded their tents and silently stole away.

Abraham Lincoln had serious diplomatic problems to face with England and other European countries. They are now difficult for Americans to understand in the face of the ideologies of the time, but not inexplicable when it is remembered that the export of southern cotton was shut off by the Federal blockade thereby imposing enormous hardship upon the English textile manufacturing industry.

Lincoln had surprising thoughts about Russia. In a little-known passage in a letter written August 24, 1855, to one who was defending negro slavery he said that those who in a land of liberty supported this system should go to some country where no pretense was made of loving liberty

—"to Russia, for instance, where despotism can be taken pure, and without the base alloy of hypocrisy."

Compared with ours, however, his relations with the world at large were casual and dispersed. In our troubled time they are completely global and fearfully enmeshed. With these similarities and differences in mind as between Lincoln's day and ours, the nation may look back and find help and inspiration for contemporary action. The American people still draw vigor from Abraham Lincoln, because of who he was, and what he accomplished.

May we not say that in a peculiar way he was one of us, we the people of the Middle West? He embodied, as it were, the whole westward epic because he saw the mighty flow of the tide from the East along the pathway of the setting sun. Born in Kentucky as he was; moving early to Indiana; living in Illinois; sailing down the great rivers that cut through the heart of the continent, the Ohio and the Mississippi, he was indeed an epitome of the matchless drama of nineteenth century America. Incidentally, it is said that while on a flatboat with a load of produce out of Indiana, he encountered slavery close up; saw human beings of dark color in heavy manacles and, according to his biographer, he said with suppressed fury, "If ever I get a chance to strike that system, I shall strike it hard."

He traveled into Iowa, as a colleague of mine, Professor William J. Petersen, reminded this body two years ago. Here in our Commonwealth he owned land, spoke to audiences as far apart as Burlington and Council Bluffs, found a member of his cabinet and a justice for the supreme court, had part in the litigation arising out of a collision between a steamboat and the railroad bridge between Rock Island and Davenport. It was in Iowa, also, that Lincoln's son, Robert, found the lady he married. Here in the Middle West Abraham Lincoln was elected to the presidency. Here he said good-bye to his friends and neighbors in Springfield, Illinois, in an address whose poignancy moves us still:

"My friends: No one, not in my situation, can appreciate my feeling of sadness at this parting. To this place, and the kindness of these people, I owe everything. Here I have lived a quarter of a century, and have passed from a young to an old man. Here my children have been born, and one is buried. I now leave, not knowing when or whether ever 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. To His care commending you, as I hope in your prayers you will commend me, I bid you an affectionate farewell."

It appears that he had a presentiment that he would never return. He did return—in death, after the assassin's bullet had laid him low. And here in the heart of the Middle West his remains lie in their eternal repose.



Apart from these things that move us so and stir our pride, there is much that we can learn from him for our guidance and improvement. How great an example he is of one who trod the road of life with becoming humility! Abraham Lincoln was without pretense or ostentation. He indeed walked humbly before God and man. Here is an account he once gave of himself: "If any personal description of me is thought desirable it may be said I am, in height, six feet four inches, nearly; lean in flesh, weighing on an average one hundred and eighty pounds; dark complexion, with coarse black hair and gray eyes. No other marks or brands recollected."

In the course of his debate with Stephen A. Douglas at Ottawa in 1858, Lincoln said, "Henry Clay, my beau ideal of a statesman, the man for whom I fought all my humble life." That was no pose on Lincoln's part; it was his honest judgment of his slight significance.

We have placed his image on our humblest coin, the one-cent piece, a most appropriate thing to do. It must be admitted, though, that his image is on the five-dollar bill. But then, our few plutocrats love Lincoln also.

His favorite poem was entitled "Oh! Why Should the Spirit of Mortal Be Proud?" Its rather mournful sentiment is apparent in the opening stanza:

"Oh! Why should the spirit of mortal be proud?  
Like a swift-fleeting meteor, a fast-flying cloud,  
A flash of the lightning, a break of the wave,  
Man passeth from life to his rest in the grave."

This seems to affirm the contention that Abraham Lincoln was a gloomy man. Much has been said about that aspect of his character. Yet, I would say that the point has been overstated. It can be shown that Lincoln was an affable man. Apparently he was never at a loss for a joke, or a happy anecdote, and he had a large capacity for laughter. I wonder if it is remembered by members of this honorable body that he was once challenged to a duel and that he accepted the challenge. It arose out of some letters written to a Springfield newspaper and he offended the person at whom they were directed. The man, whose name was Shields, called upon Lincoln for satisfaction. It was the custom that the one challenged had the right to name the weapons. Lincoln chose cavalry broadswords, long, heavy weapons, "of the largest size." Lincoln, of course, was a tall man. Shields was a short man who could walk beneath his opponent's arm. When they arrived at the duelling ground, a sandbar in the Mississippi River, Lincoln took off his coat, rolled up his sleeves, extended the sword, stretched to his full height, and began lopping off the top branches of a tree. The action appeared so ludicrous to all present that everybody burst into laughter and, of course, they couldn't fight a duel in such an atmosphere as that. Lincoln knew precisely what he was doing. His humor and wisdom had dissolved potential tragedy.

Abraham Lincoln's joy and humor notwithstanding, he was acquainted with sorrow and grief. He knew the pangs of wounded love as he stood at

the grave of Ann Rutledge, to whom he had given his heart. There was tension in his family, perhaps more serious than the world has known. William H. Herndon, Lincoln's gossipy biographer, tells the story that one day a man called at the house in Springfield on some business, but Mrs. Lincoln met him with such a tirade of abuse that he went down town to Lincoln's office to demand an explanation. As Herndon tells it, Lincoln replied: "My friend, I regret to hear this, but let me ask you in all candor, can't you endure for a few moments what I have had as my daily portion for the past fifteen years?" I hope the incident is apocryphal, yet Mary Todd Lincoln was as peppery as she was brilliant, and it could have been so.

Lincoln's sorrows included the loss by death of his young son, Willie. He was often bowed down by the burden of much bitter opposition. He was maligned by his opponents in incredible fashion. Surely it is one of the measures of progress that we have improved the manners of public rivals. In the course of political disputation things were then said and done that would not be tolerated now. Worse than opposition, Lincoln had to contend with betrayal by his associates. When he sought reelection in 1864, Benjamin Wade of Ohio and Henry Winter Davis of Maryland combined to spread a manifesto through the press of the land hoping to accomplish his defeat.

He knew the agony of war, and in the loneliness of his soul and the acuteness of his feeling, the heaviness of responsibility was almost beyond his power to bear. As he considered the role assigned to him, well might he have said with Hamlet:

"The time is out of joint; O cursed spite,  
That ever I was born to set it right."

Tragedy continued to mark him as its own, and in the hour of victory that might have been the moment of supreme joy he, the least deserving of such an end, was done to death by an assassin's bullet.

Abraham Lincoln taught us all how to endure hardship, and even overcome defeat. The first time he offered himself for political office, in 1832, as a member of the state legislature of Illinois, he was defeated. Of this he said later, with much pleasure, "It was the only time I was ever defeated by the people." He tried again, three successive times, and was successful on each occasion—from 1834 to 1840. He aspired to be an elector in 1844 to vote for Henry Clay for president, but failed in the attempt. He passed one term in Congress, from 1847 to 1849, and then retired, thinking his chances for a political future too unpromising.

A position in the government land office would have pleased him. But he did not get it. It appears that he might have had the governorship of Oregon Territory. This was flattering, but fortunately Mary Todd Lincoln did not wish to go so far off into the West. Some have toyed with the idea that Mrs. Lincoln discerned the genius in her husband and had faith in his destiny. It is an interesting question to ask—how many know who *did* go to Oregon to fill this office? Few Americans have any notion of the answer. The appointee is lost to their recollection. Would it have

been the same with Lincoln? Would he have vanished into obscurity to be heard of no more?

However, he retired to Springfield to his law office, where he worked and thought, often plunged in gloomy introspection. The passing of the Kansas-Nebraska bill in 1854 roused him to public action again. The prelude to civil war was about to break in Kansas, and from that time forward Abraham Lincoln was a leading figure in the awful drama then unfolding. He debated the basic issues with Stephen A. Douglas as both sought a seat in the Senate in 1858. Lincoln was defeated—not by the people but by the state legislature—but he gained the presidency two years later.

For all his greatness, Abraham Lincoln remained, in high as well as in low station, a kind and compassionate man—qualities that might well adorn the characters of all of us more than perhaps they do in our tempestuous time. It has been said that Lincoln never spoke an understanding word about the South. How wrong that is! Here is a section of a speech he made in Peoria in 1854:

“Before proceeding let me say that I think I have no prejudice against the Southern people. They are just what we would be in their situation. If slavery did not now exist among them, they would not introduce it. If it did now exist among us, we should not instantly give it up. . . . When Southern people tell us they are no more responsible for the origin of slavery than we are, I acknowledge the fact. When it is said that the institution exists, and that it is very difficult to get rid of it in any satisfactory way, I can understand and appreciate the saying. I surely will not blame them for not doing what I should not know how to do myself. If all earthly power were given me, I should not know what to do as to the existing institution. . . . I think I would not hold one in slavery . . . , yet the point is not clear enough for me to denounce people upon.”

In the course of his first inaugural address he did not breathe defiance, as Andrew Jackson did in 1832 when South Carolina threatened to nullify the law. Old Hickory clenched his teeth and said, “By the Eternal!” and then proceeded to say what he would do. No, Lincoln, though more desperately provoked, said to the South:

“We are not enemies, but friends. We must not be enemies. Though passion may have strained, it must not break our bonds of affection. The mystic chords of memory, stretching from every battlefield and patriot grave to every living heart and hearthstone all over this broad land, will yet swell the chorus of the Union when again touched, as surely they will be, by the better angels of our nature.”

It is said that during the Hampton Roads conference in February, 1865, where delegates of North and South had met to explore the possibilities of peace, and Alexander Stephens, vice president of the dying Confederacy, asked Lincoln what were the irreducible terms for settlement, the President took a sheet of paper, wrote one word at the top, and pushed

it across the table saying, "Alex, write anything you like under that word." The word was "Union."

A strong case can be made that, at the close of the conflict, Abraham Lincoln was the best friend the prostrate South had. His plan of reconstruction held that the South had never left the Union no matter what its leaders had declared. This meant everything to the section below the Mason-Dixon line because, in that event, the chief executive would still apply the federal laws to the states that were in difficulty. The President's purpose was to get the "erring sisters" into their proper relation with the government with a minimum of trouble and delay. But there were antagonists of Lincoln who would not accept this view. They insisted that the South was in the position of conquered foreign provinces, or at least in the situation of American territories before they had been permitted to become states. Consequently, Congress must now declare the terms of readmission. As history records, it went hard with the South under congressional reconstruction.

Lincoln was kind and compassionate whether dealing with high problems of state or the affairs of the humblest citizen. He would rise in the night to issue orders to save the life of a court-martialed soldier sentenced to be shot. One of the most moving letters ever inscribed was the one he wrote to Mrs. Bixby who, he had been informed, had lost five sons in the course of the war. Some doubt has been cast on the correctness of the record, but not on the sentiment and nobility of that tender communication:

"Dear Madam: I have been shown in the files of the War Department a statement of the Adjutant-General of Massachusetts that you are the mother of five sons who have died gloriously on the field of battle. I feel how weak and fruitless must be any words of mine which should attempt to beguile you from the grief of a loss so overwhelming. But I cannot refrain from tendering to you the consolation that may be found in the thanks of the Republic they died to save. I pray that our heavenly Father may assuage the anguish of your bereavement, and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours to have laid so costly a sacrifice upon the altar of freedom."

On all occasions a sympathetic and generous man, Abraham Lincoln was also firm and inflexible. He would not swerve from his oath to sustain and preserve the Constitution and the Union. Once committed he never turned back. Late in the agony of the war he said:

"Fondly do we hope—fervently do we pray—that this mighty scourge of war may speedily pass away. Yet, if God wills that it continue until all the wealth piled by the bondsman's two hundred and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said, 'The judgments of the Lord are true and righteous altogether.'"

He accepted without question the scriptural dictum: "No man having put his hand to the plow and looking back is fit for the kingdom of God."

In matters of public and personal policy, Abraham Lincoln was swayed by moral convictions. This is apparent from the whole pattern of his life whether in or out of office. He drew clear distinctions between right and wrong. That is how he resolved the question of slavery in his own mind. In the great debate with Douglas, the Little Giant stood upon the point that the Federal Constitution recognized the fact of slavery in the American Union. For Lincoln, lover of the Constitution though he was, that was not the last word. Slavery for him was a moral question and he found it morally wrong. Like Theodore Roosevelt after him, he refused to believe that in history right and wrong could be considered as being on the same level.

This magnificent man had intimations of destiny in human affairs and his own part in life. Convictions of this sort arise in the minds of sensitive men from the very weight and logic of events. Perhaps we may think so, too, as we remember that in the dawn of the nineteenth century, two families—Davis and Lincoln—lived in Kentucky. The former moved south to the slave soil of Mississippi; the other traveled north to the free soil of Indiana. Each family had a young son; one boy was named Jefferson, the other, Abraham!

Abraham Lincoln was a religious man and bowed before the will of God. His name may not have been found on a church roll, but what was more important, *he* was found in the churches, and upon his knees in his study, wrestling like Jacob of old to know the mind of the Creator. "The Almighty has His own purposes," he said in his second inaugural address. "Woe unto the world because of offenses! For it must needs be that offenses come; but woe to that man by whom the offense cometh." In the last public speech he made in Washington, on April 11, 1865, when announcing the evacuation of Richmond and Petersburg, and the surrender of the greater part of the Confederate army, he asked of the people that in the midst of all their joy, "He from whom all blessings flow must not be forgotten." A call for a national thanksgiving, he told them, was being prepared. After the Battle of Gettysburg, which many believe to have been the turning point of the war, Lincoln was visiting General Daniel E. Sickles, who had been wounded in that struggle. Explaining his state of mind when so much hung in the balance he is reported to have said:

"I went to my room one day and locked the door and got down on my knees before Almighty God, and prayed for victory at Gettysburg. I told him that this was His war, and our cause His cause, but that we could not stand another Fredericksburg or Chancellorsville. Then I made a vow to Almighty God that if He would stand by our boys at Gettysburg, I would stand by Him, and He did stand by you boys and I will stand by Him. And after that, I don't know how it was and I can't explain it, but soon a sweet comfort swept into my soul that God Almighty had taken the whole business into His own hands, and that is why I have no fears about you."

Abraham Lincoln still stands before us, a humble, gentle, compassionate, gracious man. Yet, he is a towering figure in the history of this land and of all mankind. We may not find in his record specific answers to our precise and immediate problems rising out of a world in convulsion and we at the center of it. But we should find for the obvious present and the undisclosed future strength of purpose, iron resolution, humility, kindness, and inspiration for the trials and difficulties of our day, great devotion to our high endeavors and obligations, even to the last full measure of devotion.

Has he not summed all this up himself in that one glorious and memorable sentence at the close of his second inaugural address:

"With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds [not the wounds of the North only, but of the South also; the whole nation's wounds. Today, would he not say the wounds of the world?]; to care for him who shall have borne the battle, and for his widow, and his orphan—to do all which may achieve and cherish a just and lasting peace among ourselves, and with all nations."

Thank you, Ladies and Gentlemen.

The minutes of the joint convention were read and approved.

Senator Elthon of Worth moved that the joint convention be now dissolved.

Motion prevailed.

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

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

### AFTERNOON SESSION

The Senate resumed regular session, President Nicholas presiding.

### REPORTS OF COMMITTEES

Senator Fishbaugh submitted the following report:

**MR. PRESIDENT:** Your committee on judiciary 1 to which was referred **Senate File 170**, a bill for an act relating to the number of city councilmen to be elected under a city organized under the manager by election plan, and for amending section four hundred nineteen point seven (419.7), Code 1950, begs leave to report it has had the same under consideration and recommends the same *de pass*.

**EARL C. FISHBAUGH, JR.,** *Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on judiciary 1 to which was referred **Senate File 241**, a bill for an act to legalize the action of the board of supervisors of Pottawattamie county in authorizing a payment to the city assessor's fund for Council Bluffs, Iowa, begs leave to report it has had the same under consideration and recommends the same *do pass*.

**EARL C. FISHBAUGH, JR., Chairman.**

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on judiciary 1 to which was referred **House File 9**, a bill for an act to amend section seven hundred eighty-nine point thirteen (789.13), Code 1950, relating to the imposition of sentences for crimes the maximum punishment for which is life imprisonment, begs leave to report it has had the same under consideration and recommends the same *be amended as follows; and when so amended the bill do pass*:

Amend House File 9 by striking from lines 6, 7 and 8 the following: "provided, however, the defendant has not previously been convicted of a felony within the United States or its territories,"

**EARL C. FISHBAUGH, JR., Chairman.**

Ordered passed on file.

Senator Hedin submitted the following report:

**MR. PRESIDENT:** Your committee on mines and mining to which was referred **Senate File 158**, a bill for an act relating to open-cut or strip mines for the production of coal and providing that anyone so engaged shall pay a tonnage tax guaranteeing the replacement of surface soil and loss of tax revenue and for the enforcement thereof, begs leave to report it has had the same under consideration and recommends the same *do pass*.

**PHILIP T. HEDIN, Chairman.**

Ordered passed on file.

Senator Byers submitted the following report:

**MR. PRESIDENT:** Your committee on judiciary 2 to which was referred **House File 171**, a bill for an act relating to biennial reports of the state department of history and archives and to amend section seventeen point three (17.3), Code 1950, 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 6**, a bill for an act to amend section three hundred twenty-one point two hundred eighty-one (321.281), Code 1950, relating to the crime of operating a motor vehicle while intoxicated or under the influence of drugs or a combination of drugs and alcohol, 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.

### THIRD READING OF BILLS

Senator Mercer asked and received unanimous consent to take up Senate File 170 a bill for an act relating to the number of city councilmen to be elected under a city organized under the manager by election plan, and for amending section four hundred nineteen point seven (419.7), Code 1950, with report of committee recommending passage, which was considered and the report of the committee adopted.

Senator Mercer asked and received unanimous consent that House File 161 be substituted for Senate File 170.

On motion of Senator Mercer, House File 161, a bill for an act relating to the number of city councilmen to be elected under a city organized under the manager by election plan, and for amending section four hundred nineteen point seven (419.7), Code 1950, 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, 50:**

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevoold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

**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 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.

#### BILL WITHDRAWN

Senator Mercer asked and received unanimous consent that Senate File 170 be withdrawn from further consideration of the Senate.

#### EXECUTIVE SESSION

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

The Senate in executive session confirmed the following appointments:

C. A. Dinges of Palo Alto County as a member of the State Conservation Commission for the term ending June 30, 1955.

Scott Ellis of Dallas County as a member of the Iowa Natural Resources Council for the unexpired term ending June 30, 1955.

Reuben R. Hargrove of Davis County as a member of the Iowa Real Estate Commission for the regular term ending June 30, 1953.

Pearl W. McMurry of Wayne County as commissioner of Public Safety for the unexpired term ending June 30, 1951, and for the regular term beginning July 1, 1951, and ending June 30, 1955.

George H. Robb of Emmet County as a member of the State Tax Commission for the unexpired term ending June 30, 1953.

Albert J. Shaw of Pocahontas County as Industrial Commissioner for the unexpired term ending June 30, 1955.

Chester H. Werkman of Story County as a member of the Board of Examiners in the Basic Sciences for the regular term ending June 30, 1955.

The Senate arose from executive session and resumed regular session.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

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

**MR. PRESIDENT:** Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 48, 69 and 189.

JAMES H. NESMITH, *Chairman Senate Committee.*  
ELMER A. BASS, *Chairman House Committee.*

Report adopted.

## BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files 48, 69 and 189.

## BILLS SENT TO THE GOVERNOR

Senator Nesmith, 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 February, 1951, sent to the Governor for his approval: Senate Files 48, 69 and 189.

JAMES H. NESMITH, *Chairman.*

Passed on file.

## RESOLUTION SIGNED BY THE GOVERNOR

A communication was received announcing that on February 12, the Governor had approved the following resolution:

House Joint Resolution 6, relating to the printing of the booklet "Iowa Government In Action".

## AMENDMENTS FILED

Amend Senate File 64, paragraph 5 of the preamble, line 3, as follows: Add the letter "s" after the word "lot"; insert after the word "lots" the words "nine (9) and"; strike the word "square". In line 4 strike the words "one hundred fifty (150)" and insert in lieu thereof the words "two hundred (200)".

Further amend Senate File 64, paragraph 7, line 1 of the preamble, as follows: Strike the word "fifty" and insert in lieu thereof the words "one hundred".

Further amend Senate File 64, line 5 of said Act, as follows: Add the words "nine (9) and" after the word "lot".

GEORGE E. O'MALLEY.

## COMMITTEE AMENDMENT TO SENATE FILE 163

Amend Senate File 163 as follows:

1. Strike from line 4 of section 21 the word "one" and insert in lieu thereof the word "five".
2. Strike section 33 and renumber the succeeding sections.
3. Strike the word "twenty-five" in line 2 of section 35 and insert in lieu thereof the word "five".

COMMITTEE ON CITIES AND TOWNS,  
J. T. DYKHOUSE, *Chairman.*

Amend Senate File 196 by striking all of sections 2, 3 and 4 and inserting the following and by renumbering section five (5):

Sec. 2. The terms of members of the state highway commission incumbent on the effective date of this Act shall not be affected by this Act.

Sec. 3. Within thirty days after this Act becomes effective the Governor shall appoint, with the approval of two-thirds of the members of the Senate, members of the state highway commission for the following terms:

a. One for a three-year term beginning July 1, 1951, and ending June 30, 1954.

b. One for a four-year term beginning July 1, 1951, and ending June 30, 1955.

c. One for a five-year term beginning July 1, 1951, and ending June 30, 1956.

Sec. 4. Within sixty days after the convening of the General Assembly in 1953 in regular session the Governor shall appoint, with the approval of two-thirds of the members of the Senate, successors to the members of the state highway commission whose terms will expire on June 30 following, and June 30 of the next succeeding year, for the following terms:

a. One for a four-year term beginning July 1, 1953, and ending June 30, 1957.

b. One for a five-year term beginning July 1, 1953, and ending June 30, 1958.

c. One for a five-year term beginning July 1, 1954, and ending June 30, 1959.

Thereafter all appointments to the state highway commission shall be made as provided in section five (5) of this Act.

Sec. 5. Section three hundred seven point two (307.2), Code 1950, is repealed and the following enacted in lieu thereof:

"Within sixty days after convening of the General Assembly in regular session, the Governor shall appoint, with the approval of two-thirds of the members of the Senate, a successor to the member of the state highway commission whose term will expire on June 30 following, and also a successor to the member of said commission whose term will expire on June 30 of the next succeeding year."

HARRY E. WATSON.

Amend Senate File 207 by adding the following section:

"Sec. 2. This Act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in The Record-Herald and Indianola Tribune, a newspaper published at Indianola, Iowa, and The Perry Daily Chief, a newspaper published at Perry, Iowa."

LOYD VAN PATTEN.

Amend Senate File 222 by striking the word "whom" from line 14 of section 4 and substituting in lieu thereof the word "who".

ARTHUR H. JACOBSON.

Amend Senate File 269 by striking from lines 5 and 6 of section 3 the words: "operated over fixed routes wholly within such city'", and substituting in lieu thereof the following: "operated over fixed routes or parts of routes within such city'".

GEORGE E. O'MALLEY.

Amend Senate File 289 by striking the word and figures "twenty-five (25)" from line 2 of section 1 and inserting in lieu thereof the following: "twenty-four (24)".

A. E. AUGUSTINE.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 13, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Mr. Gerald E. Graham, rector of St. John's Episcopal Church, Keokuk, Iowa.

## INTRODUCTION OF BILLS

Senate File 321, by committee on judiciary 2, a bill for an act to amend chapter five hundred ninety (590), Code 1950, relating to wills.

Read first and second times, and placed on the calendar.

Senate File 322, by Senators Lynes and Tudor, a bill for an act to provide for the construction of a new livestock pavilion on the state fairgrounds and to make an appropriation therefor.

Read first and second times, and passed on file.

Senate File 323, by Senator Watson of Pottawattamie, a bill for an act to amend section four hundred eighty-nine point fourteen (489.14), Code 1950, relating to eminent domain for electric transmission lines, and extending such right to non-profit cooperatives and cooperatives operating for profit, and further providing for an increase in the amount of land that may be condemned.

Read first and second times, and passed on file.

Senate File 324, by Senator Augustine, a bill for an act to amend chapter one hundred fifteen (115), Code 1950, to define the word "shorthand" in connection with certified shorthand reporters.

Read first and second times, and passed on file.

Senate File 325, by Senator Humbert, a bill for an act to provide for the establishment and maintenance of horse racing in this state, to establish a board for its administration, and to regulate the practice and procedure thereof.

Read first and second times, and passed on file.

Senate File 326, by Senators McCarville, Hattery, Elthon and Dykhouse, a bill for an act to amend section one hundred seven point twelve (107.12), Code 1950, to increase the salary of the state conservation director.

Read first and second times, and passed on file.

### THIRD READING OF BILLS

Senator Jacobson called up for further consideration Senate File 54, a bill for an act relating to mileage for grand jurors.

Senator Jacobson offered the following amendment and moved its adoption:

Amend Senate File 54 by striking section 1 and inserting in lieu thereof the following: "Section 1. Section six hundred seven point five (607.5), Code 1950, is amended by inserting after the word 'mile' in line five (5) of subsection three (3) the word 'actually' and inserting after the word 'traveled' in line five (5) of subsection three (3) the words 'each day'."

The amendment was adopted.

Senator Byers asked and received unanimous consent to strike the following in the amendment filed by him and adopted on February 8:

"six hundred eighty-seven point five (687.5)" and insert in lieu thereof "six hundred seven point five (607.5)".

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, 41:

Anderson	Hattery	Molison	Tudor
Augustine	Hedin	Myrland	Utzig
Bateson	Henningsen	Nesmith	Van Eaton
Bekman	Hultman	Oltman	Van Patten
Berg	Jacobson	O'Malley	Vest
Byers	Knudson	Parker	Walter
Dailey	Linnevold	Prentis	Watson of
Elthon	Lord	Ridout	O'Brien
Fletcher	Lynes	Risk	Weichman
Gillespie	McCarville	Roberts	Zastrow
Hart	Mercer		

Nays, 6:

Colburn	Fishbaugh	Watson of	West
Dykhouse	Humbert	Pottawattamie	

Absent or not voting, 3:

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

#### PRESENTATION OF VISITORS

Senator Oltman asked and received unanimous consent to present a former member of the House of Representatives and a former member of the Senate from Humboldt County, the Honorable J. F. Miller, who was present in the Senate chamber with Mrs. Miller.

#### THIRD READING OF BILLS

Senator Whitehead called up for further consideration Senate File 83, a bill for an act to amend section two hundred seventy-nine point fourteen (279.14), Code 1950, relating to powers and duties of directors and superintendents of school boards.

Senator Doud asked and received unanimous consent that Senate File 83 be re-referred to the committee on schools and educational institutions.

Senator Jacobson called up for further consideration Senate File 53, a bill for an act to amend section seven hundred eighty-nine point thirteen (789.13), Code 1950, relating to the imposition of sentences for crimes the maximum punishment for which is life imprisonment.

Senator Jacobson asked and received unanimous consent that House File 9 be substituted for Senate File 53.

On motion of Senator Jacobson, House File 9, a bill for an act to amend section seven hundred eighty-nine point thirteen (789.13), Code 1950, relating to the imposition of sentences for crimes the maximum punishment for which is life imprisonment, 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 lines 6, 7 and 8 the following: "provided, however, the defendant has not previously been convicted of a felony within the United States or its territories,".

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, 50:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

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.

#### BILLS WITHDRAWN

By unanimous consent Senate Files 53, 67 and 195 were withdrawn from further consideration of the Senate.

On motion of Senator Bekman, Senate File 70, a bill for an act to repeal sections six hundred eighty-two point twenty-three (682.23), six hundred eighty-two point twenty-four (682.24) and six hundred eighty-two point twenty-five (682.25), Code 1950, 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 Bekman moved that the bill be read a third time now.

Senator Prentis moved the previous question on the bill.

The Chair ruled the motion in order.

Senator Elthon moved that the Senate recess until 1:00 p.m., which motion prevailed.

#### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

The Senate resumed consideration of Senate File 70.



The motion by Senator Prentis prevailed.

The motion by Senator Bekman prevailed and the bill was read a third time.

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

Ayes, 13:

Bekman	Hultman	Oltman	Utzig
Byers	Jacobson	O'Malley	Watson of
Hart	Mercer	Sharp	Pottawattamie
Hedin	Nesmith		

Nays, 37:

Anderson	Fletcher	Molison	Van Patten
Augustine	Gillespie	Myrland	Vest
Bateson	Hattery	Parker	Walter
Berg	Henningsen	Prentis	Watson of
Colburn	Humbert	Ridout	O'Brien
Dailey	Knudson	Risk	Weichman
Doud	Linnevold	Roberts	West
Dykhouse	Lord	Tudor	Whitehead
Elthon	Lynes	Van Eaton	Zastrow
Fishbaugh	McCarville		

Absent or not voting, none.

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

#### COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that in accordance with House Concurrent Resolution 7 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 law and concurrent resolution duly adopted, the joint convention was called to order, President Nicholas presiding.

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

Berry of Calhoun moved that a committee of six be appointed to notify Senator Robert A. Taft of Ohio and Governor William S. Beardsley that the joint convention was ready to receive them.

Motion prevailed and the President appointed Senators Byers of Linn, Hart of Lee and Fletcher of Wayne on the part of the Senate and Representatives Berry of Calhoun, McFarlane of Black Hawk and Nelson of Jasper on the part of the House.

The committee waited upon Senator Taft and Governor Beardsley and escorted them to the Speaker's station.

President Nicholas then presented Governor Beardsley who made the following remarks:

**MR. PRESIDENT, MR. SPEAKER, SENATORS AND REPRESENTATIVES OF THE FIFTY-FOURTH GENERAL ASSEMBLY, FELLOW IOWANS:**

Indeed this is a happy occasion here in our great state today. Fortunately, we have in our midst one of the distinguished senators of the United States Senate. A decade and a half or so ago he, like you, was serving in the Assembly of his native Ohio. Since that time he has moved to the national scene and is one of the outstanding statesmen of our day. We are privileged, indeed, to have this distinguished gentleman here today. We are grateful, and I am happy, as Governor of this great state, to present to you the distinguished senior United States Senator from Ohio, the Honorable Robert A. Taft.

Senator Taft addressed the joint convention as follows:

**YOUR EXCELLENCY AND MEMBERS OF THE IOWA LEGISLATURE:**

It's a great pleasure for me to find that on this Lincoln Day trip I have this opportunity of meeting with you here, when every year, you know, we Republican senators go out and try to arouse the interest of the people in the true principles of Abraham Lincoln and, of course, of the Republican party. We persuaded the Democrats to give us a vacation during the period that that goes on, and so today I am only one of many traveling Republican senators who are trying to spread the gospel throughout the nation.

I'm talking here tonight, of course, but it's a great pleasure to find that I have also this opportunity to meet with you. I always like the legislatures—I was in the legislature myself. The Governor was kind enough to say a decade and a half or so ago today. As a matter of fact, I started 30 years ago in the Ohio House of Representatives, and I served there for six years. I was floor leader my last term, and when the Speaker resigned I was Speaker for a short period. I was out for four years, and then I went back to the State Senate for one term. The people did not return me for the second term. It was 1932, and the omens were not too favorable. I was concerned in my session there almost entirely with taxation. I really went to the legislature to try and rescue the cities from the state of bankruptcy to which they had been reduced by the peculiar division of taxes which we had then. I spent six years then in the Senate. We repealed the uniform rule amendment, and we rewrote the awkward tax laws of Ohio into a form of intangible tax which has remained the law of Ohio since that time. Every once in a while I have to go back to my in-

terest in state taxation and struggle against the problems both in Ohio and also on the finance committee in the Senate of the United States.

I have a very strong feeling that the state governments have not been recognized, as they should have been, as a vital factor in the proper development of our constitutional system. States' rights is looked upon as a kind of old-fashioned and outworn doctrine. It ought to be no such thing. As a matter of fact, states' rights, by that I mean the theory of the independence of the states, is the only thing in the world that protects our cities and our schools and our counties from a complete domination by the Congress of the United States. Since I've been down there I can see the pressure upon Congress to exercise every power they have, and if it weren't for the fact that we do recognize we do have the federal system, we do recognize the independence of the states, we would have been legislating for every school district. The states themselves are important, but even more than that is the maintenance of local self-government, and the more I stay in Washington the more I realize that if we are going to remain a free people we have to maintain at every point that right of local self-government.

It is impossible for a national government in a country as large as the United States to really represent the people or be responsive to the public will. The federal bureaus are so far away from the people and it is so difficult to bring any pressure through the election of a president once in four years that as a practical matter there is no control. And a government that attempts to deal with those matters which come into contact with the daily lives of forty million American families is bound, it seems to me, to be tyrannical to a large part of those families, if it undertakes to regulate their local affairs. I don't care whether the man who is the head of it is the wisest man in the world; they simply cannot know enough about what the people want to make a uniform rule that suits more than a very small proportion of the people. If it fits New York, it doesn't fit Ohio. If it fits the cities, it doesn't fit the country. If it fits the Middle West, it doesn't fit the Far West, and the result is that any kind of control there in that field of activity which is not interstate, so to speak, but which comes in contact with the lives of private citizens is bound to be tyrannical and to destroy the freedom upon which the country is based. Add to that the fact that these little bureaus there are subject to pressure from all kinds of ideologies, foreign as well as domestic, that people become set in their ways and believe that they know more than the people know themselves; then you get something very much more dangerous and very much more capable of limiting the freedom upon which the progress of this country, I believe, is based.

It isn't so much, sometimes I don't think it's entirely, a socialist problem or governmental control. Take education—in education it's mostly government. We have a large number of private colleges, but we have freedom in education, we have a conflict of ideas, we have the competition that develops new thoughts because we have five thousand different school districts in 48 different states, we have a complete dispersion of power that prevents the concentration of power in that most important field in a centralized government. So I know if we're going to keep freedom, we've got to keep that power of local self-government divided, and, of

course, we have a further interest in having efficient state legislatures, efficient state governments, because if you will do your job, the states will do their job, it takes off the federal government the pressure to interfere in things where we don't belong.

The federal government is brought into different fields on the theory that the local people in the states haven't done what they should do, and sometimes they haven't done what they should do, and it is hard to resist the pressure in Washington to do something about a problem that hasn't been met satisfactorily by the different state governments and state legislatures, so that the success of our system—the maintenance of a really independent system, the maintenance of a system where we don't have constantly increasing federal regulation and federal control and federal spending—depends upon the self-reliance and efficiency and force of the state governments.

I think you're fortunate in Iowa in that you have such a government. You're fortunate also in that you have a harmonious relationship between the Governor and the legislature. I've served now, as you see, for 18 years in legislatures. For only two of those 18 years have I ever served with a Republican chief executive. You are more fortunate in Iowa, and, whichever party controls, you have apparently a harmonious arrangement, which will enable you, no doubt, to work out more successfully the problems that you have. I greatly appreciate this opportunity of talking to you. I hope I have the opportunity of meeting many members of the legislature.

Thank you.

The minutes of the joint convention were read and approved.

Butler of Pocahontas moved that the joint convention be now dissolved.

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

### THIRD READING OF BILLS

Senator Watson of Pottawattamie asked and received unanimous consent to again call up for consideration Senate File 9, a bill for an act to amend chapter six hundred twenty-two (622), Code 1950, relating to the admission in evidence of copies of any memorandum, writing, entry print, representation or combination thereof, of any act, transaction, occurrence or event in the regular course of business, reproduced by any photographic, photostatic, microfilm, microcard, miniature photographic, or other process which accurately reproduces or forms a durable medium for so reproducing the original, with report of committee without recommendation.

On motion of Senator Hattery the report of the committee was adopted.

Senator Watson of Pottawattamie asked and received unanimous consent that House File 36 be substituted for Senate File 9.

On motion of Senator Watson of Pottawattamie, House File 36, a bill for an act to amend chapter six hundred twenty-two (622), Code 1950, relating to the admission in evidence of copies of any memorandum, writing, entry print, representation or combination thereof, of any act, transaction, occurrence or event in the regular course of business, reproduced by any photographic, photostatic, microfilm, microcard, miniature photographic, or other process which accurately reproduces or forms a durable medium for so reproducing the original, was taken up, and considered.

Senator Watson of Pottawattamie moved that the bill be read a third 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:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevold	Risk	West
Elthon	Lord	Roberts	Whitehead
Fishbaugh	Lynes	Sharp	Zastrow
Fletcher	McCarville	Tudor	

Nays, none.

Absent or not voting, 1:

Weichman

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

#### BILL WITHDRAWN

Senator Watson of Pottawattamie asked and received unanimous consent that Senate File 9 be withdrawn from further consideration of the Senate.

Senator Watson of Pottawattamie asked and received unanimous consent to again call up for consideration Senate File 221, a bill for an act relating to the change in name of the hospital for epileptics and feeble-minded and the school for feeble-minded to "Woodward State Hospital and School" and "Glenwood State School" and the combination of said institutions.

Senator Watson of Pottawattamie asked and received unanimous consent that House File 167 be substituted for Senate File 221.

On motion of Senator Watson of Pottawattamie, House File 167, a bill for an act relating to the change in name of the hospital for epileptics and feeble-minded and the school for feeble-minded to "Woodward State Hospital and School" and "Glenwood State School", was taken up, and considered.

Senator Watson of Pottawattamie moved that the bill be read a third 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:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

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 of Pottawattamie moved that the 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

Senator Watson of Pottawattamie asked and received unanimous consent that Senate File 221 be withdrawn from further consideration of the Senate.

On motion of Senator Zastrow Senate File 222, a bill for an act relating to chapter four hundred ninety-one (491) of the Code of Iowa, 1950, and providing for the repeal of sections four hundred ninety-one point forty-six (491.46), four hundred ninety-one point forty-seven (491.47), four hundred ninety-one point fifty (491.50), and part of section four hundred ninety-one point fifty-three (491.53), of the Code of Iowa, 1950, and the adoption of provisions in lieu thereof, was taken up, and considered.

Senator Bekman offered the following amendment and moved its adoption:

Amend the title to Senate File 222 by striking all after the word "Act" and inserting in lieu thereof the following: "providing for the repeal of sections four hundred ninety-one point forty-six (491.46), four hundred ninety-one point forty-seven (491.47), four hundred ninety-one point fifty (491.50), and part of section four hundred ninety-one point fifty-three (491.53), Code 1950, relating to the furnishing of stockholders' lists, stock books and transfers of shares and the right of inspection of such records, and the enactment of substitutes therefor providing for the preparation and keeping of capital stock and stock ownership and transfer records and for the examination of corporation records by stockholders."

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

Senator Jacobson offered the following amendment and moved its adoption:

Amend Senate File 222 by striking the word "whom" from line 14 of section 4 and substituting in lieu thereof the word "who".

The amendment was adopted.

Senator O'Malley asked and received unanimous consent that action on Senate File 222 be deferred and that the bill be placed on the calendar under unfinished business.

## 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 5, a bill for an act relating to the entry of criminal judgments.

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

House File 76, a bill for an act to legalize the action of board of supervisors of Osceola County.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File 5, a bill for an act to amend section seven hundred eighty-nine point eleven (789.11), Code 1950, relating to the entry of criminal judgments.

Read first and second times, and passed on file.

House File 76, a bill for an act to legalize the action of the board of supervisors of Osceola County in contracting and paying for the construction of a concrete floor in the new highway maintenance building of said county.

Read first and second times, and passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 1, House Joint Resolution 3, House Files 111, 213, 215, 217 and 221.

JAMES H. NESMITH, *Chairman Senate Committee.*

ELMER A. BASS, *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 1, House Joint Resolution 3, House Files 111, 213, 215, 217 and 221.

#### BILL SENT TO THE GOVERNOR

Senator Nesmith, 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, 1951, sent to the Governor for his approval: Senate File 1.

JAMES H. NESMITH, *Chairman.*

Passed on file.



## REPORTS OF COMMITTEES

Senator Dykhouse submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred **Senate File 23**, a bill for an act relating to the mayors and police courts of cities and towns, 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 Bateson submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred **Senate File 258**, a bill for an act to amend chapter one hundred seventy-six (176), Code 1950, relative to farm aid associations and amending the law relative to the annual meetings of such associations and the method of disbursing the money appropriated, begs leave to report it has had the same under consideration and recommends the same **do pass**.

R. R. BATESON, *Chairman*.

Ordered passed on file.

Senator Parker submitted the following report:

MR. PRESIDENT: Your committee on public health to which was referred **House File 168**, a bill for an act relating to the change in the name of the profession of "podiatry" to that of "chiroprody", begs leave to report it has had the same under consideration and recommends the same **do pass**.

EDWARD S. PARKER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public health to which was referred **Senate File 235**, a bill for an act to repeal section one hundred fifty-six point eight (156.8), Code 1950, relating to maintaining a funeral home for a period of two (2) years after the death of a licensed embalmer, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EDWARD S. PARKER, *Chairman*.

Ordered passed on file.

## AMENDMENTS FILED

Amend Senate File 101 by adding after the word "agents" in line 25 the following:

"representatives or employees writing fire and concurrent windstorm and hail insurance".

Further amend Senate File 101 by adding at the end of section 1 the following: "The commissioner of insurance may waive the determination of qualifications as

provided in section 522.6 with respect to a nonresident agent who holds a currently valid license as an insurance agent in the state in which he resides or has his principal business office, provided that such state issues nonresident licenses without like requirements to licensed residents of this state."

E. K. BEKMAN.

J. T. DYKHOUSE.

O. H. HENNINGSEN.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 14, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Harold Anderson, retired pastor of the Presbyterian Church, Manchester, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Hedin, from volunteer firemen of Green Acres, Davenport, Scott County, favoring proposed legislation relative to volunteer firemen.

By Senator O'Malley from fifty-five members of the Cattell Parent-Teacher Association, Des Moines, urging that the minimum wage of teachers bill be re-referred to the committee on schools.

By Senator Sharp, from residents of Clayton County in opposition to proposed legislation relating to bounty on foxes.

By Senator Walter, from members of the Marshall County education association in opposition to proposed school legislation.

## INTRODUCTION OF BILLS

Senate File 327, by Senator Utzig, a bill for an act to amend section four hundred nineteen point seventy-four (419.74), Code 1950, relating to adoption of city manager plan.

Read first and second times, and passed on file.

Senate File 328, by committee on ways and means, a bill for an act to amend chapter four hundred thirty A (430A), Code 1950, relating to the taxation of loan agencies and by fixing the conditions under which Iowa corporations may elect to be taxed under this chapter, and the basis of taxing such Iowa corporations.

Read first and second times, and placed on the calendar.

Senate File 329, by Senators Oltman, Dailey and Walter, a bill for an act to amend sections thirty-five A point four (35A.4) and

thirty-five A point eight (35A.8), Code 1950, relating to service compensation board.

Read first and second times, and passed on file.

Senate File 330, by Senators Whitehead and Vest, a bill for an act to amend sections three hundred thirty-one point eight (331.8) and three hundred thirty-one point nine (331.9), Code 1950, relating to dividing a county into districts by the board of supervisors.

Read first and second times, and passed on file.

Senate File 331, by Senator Berg, a bill for an act relating to the management and control of municipally owned public utilities and to amend section three hundred ninety-seven point twenty-nine (397.29), Code 1950, relating thereto.

Read first and second times, and passed on file.

Senate File 332, by Senator O'Malley, a bill for an act to amend sections three hundred seventy-five point one (375.1), and three hundred seventy-five point six (375.6), Code 1950, relating to continuance of musical education of children during vacation periods and to municipal bands.

Read first and second times, and passed on file.

Senate File 333, by Senator O'Malley, a bill for an act to amend chapter four hundred forty-five (445), Code 1950, relating to collection of taxes and providing when same shall become delinquent.

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 86, a bill for an act to legalize proceedings of the board of supervisors of Polk County.

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

House File 155, a bill for an act relating to the requiring of blood test by persons exempted from the licensing provisions on religious grounds.

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 to legalize proceedings of the Independent School District of Mason City, Iowa.

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

House File 172, a bill for an act relating to the qualifying, licensing and supervision of life insurance agents.

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 legalizing judgments and decrees.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File 86, a bill for an act to legalize the action of the board of supervisors of Polk County in contracting for and making expenditures for the erection of a maintenance shed and storage yard for the housing and maintenance of secondary road equipment and materials for said county.

Read first and second times, and passed on file.

House File 155, a bill for an act to amend section five hundred ninety-five point seventeen (595.17), Code 1950, relating to the requiring of blood test by persons exempted from the licensing provisions on religious grounds.

Read first and second times, and passed on file.

House File 163, a bill for an act to authorize and legalize proceedings of the Independent School District of Mason City, in the county of Cerro Gordo, State of Iowa, for the issuance and delivery of school bonds and for the levy of taxes for the payment of said bonds, and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

Read first and second times, and passed on file.

House File 172, a bill for an act to amend section five hundred twenty-two point one (522.1), Code 1950, relating to the qualifying, licensing and supervision of life insurance agents.

Read first and second times, and passed on file.

House File 218, a bill for an act to amend chapter five hundred eighty-seven (587), Code 1950, relating to legalizing judgments and decrees.

Read first and second times, and passed on file.

## PRESENTATION OF VISITORS

Senator Risk asked and received unanimous consent to present to the Senate a former member of the Senate from Buchanan County the Honorable George Banta who was present in the Senate chamber.

Senator O'Malley asked and received unanimous consent to present to the Senate one hundred members of the sociology classes of the St. Joseph Academy of Des Moines who were present in the balcony with their instructor, Sister Mary Assisim.

Senator O'Malley asked and received unanimous consent to present to the Senate the members of the 6-A class of Brooks School who were present in the balcony with their instructor, Mr. Purinton, and their principal, Mr. Pease.

## PRESENTATION OF QUEEN OF THE SENATE

President Nicholas presented his page, David Abram, who had been chosen to present to the Senate the Queen of the Senate.

David announced the selection of Dorothy Elthon, the daughter of Senator Elthon, as Queen and Pat Carlson and Ruth McGhee as her attendants.

The Queen and her attendants were escorted to the rostrum by the pages of the Senate where Dorothy was presented an orchid corsage.

Dorothy expressed her appreciation and thanks.

## THIRD READING OF BILLS

Senator Jacobson called up for further consideration Senate File 222, a bill for an act relating to chapter four hundred ninety-one (491) of the Code of Iowa, 1950, and providing for the repeal of sections four hundred ninety-one point forty-six (491.46), four hundred ninety-one point forty-seven (491.47), four hundred ninety-one point fifty (491.50), and part of section four hundred ninety-one point fifty-three (491.53), of the Code of Iowa, 1950, and the adoption of provisions in lieu thereof.

Senator Bekman offered the following amendment and moved its adoption:

Amend the title to Senate File 222 by striking all after the word "Act" and inserting in lieu thereof the following: "providing for the repeal of sections four hundred ninety-one point forty-six (491.46), four hundred ninety-one point forty-seven (491.47), four hundred ninety-one point fifty (491.50), and part of section four hundred ninety-one point fifty-three (491.53), Code 1950, relating to the furnishing of stockholders' lists, stock books and transfers of shares and the right of inspection of such records, and the enactment of substitutes therefor providing for the preparation and keeping of capital stock and stock ownership and transfer records and for the examination of corporation records by stockholders."

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, 43:

Anderson	Hattery	Myrland	Van Eaton
Bateson	Hedin	Nesmith	Van Patten
Bekman	Henningsen	Oltman	Vest
Byers	Hultman	O'Malley	Walter
Colburn	Jacobson	Parker	Watson of
Doud	Linnevald	Prentis	O'Brien
Dykhouse	Lord	Ridout	Watson of
Elthon	Lynes	Risk	Pottawattamie
Fishbaugh	McCarville	Sharp	West
Fletcher	Mercer	Tudor	Whitehead
Gillespie	Molison	Utzig	Zastrow
Hart			

Nays, 6:

Augustine	Dailey	Roberts	Weichman
Berg	Humbert		

Absent or not voting, 1:

Knudson

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

On motion of Senator Zastrow, Senate File 223, a bill for an act relating to the regulation and supervision of foreign corporations and to amend various sections of chapter four hundred ninety-four (494), Code 1950, relating thereto, 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:

Anderson	Hattery	Molison	Utzig
Augustine	Hedin	Myrland	Van Eaton
Bateson	Henningsen	Nesmith	Vest
Bekman	Hultman	Oltman	Walter
Byers	Humbert	O'Malley	Watson of
Colburn	Jacobson	Parker	O'Brien
Dailey	Knudson	Prentis	Watson of
Doud	Linnevold	Ridout	Pottawattamie
Elthon	Lord	Risk	Weichman
Fishbaugh	Lynes	Roberts	West
Fletcher	McCarville	Sharp	Whitehead
Gillespie	Mercer	Tudor	Zastrow
Hart			

Nays, none.

Absent or not voting, 3:

Berg	Dykhouse	Van Patten
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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 Zastrow, Senate File 224, a bill for an act providing for the repeal of sections four hundred ninety-one point forty-four (491.44) and four hundred ninety-one point forty-five (491.45) of the Code of Iowa, 1950, was taken up, and considered.

Senator Bekman offered the following amendment and moved its adoption:

Amend the title to Senate File 224 by striking the period (.) at the end of the title and adding the following: "relating to the posting of by-laws and statements of capital stock and indebtedness of corporations."

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:

Anderson	Hart	Molison	Utzig
Augustine	Hattery	Myrland	Van Eaton
Bateson	Hedin	Nesmith	Van Patten
Bekman	Henningsen	Oltman	Vest
Berg	Hultman	O'Malley	Walter
Byers	Humbert	Parker	Watson of
Colburn	Jacobson	Prentis	O'Brien
Dailey	Knudson	Ridout	Watson of
Doud	Linnevold	Risk	Pottawattamie
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow
Gillespie	Mercer		



Nays, 1:

Weichman

Absent or not voting, 1:

Dykhouse

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

On motion of Senator Zastrow, Senate File 225, a bill for an act to amend chapter four hundred ninety-two (492), Code 1950, relating to capital stock, was taken up, and considered.

Senator Vest moved that the bill be read a third 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:

Anderson	Hart	Myrland	Van Eaton
Augustine	Hattery	Nesmith	Van Patten
Bateson	Henningesen	Oltman	Vest
Bekman	Hultman	O'Malley	Walter
Berg	Humbert	Parker	Watson of
Byers	Jacobson	Prentis	O'Brien
Colburn	Knudson	Ridout	Watson of
Dailey	Linnevoild	Risk	Pottawattamie
Doud	Lynes	Roberts	Weichman
Elthon	McCarville	Sharp	West
Fishbaugh	Mercer	Tudor	Whitehead
Fletcher	Molison	Utzig	Zastrow
Gillespie			

Nays, none.

Absent or not voting, 3:

Dykhouse

Hedin

Lord

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

On motion of Senator Zastrow, Senate File 226, a bill for an act relating to the regulation and supervision of corporations for pecuniary profit and to amend various sections of chapter four hundred ninety-one (491); Code 1950, relating thereto, was taken up, and considered.

Senator Mercer offered the following amendment and moved its adoption:

Amend Senate File 226 by striking all of section 5 and inserting in lieu thereof the following:

Sec. 5. Sections four hundred ninety-one point twenty-five (491.25)

and four hundred ninety-one point twenty-six (491.26), Code 1950, are amended to read as follows:

"491.25. Corporations existing for a period of years may be renewed from time to time for the same or shorter periods, or may be renewed to exist perpetually, if a majority of votes cast at any regular election or special election called for that purpose be in favor of such renewal, at any time during the corporate life or within three months after the termination thereof, with such renewal taking effect upon the filing with and approval by the secretary of state and the payment of fees as set forth in section 491.28, although corporations may renew within a three months period prior to normal expiration with renewal taking effect at normal expiration, and if those voting for such renewal will purchase at its real value the stock voted against such renewal. Stockholders voting for renewal shall have three years from the date such action for renewal was taken in which to purchase the stock voted against such renewal, which purchase price shall bear interest at five per cent per annum from the date of such renewal action until paid.

"491.26. The provisions of this act shall not apply to any renewal voted before this act becomes operative but all rights of any corporation described or referred to in the last two paragraphs of section 491.20 to purchase stock of dissenting stockholders or any portion thereof are preserved to said corporation both before and after this section becomes operative."

The amendment was adopted.

Senator Vest moved that the bill be read a third 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:

Anderson	Hart	Molison	Utzig
Augustine	Hattery	Myrland	Van Eaton
Bateson	Hedin	Nesmith	Van Patten
Bekman	Henningesen	Oltman	Vest
Berg	Hultman	O'Malley	Walter
Byers	Humbert	Parker	Watson of
Colburn	Jacobson	Prentis	O'Brien
Dailey	Knudson	Ridout	Watson of
Doud	Linnevold	Risk	Pottawattamie
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow
Gillespie	Mercer		

Nays, none.

Absent or not voting, 2:

Dykhouse                      Weichman

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

## EXECUTIVE SESSION

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

The Senate, in executive session, confirmed the following appointments:

Dean F. M. Dawson of Johnson County as a member of the Iowa Natural Resources Council for the unexpired term ending June 30, 1955.

Joe Newburgh of Dubuque County as a member of the Iowa Aeronautics Commission for the unexpired portion of the term ending June 30, 1951, and for the regular term beginning July 1, 1951, and ending June 30, 1957.

The Senate in executive session refused to confirm the following appointment:

Frank R. Kerrigan of Dubuque County as a member of the State Highway Commission for the regular term ending June 30, 1953.

The Senate arose from executive session and resumed regular session.

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

## AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

## REPORT OF COMMITTEE

Senator Doud submitted the following report:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **Senate File 188**, a bill for an act relating to state aid for vocational education, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ALDEN L. DOUD, *Chairman*.

Ordered passed on file.

## PRESENTATION OF VISITORS

President Nicholas announced that the Honorable Bourke B. Hickenlooper, United States Senator, was in the Senate chamber and asked Senators Byers and Tudor to escort Mr. Hickenlooper to the rostrum.

President Nicholas presented United States Senator Hickenlooper.

Senator Hickenlooper addressed the Senate as follows:

I haven't any speech to make to you today, except that it is always one of the greatest pleasures that I can have to come back and see the

Iowa legislature. I have said it before, but each year it gets better. I enjoyed service in the Iowa legislature more than any other public activity that I have experienced.

This and the other legislatures of the 48 states constitute the channels of democracy and so on down in this republic so that the sovereignty of the states is molded by the legislatures. If the centralized powers of the federal government can be cut down this republic will survive with vigor and strength. If the people themselves through neglect, carelessness, or in any way permit the control of government at the national capital to increase year by year and shuck off their responsibilities, the basic foundations of the republic will be weakened. I think as the years go on the states realize the necessity of maintaining the sovereignty and the necessity of holding to the rights which we have under our constitutional state system.

It is a pleasure to see a lot of old friends, and when I look down at the desk force it reminds me of a lot of ghosts of by-gone activity. It is a great pleasure to renew one's faith in self-government and fellowman.

Senator Byers asked and received unanimous consent that the foregoing remarks of Senator Hickenlooper be printed in the Senate Journal.

Senator Hattery asked and received unanimous consent to present to the Senate a prominent citizen of Nevada, Story County, Glen R. Newton who was present in the Senate chamber.

Senator Whitehead asked and received unanimous consent to present to the Senate the members of the government class of the Waukee High School who were present in the balcony accompanied by their principal, Mr. Mayer.

Senator Whitehead also asked and received unanimous consent to present to the Senate the members of the senior class of the Menlo High School who were present in the balcony with their superintendent, G. Agard, and Edmond Groomes.

#### SPECIAL ORDER

Senator Dykhouse asked and received unanimous consent that the Senate Files now on the calendar relating to municipal statute study be made a special order of business for Tuesday, February 20, 1951, at 10:30 a.m. The bills to be considered in the following order: Senate Files 165, 28, 20, 18, 32, 33, 163, 23 and 164.

#### 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 3, a bill for an act providing for revocation of licenses by reason of the possession of gambling devices, and prohibiting the issuance of licenses in certain instances.

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

House File 19, a bill for an act relating to renewal of articles of incorporation.

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 relating to the issuance of stock by certain corporations.

A. C. GUSTAFSON, *Chief Clerk.*

### HOUSE AMENDMENT TO SENATE FILE 3

Amend subsection 1 of section 1 of Senate File 3 by adding the following: "Nothing in this definition shall be construed to include ordinary playing cards."

### HOUSE MESSAGES CONSIDERED

House File 19, a bill for an act to amend section four hundred ninety-one point twenty-five (491.25), Code 1950, relating to renewal of articles of incorporation and by defining the words "real value of the stock".

Read first and second times, and passed on file.

House File 20, a bill for an act relating to the issuance of stock by certain corporations and the payment therefor.

Read first and second times, and passed on file.

### HOUSE AMENDMENTS CONSIDERED

Senator Lynes called up for consideration Senate File 3, a bill for an act providing for revocation of licenses for carrying on, or used in carrying on of any business, trade, vocation, commercial enterprise or undertaking, by reason of the possession of gambling devices, and prohibiting the issuance of licenses in certain instances, amended by the House, and moved that the Senate concur in the following amendment:

Amend subsection 1 of section 1 of Senate File 3 by adding the following: "Nothing in this definition shall be construed to include ordinary playing cards."

The Senate concurred in the House amendment.

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

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

**Ayes, 45:**

Anderson	Gillespie	Molison	Tudor
Augustine	Hart	Myrland	Van Eaton
Bateson	Hattery	Nesmith	Van Patten
Bekman	Hedin	Oltman	Vest
Berg	Hultman	O'Malley	Walter
Byers	Humbert	Parker	Watson of
Colburn	Jacobson	Prentis	O'Brien
Dailey	Knudson	Ridout	Weichman
Doud	Linnevold	Risk	West
Elthon	Lord	Roberts	Whitehead
Fishbaugh	Lynes	Sharp	Zastrow
Fletcher	Mercer		

**Nays, 2:**

McCarville	Watson of Pottawattamie
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**Absent or not voting, 3:**

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

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

### REPORT OF COMMITTEE ON RULES

**MR. PRESIDENT:** Your committee on rules begs leave to report that it has had the permanent rules under consideration and recommends that the rules of the Senate for the Fifty-fourth General Assembly be as follows:

The rules of the Senate for the Fifty-third General Assembly shall be adopted as the rules of the Senate for the Fifty-fourth General Assembly except as hereinafter repealed, altered, amended or substituted.

Rule 8 of the printed rules of the Senate for the Fifty-third General Assembly is amended as follows: In line 14 of said rule, insert after the word "made" the following: "from the floor of the Senate".

Rule 9 of the printed rules of the Senate for the Fifty-third General Assembly is amended as follows: That the title thereof be amended after the word "motions" by adding "and amendments".

Further amend said rule by adding the following sentence thereto: "All amendments shall be reduced to writing and filed at the desk before being acted upon by the Senate."

Rule 17 of the printed rules of the Senate for the Fifty-third General Assembly is amended as follows: Strike the period (.) following the word "resolutions" in lines thirteen (13) and fourteen (14) of said rule, and add the following: "and concurrent resolutions proposing amendments to the Constitution of the United States of America."

Rule 20 of the printed rules of the Senate for the Fifty-third General Assembly is amended as follows: Insert after the word "resolution" in line 2 thereof "or concurrent resolution proposing an amendment to the Constitution of the United States of America".

Further amend said rule by inserting after the word "resolution" in lines seven (7) and ten (10) thereof the following: "or concurrent resolution proposing an amendment to the Constitution of the United States of America".

Rule 22 of the printed rules of the Senate for the Fifty-third General Assembly is amended as follows: Strike therefrom the numerals and letters "26th" in line two (2) thereof, and insert in lieu thereof the numerals and letters "23rd".

Further amend said rule by striking therefrom the numerals and letters "24th" in line six (6) thereof, and inserting in lieu thereof the numerals and letters "23rd".

Further amend said rule by striking therefrom the words "Board of Control Committee, Highways Committee" in lines eleven (11) and twelve (12) and inserting in lieu thereof "Ways and Means, Labor, Cities and Towns, Governmental Affairs".

Rule 37 of the printed rules of the Senate for the Fifty-third General Assembly is amended as follows: Strike all of Rule 37 and insert in lieu thereof the following: "A sifting committee shall be appointed by the president of the Senate on the twenty-third (23rd) day of February. Bills and resolutions shall be committed to the sifting committee only upon motion from the floor of the Senate and approved by a constitutional majority of the Senate."

Rule 41 of the printed rules of the Senate for the Fifty-third General Assembly is amended as follows: Insert after the words "concurrent resolutions" in line one (1) thereof the following: "other than concurrent resolutions proposing amendments to the Constitution of the United States of America".

Rule 42 of the printed rules of the Senate for the Fifty-third General Assembly is amended as follows: After the word "Order" in line two (2) thereof, insert the word "Revised".

Respectfully submitted,  
STANLEY L. HART, *Chairman*.  
LEO ELTHON.  
FRANK C. BYERS.  
EARL C. FISHBAUGH, JR.  
CHARLES S. VAN EATON.

#### BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following bills assigned to committee:

- S. F. 188 Appropriations
- S. F. 311 Compensation of public officers and employees
- S. F. 312 Schools and educational institutions

S. F. 313	Agriculture
S. F. 314	Cities and towns
S. F. 315	Compensation of public officers and employees
S. F. 316	Conservation
S. F. 317	Motor vehicles
S. F. 318	Judiciary 1
S. F. 319	Cities and towns
S. F. 320	Labor
S. F. 322	Public lands and buildings
S. F. 323	Public utilities
S. F. 324	Judiciary 1
S. F. 325	Judiciary 2
S. F. 326	Conservation
S. F. 327	Cities and towns
S. F. 329	Military affairs
S. F. 330	Judiciary 1
S. F. 331	Public utilities
S. F. 332	Schools and educational institutions
S. F. 333	Tax revision
H. F. 5	Judiciary 1
H. F. 19	Judiciary 2
H. F. 58	Highways
H. F. 76	Judiciary 2
H. F. 86	Judiciary 2
H. F. 107	Compensation of public officers and employees
H. F. 155	Judiciary 1
H. F. 156	Agriculture
H. F. 163	Judiciary 1
H. F. 172	Insurance
H. F. 218	Judiciary 2

Also:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **House File 78**, a bill for an act to provide that public school employees handling money accruing from school activities and other sources furnish bond to the school corporation, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ALDEN L. DOUD, *Chairman*.

Ordered passed on file.



Senator Watson of Pottawattamie submitted the following report:

MR. PRESIDENT: Your committee on board of control to which was referred **Senate File 108**, a bill for an act relating to the findings and orders of the county commissioners of insanity, begs leave to report it has had the same under consideration and recommends the same **do pass**.

DEVERE WATSON, *Chairman*.

Ordered passed on file.

Senator Weichman submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 186**, a bill for an act to amend section six hundred five point eight (605.8) and section six hundred five point nine (605.9), Code 1950, relating to compensation of shorthand reporters of the district courts, and to amend section six hundred five point ten (605.10), Code 1950, relating to expense of shorthand reporters of the district courts, begs leave to report it has had the same under consideration and recommends the same **do pass**.

H. E. WEICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 117**, a bill for an act to amend chapter five hundred fifty-seven (557), Code 1950, relating to fees charged by county recorder with reference to registration of farms, begs leave to report it has had the same under consideration and recommends the same **do pass**.

H. E. WEICHMAN, *Chairman*.

Ordered passed on file.

Senator Bateson submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred **House File 156**, a bill for an act relating to eligibility of trustees in drainage districts, begs leave to report it has had the same under consideration and recommends the same **do pass**.

R. R. BATESON, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 17 by striking section 2.

JOHN R. HATTERY.  
J. T. DYKHOUSE.

Amend Senate File 22 by adding the following new section:

Sec. 65. Section six hundred two point seventeen (602.17), Code 1950, is amended by adding the following sentence: "This section shall not apply to cities where the municipal court is established by operation of law by conversion of another court previously existing under any other name."

JOHN R. HATTERY.  
J. T. DYKHOUSE.

Amend Senate File 23 by striking section 1.

JOHN R. HATTERY.  
J. T. DYKHOUSE.

Amend Senate File 32 by inserting after section 4 the following new section:

Sec. 5. Transition to calendar tax year. In cities operating under special charter, which levy and collect taxes on the basis of a tax year which is not the calendar year, transition to the calendar tax year shall be accomplished in the following manner:

1. The tax collecting personnel of such cities shall continue in office and perform their duties, in the same manner as before the enactment hereof, until December 31, 1951.

2. All taxes collectible for the noncalendar tax year terminating in 1952 and due and payable on or before December 31, 1951, shall be collected by said city personnel.

3. On January 1, 1952, all records relative to said taxes shall be turned over to the county auditor and the county treasurer shall collect any unpaid taxes for said noncalendar year or any prior noncalendar tax year and pay over the proceeds therefrom to the city treasurer. Tax sales for unpaid taxes in any such years shall be made in the same manner as for unpaid city taxes in cities organized under the general law and tax sale certificates for city taxes in any such years shall be administered by the county treasurer in the same manner as for cities organized under the general law.

3. In 1951 the council shall prepare a budget and certify taxes to be levied for the year 1951 and collected in 1952 in the same manner as provided by law for cities organized under the general law, except that in preparing such budget the council shall take into consideration tax revenues collectible in 1951 to be used for that portion of the aforesaid noncalendar year which overlaps the calendar year 1952 by deducting from the amount to be certified for the calendar year 1951 and collected in the calendar year 1952 an amount equal to one twelfth of the total amount anticipated from the collections for said noncalendar year for each month of overlap.

4. Hereafter taxes in such cities shall be levied and collected in the same manner as in cities organized under the general law.

Further amend Senate File 32 by renumbering the remaining sections.

JOHN R. HATTERY.  
J. T. DYKHOUSE.

Amend Senate File 110 by adding the following new section:

"Sec. 2. Further amend section six hundred eighteen point two (618.2), Code 1950, by striking the period in line three (3) thereof and adding the following:

"and upon conviction thereof shall be punished by a fine of not more than \$100 or by imprisonment in the county jail for not more than 30 days or both."

PAUL E. MCCARVILLE.

Amend Senate File 184 by striking section 3 and renumbering the remaining sections.

E. K. BEKMAN.

GEORGE E. O'MALLEY.

Amend Senate File 212 as follows:

1. Insert after the words "market place" in line 13 of section 7 the following "and purchase of necessary equipment and machinery therefor".

2. Strike from line 4 of section 10 the word and figure "six (6)" and insert in lieu thereof the word and figure "ten (10)".

3. Strike the semicolon (;) from line 14 of section 10 and insert in lieu thereof the following:

"The board of library trustees shall, on or before the first day of August in each year, make an estimate of the amount it deems necessary for the maintenance of the library and shall transmit said estimate together with a statement of the amount necessary for the purposes authorized by subsection three (3) to the council. In no event shall the amount of tax allocated for maintenance purposes exceed the amount that would be derived from a three mill levy at current valuations, nor shall the amount allocated for purposes of subsection three (3) exceed the amount that would be derived from a levy of three-fourths mill at current valuations."

JOHN R. HATTERY.

J. T. DYKHOUSE.

Amend Senate File 228 by striking section 6.

W. ELDON WALTER.

W. C. MOLISON.

CARL T. ANDERSON.

Amend Senate File 256 by inserting after the comma (,) following the word "utility" in line 17 the following: "and from the proceeds of the sale of revenue bonds payable solely and only from the future net earnings of said utility,".

F. M. ROBERTS.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 15, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend J. Arthur Eveland, pastor of the First Evangelical United Brethren Church, Muscatine, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Colburn, from residents of Des Moines in opposition to proposed school legislation.

By Senator Doud, from residents of Des Moines in opposition to proposed school legislation.

By Senator Lord, from members of Local 989, Clarion, Wright County, relating to old age and survivors' insurance benefits.

By Senator Tudor, from the members of the Stanwood, Cedar County, Junior Women's Club relating to the regulation of speed on highways.

By Senator Walter, from residents of Marshall County favoring the repeal of rent control.

By Senator Weichman, from county officers and deputies of Louisa County favoring an increase in salary for county officials.

## INTRODUCTION OF BILLS

Senate Joint Resolution 4, by Senators Bekman, Bateson, Doud and Hattery, a joint resolution creating a special committee to investigate and report on the number of acres of land in Iowa that have been subjected to strip mining, the number of acres of land in Iowa subject, in the future, to strip mining, the various industries engaged in that type of operation and the acreage used annually by each, the extent of damage done to lands by strip mining, the extent to which land that has been stripped is being taxed, the effect on the taxability of such lands, the necessity, if any, of regulating

strip mining, and, if regulation is found desirable, the aspects and manner of regulation which should be adopted.

Read first and second times, and passed on file.

Senate File 334, by Senators Doud, Colburn, Lynes, Augustine and Mercer, a bill for an act relating to the rule making power conferred upon the Iowa liquor control commission and for amending sections one hundred twenty-three point five (123.5) and one hundred twenty-three point seventeen (123.17), Code 1950.

Read first and second times, and passed on file.

Senate File 335, by Senators Bekman, Van Eaton, McCarville, O'Malley and Augustine, a bill for an act to amend section ninety-six point five (96.5), Code 1950, and subsections one (1) and three (3) relating to the disqualification for benefits of an individual who voluntarily quits his job or fails to apply for suitable work or refuses to accept suitable work; to provide for the imposition of a specified number of weeks of disqualification.

Read first and second times, and passed on file.

Senate File 336, by Senators Bekman, Van Eaton, McCarville, O'Malley and Augustine, a bill for an act to amend section ninety-six point nineteen (96.19), Code 1950, relating to unemployment compensation and definitions pertaining thereto; to define the term "disqualification for benefits".

Read first and second times, and passed on file.

Senate File 337, by Senator Walter, a bill for an act to legalize and validate the proceedings of the council of the town of LeGrand, Marshall County, Iowa, for the issuance, sale and delivery of waterworks revenue bonds for the purpose of paying part of the construction cost of a waterworks in said town, and to legalize and validate said bonds and the provisions for payment of the same.

Read first and second times, and passed on file.

Senate File 338, by Senator Walter, a bill for an act to legalize and validate the proceedings of the council of the town of Albion, Marshall County, Iowa, in calling and holding an election on the proposition to establish a waterworks system in said town and on the proposition to incur an indebtedness for the construction of

said waterworks system and for the issuance of waterworks bonds in payment of such indebtedness and proceedings for the levy and collection of annual taxes to pay the same, and to legalize and validate the proceedings for the issuance, sale and delivery of such bonds and waterworks revenue bonds issued in payment for the construction of such waterworks system, and the provisions for payment thereof.

Read first and second times, and passed on file.

Senate File 339, by Senator Lord, a bill for an act relating to the old age and survivors' insurance system prescribing a method by which public employees after termination of public employment may maintain both current and full coverage thereunder, and to amend section ninety-seven point forty-five (97.45), Code 1950, relating thereto.

Read first and second times, and passed on file.

Senate File 340, by committee on agriculture, a bill for an act relating to the inspection, measurement and testing of motor vehicle fuel and to transfer certain duties in respect thereto from the treasurer of state to the department of agriculture.

Read first and second times and placed on the calendar.

Senate File 341, by Senators Oltman, Bekman, Parker, Watson of Pottawattamie, Berg, Byers, Hart, Nesmith, Ridout and McCarville, a bill for an act to provide for the rehabilitation of alcoholics who voluntarily enter or who are committed thereto as provided herein to state hospitals for treatment.

Read first and second times, and passed on file.

Senate File 342, by Senator McCarville, a bill for an act to amend section six hundred twenty-seven point six (627.6), Code 1950, relating to exemption of household furniture.

Read first and second times, and passed on file.

Senate File 343, by Senator Van Eaton (Munger and Nelson), a bill for an act to provide for the appointment of a board of auditorium trustees in municipal corporations and to prescribe the organization, powers, and duties of such boards.

Read first and second times, and passed on file.

Senate File 344, by Senator Van Eaton (Munger and Nelson), a bill for an act to amend section four hundred four point five (404.5), Code 1950, and to authorize an auditorium fund and an auditorium building fund for municipal corporations.

Read first and second times, and passed on file.

Senate File 345, by Senator Lynes, a bill for an act to amend chapter two hundred sixty (260), Code 1950, all relating to the Board of Educational Examiners and certification of teachers.

Read first and second times, and passed on file.

Senate File 346, by committee on claims, a bill for an act to make appropriations to Fern E. Sharp, Elkader, Iowa; Otto H. Henningsen, Clinton, Iowa; Stanley L. Hart, Keokuk, Iowa; Lawrence Putney, Gladbrook, Iowa; Henry Siefkas, Osceola, Iowa, and Harvey J. Long, Clinton, Iowa.

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

Senate File 347, by committee on claims, a bill for an act to make appropriations to John R. Hattery, Nevada, Iowa; J. T. Dykhouse, Rock Rapids, Iowa; Morse E. Crosier, Coggon, Iowa, and Harold F. Nelson, Sioux City, Iowa.

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

Senate File 348, by committee on claims, a bill for an act to make appropriations to DeVere Watson, Council Bluffs, Iowa; X. T. Prentis, Mount Ayr, Iowa; J. Kendall Lynes, Plainfield, Iowa; Leo Elthon, Fertile, Iowa; George Faul, Des Moines, Iowa; Robert P. Munger, Sioux City, Iowa; Gustav T. Kuester, Griswold, Iowa; George L. Paul, Brooklyn, Iowa; Carroll L. Brown, Oskaloosa, Iowa, and George H. Robb, Estherville, Iowa.

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

Senate File 349, by committee on public lands and buildings, a bill for an act creating a legislative advisory committee to carry out the provisions of chapter three hundred seven (307), Acts of the Fifty-second General Assembly, chapter sixteen (16), Acts of the Forty-ninth General Assembly, chapter ten (10), Acts of the Fifty-first General Assembly, and chapter seventeen (17), Acts of the

Fifty-third General Assembly, relating to the construction of the state office building.

Read first and second times and placed on the calendar.

Senate File 350, by committee on public lands and buildings, a bill for an act relating to the power of the executive council to assign rooms in the capitol or capitol building to the several departments of the state and for amending section nineteen point fifteen (19.15), Code 1950.

Read first and second times, and placed on the calendar.

Senate File 351, by Senators O'Malley and McCarville, a bill for an act to amend section two hundred thirty-one point eight (231.8), Code 1950, relating to the appointment and compensation of juvenile court probation officers and secretaries.

Read first and second times, and passed on file.

Senate File 352, by Senator West, a bill for an act relating to the assessment of real and personal property, to provide for local option in counties for elected local boards of review of such assessments and to amend chapters four hundred forty-one (441) and four hundred forty-two (442), Code 1950.

Read first and second times, and passed on file.

Senate File 353, by Senator Dailey, a bill for an act to amend chapter four hundred fifty (450), Code 1950, relating to inheritance tax as applicable to trusts.

Read first and second times, and passed on file.

Senator Elthon took the chair at 10:20 a.m.

#### PRESENTATION OF VISITORS

Senator Anderson asked and received unanimous consent to present to the Senate his father, B. F. Anderson of Kenosha, Wisconsin, who was present in the Senate chamber.

Senator Oltman asked and received unanimous consent to present to the Senate twenty-two members of the American government class of the Plover Consolidated School who were present in the balcony with their superintendent, B. F. Martin; also, thirty-one members of the American government class of the Pocahontas



Public School who were present in the balcony with their superintendent, Waldo Mick.

Senator McCarville asked and received unanimous consent to present to the Senate twenty members of the senior class of the Gowrie High School who were present in the balcony with their instructor, Ted Macur.

Senator Bateson asked and received unanimous consent to present to the Senate thirteen members of the senior class of the Stratford High School who were present in the balcony with their superintendent, J. J. Jorgensen.

Senator Vest asked and received unanimous consent to present to the Senate the members of the American government class of the Scranton Consolidated School who were present in the balcony with their superintendent, Mr. Colbert, and their principal, Mr. Sandberg.

President Nicholas took the chair at 10:29 a.m.

#### COMMITTEE OF THE WHOLE

The hour of 10:30 a.m. having arrived, President Nicholas announced the special order for the consideration of the proposed civil defense bills.

Senator Elthon moved that the Senate resolved itself into a committee of the whole, that the Lieutenant Governor act as chairman of the committee, that the members of the press and the public be permitted to remain in the Senate chamber; and that Rodney Q. Selby, director of the Iowa Development Commission and State Director of Civil Defense, be asked to appear before the committee, which motion prevailed.

On motion of Senator Elthon, the committee of the whole arose and the Senate resumed regular session.

#### INTRODUCTION OF BILLS

Senate File 354, by Senate committee of the whole, a bill for an act to create a state civil defense agency in the executive branch; providing for a director thereof and an advisory council to the governor as head of the agency and defining the powers and duties of the governor, council and director; providing emergency powers for the governor; authorizing mobile support units and fixing the

rights, duties and privileges of the personnel thereof; creating county defense councils and defining their powers and duties; authorizing cities and towns to establish local organizations for civil defense, contract for mutual aid, accept gifts and adopt ordinances relating to civil defense; authorizing counties, cities and towns to appropriate funds regardless of the local budget law and authorizing counties and certain cities to levy a tax to pay expenses of administration of defense councils; providing for the privileges and immunities of all civil defense personnel; providing for penalties for violations of provisions of the act and to increase penalties for certain crimes committed during blackouts or practice blackouts; repealing chapter sixty-one (61), Laws of the Fiftieth General Assembly, and section nine (9) of chapter sixty-three (63), Laws of the Fifty-first General Assembly, and providing for the appropriation of funds and the disbursement thereof to carry out the purpose of this act.

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

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File 96, a bill for an act relating to the practice of chiropractic.

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

Senate File 223, a bill for an act relating to the regulation and supervision of foreign corporations.

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

Senate File 226, a bill for an act relating to the regulation and supervision of corporations for pecuniary profit.

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

House File 88, a bill for an act relating to the power to levy annually special taxes.

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

House File 117, a bill for an act relating to establishing districts for members of boards of supervisors elected at large.

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 relating to permits received from other states for dead bodies being shipped into this state.

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

House File 237, a bill for an act relating to wills—legalizing acts.

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 claims against estates, guardianships or trusts.

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

House File 319, a bill for an act relating to examinations for school teachers.

Also: That the House has concurred in Senate amendments to and passed House File 9, a bill for an act relating to the imposition of sentences for crimes; the maximum punishment for which is life imprisonment.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File 88, a bill for an act to amend section three hundred forty-seven point seven (347.7), Code 1950, to raise the limitation on the power to levy annually special taxes for the improvement and maintenance fund of county public hospitals in counties having a population of one hundred thirty-five thousand (135,000) inhabitants or over.

Read first and second times, and passed on file.

House File 117, a bill for an act to amend chapter three hundred thirty-one (331), Code 1950, by adding thereto the following new sections relating to establishing districts for members of boards of supervisors elected at large.

Read first and second times, and passed on file.

House File 125, a bill for an act to amend section one hundred forty-one point nineteen (141.19), Code 1950, relating to permits received from other states for dead bodies being shipped into the state.

Read first and second times, and passed on file.

House File 237, a bill for an act to amend chapter five hundred ninety (590), Code 1950, relating to wills.

Read first and second times, and passed on file.

House File 318, a bill for an act relating to claims against estates, guardianships or trusts; limiting the time within which action may be taken on such claims; and limiting the time within which action may be taken to contest the final settlement or discharge of an administrator, executor, guardian or trustee.

Read first and second times, and passed on file.

House File 319, a bill for an act relating to examinations for school teachers and to amend sections two hundred fifty-seven point four (257.4) and two hundred sixty point four (260.4), Code 1950.

Read first and second times, and passed on file.

#### ADDITIONAL COPIES

Senator Bekman asked and received unanimous consent to have 300 additional copies of Senate File 341 printed.

Senator Walter asked and received unanimous consent that the findings of the Board of Appeal on claims not be printed in the Senate Journal.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

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

**MR. PRESIDENT:** Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files 36, 161 and 167.

**JAMES H. NESMITH**, *Chairman Senate Committee.*  
**ELMER A. BASS**, *Chairman House Committee.*

Report adopted.

#### BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: House Files 36, 161 and 167.

#### 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-fourth 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 Fifty-third General Assembly be adopted as the joint rules of the Senate and House of the Fifty-fourth General Assembly except as hereinafter repealed, altered, amended or substituted.

Rule 12 of the joint rules of the Senate and House of the Fifty-third General Assembly is amended by striking the words and figures "of \$2.00 per page" in lines 20 and 21 thereof, and inserting in lieu thereof the following: "which shall be fixed under the current contract for legislative printing for the bills".

Respectfully submitted,  
 STANLEY L. HART, *Chairman*,  
 On the Part of the Senate.  
 LAWRENCE PUTNEY, *Chairman*,  
 On the Part of the House.

#### MOTION TO RECONSIDER WITHDRAWN

MR. PRESIDENT: I hereby withdraw my motion, filed on February 9, 1951, to reconsider the vote by which the motion to reconsider the vote by which Senate File 160 failed to pass the Senate was laid upon the table.

ALAN VEST.

#### PROOFS OF PUBLICATION

Published copy of Senate File 337 and verified proof of publication of said bill in the Marshalltown Times-Republican on February 2, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

Published copy of Senate File 338 and verified proof of publication of said bill in the Marshalltown Times-Republican on February 2, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

Published copy of Senate File 199 and verified proof of publication of said bill in the Mason City Globe Gazette on February 14, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE, *Secretary of Senate*.

#### REPORTS OF COMMITTEES

Senator Bateson submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred **Senate File 144**, a bill for an act to amend section five hundred forty-four point sixteen (544.16), Code 1950, relating to funds of local warehouse boards, begs leave to report it has had the same under consideration and recommends the same **do pass**.

R. R. BATESON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to which was referred **Senate File 155**, a bill for an act to amend chapter one hundred seventy-seven (177), Code 1950, relating to corn and small grain growers association, begs leave to report it has had the same under consideration and recommends the same **do pass**.

R. R. BATESON, *Chairman*.

Ordered passed on file.

Senator Sharp submitted the following report:

MR. PRESIDENT: Your committee on public lands and buildings to which was referred **Senate File 161**, a bill for an act authorizing a patent to issue to the southeast quarter (SE $\frac{1}{4}$ ) of the southwest quarter (SW $\frac{1}{4}$ ) of section sixteen (16), township seventy-eight (78) north, range two (2), west of the 5th P.M., Muscatine County, 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.

Also:

MR. PRESIDENT: Your committee on public lands and buildings to which was referred **Senate File 145**, a bill for an act to promote and protect the life, health and safety of persons in the use and occupancy of buildings used by the public; to establish a state building code, under the requirements of this act, prescribing minimum standards in the construction, reconstruction, alteration, addition and repair of buildings used by the public; to define the scope of this act and the state building code established hereunder; to create a state building code council, defining its powers and duties; and fixing the compensation of the members thereof; to provide for the appointment, etc., 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 public lands and buildings to which was referred **Senate File 198**, a bill for an act authorizing the Governor and secretary of state to issue a patent to William Ware to the northwest fractional one-fourth ( $\frac{1}{4}$ ) of the southwest quarter ( $\frac{1}{4}$ ) of section nineteen (19), township seventy-two (72) north, range fourteen (14), west of the fifth principal meridian, Wapello County, 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.

## AMENDMENTS FILED

Amend Senate File 165 as follows:

1. Strike all of section 11 and insert in lieu thereof the following:

"Sec. 11. Transition from election in March, 1951. All municipal corporations except those operating under the provisions of chapter four hundred nineteen (419), Code 1950, in which the last regular municipal election was held in March, 1951, shall hold the next regular municipal election in November, 1953, as provided in section eight hereof, and the terms of office of all elective officers of said municipal corporations are hereby extended to December 31, 1953. At said election, the mayor, one half of the members of the council, as nearly as may be, and other elective officers shall be elected for four year terms of office, and the rest of the members of the council shall be elected for two year terms, as provided in section twelve (12) hereof. All succeeding municipal elections shall be held as provided in section eight (8) hereof." (Temporary.)

2. Strike all of section 14 and insert in lieu thereof the following:

"Sec. 14. Certain cities with election in March, 1951. All municipal corporations operating under the provisions of chapter four hundred nineteen (419), Code 1950, in which the last regular municipal election was held in March, 1951, shall hold their next regular municipal election in November, 1953, as provided in section eight (8) hereof. In such municipal corporations the terms of incumbent elective officers are hereby extended as follows: Terms of office which expire on the first Monday in April, 1953, are extended to December 31, 1953; and terms of office which expire on the first Monday in April, 1955, are extended to December 31, 1955. Thereafter all regular municipal elections shall be held in such municipal corporations in November as provided in section eight (8) hereof." (Temporary.)

3. Strike from line 5 of section 35 the word "councilman" and insert in lieu thereof the words "any municipal office".

JOHN R. HATTERY.  
J. T. DYKHOUSE.

1. Amend Senate File 177, section 1, by striking all following the word "board" in line 18 and substituting in lieu thereof the following: "to the state superintendent of public instruction by notifying the opposite party and the county superintendent of schools in writing within five days after receipt of notice of decision of the county board of education, and shall file with the state superintendent of public instruction the foregoing notice of appeal with an affidavit of service thereof, reasons for

the appeal, and the facts involved in the disagreement. The county superintendent of schools shall within ten days of said notice file with the state superintendent of public instruction at Des Moines, Iowa, all records, pleadings, transcripts of evidence, and papers pertaining to the case, including the order of the county board of education. The state superintendent of public instruction shall hear the appeal within fifteen days of the filing of the foregoing records, pleadings, etc., in his office, notifying forthwith all parties and the county superintendent of schools of the time of the hearing. The state superintendent of public instruction shall forthwith decide the same and notify all parties of his decision and shall concurrently return all the records, pleadings, transcripts of evidence and papers together with a true copy of his decision to the county superintendent of schools. Either party may appeal the decision of the state superintendent of public instruction to the district court of the State of Iowa in and for the same county in which the order of the county board of education was made and entered by serving written notice of appeal upon the opposite party and the county superintendent of schools of that county within five days of the receipt of the decision of the state superintendent of public instruction by the county superintendent of schools, which said notice with the return of service thereon shall be filed in the office of the clerk of the district court of that county. The county superintendent shall within ten days of such notice of appeal file with the clerk of said district court all records, pleadings, transcripts of evidence, and papers pertaining to the case, including the orders of the county board of education and the state superintendent of public instruction. The appeal shall forthwith be docketed and be for hearing within fifteen days of filing of the foregoing records, etc., in the office of the clerk. The appeal shall be heard by the court upon the foregoing records, pleadings, transcripts of evidence and papers and such other evidence pertinent to the issue that may be offered by either party. Any order of the district court shall be appealable to the supreme court in accord with the statutes respecting appeals to that court. Pending final order made by the state superintendent of public instruction, or the district court, or the supreme court, as the case may be, upon any appeal prosecuted to such superintendent or to such courts, the order of the county board of education from which the appeal is taken shall be operative and be in full force and effect."

2. Amend Senate File 177, section 2, by striking all of said section and substituting in lieu thereof the following:

"In the event of a disagreement between the board of a school district and the county board of education, the board



of the school district may appeal to the state superintendent of public instruction within the times provided for in section 285.12, Code 1950, as amended by section 1, Senate File 177, and the appeal determined according to the procedure therein provided. The board of the school district may appeal from such order and decision of the state superintendent of public instruction to the district court of the county in which the appeal arose within ten days of the filing of such order and decision by the state superintendent of public instruction. The procedure provided for in section 1, Senate File 177, respecting the conduct of appeals to the court shall control the procedure in such appeals."

J. KENDALL LYNES.  
SHERMAN WEST.  
RALPH W. ZASTROW.  
ALDEN L. DOUD.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 16, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend William H. Slack, retired minister of the Iowa-Des Moines Conference of the Methodist Church, Muscatine, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Colburn, from residents of Des Moines, Polk County, in opposition to proposed school legislation.

By Senator Dailey, from L. B. Denniston, president of the Burlington Association of Insurance Agents, favoring proposed legislation relating to licensing of insurance agents.

By Senator Hedin, from members of the board of supervisors of Scott County relating to old age recipients, residents of institutions.

By Senator Myrland, from residents of Crawford County favoring proposed legislation relating to strip mines; also, in opposition to proposed legislation increasing the authority of the state highway commission.

By Senator Parker, from eighty-four residents of Ida County favoring proposed legislation permitting trolling by motor on the waters of Iowa.

By Senator Utzig, from residents of Dubuque County favoring proposed legislation relating to the licensing of insurance agents; also, from the Dubuque Humane Society in opposition to the use of live pigeons in hunting.

By Senator Van Eaton, from residents of Woodbury County favoring proposed legislation relating to the licensing of insurance agents.

By Senator Walter, from residents of Marshall County favoring the repeal of rent control.

On motion of Senator Elthon, the Senate resolved itself into a committee of the whole for the consideration of the proposed civil defense compact act.

The committee of the whole arose and the Senate resumed regular session.

#### INTRODUCTION OF BILLS

Senate File 355, by Senate committee of the whole, a bill for an act providing that the State of Iowa may enter into a compact with any other state for mutual helpfulness in meeting any civil defense emergency or disaster arising from enemy attack.

Read first and second times, and placed on the calendar.

Senate File 356, by Senator Mercer, a bill for an act to amend section ninety-seven point forty-five (97.45), Code 1950, relating to retirement benefits.

Read first and second times, and passed on file.

Senate File 357, by Senator McCarville, a bill for an act to amend section seventy-nine point one (79.1), Code 1950, relating to paid vacations.

Read first and second times, and passed on file.

Senate File 358, by Senator McCarville, a bill for an act to repeal section ninety-seven point ten (97.10), Code 1950, prohibiting the deduction of the Iowa old age and survivors' insurance tax for state income tax purposes.

Read first and second times, and passed on file.

Senate File 359, by committee on judiciary 2, a bill for an act to amend chapter five hundred eighty-seven (587), Code 1950, relating to legalizing judgments and decrees.

Read first and second times, and placed on the calendar.

Senate File 360, by Senator Knudson, a bill for an act to amend section seventy-seven point ten (77.10), Code 1950, relating to notaries public.

Read first and second times, and passed on file.

Senate File 361, by Senators Bekman, Henningsen, Hattery, Anderson and Dailey, a bill for an act to amend chapter two hun-

dred eighty-six A (286A), Code 1950, providing for the use of state funds to supplement funds of school districts and for the assistance of public school districts of the state in financing their activities under the title of general school aid.

Read first and second times, and passed on file.

Senate File 362, by Senators Dailey, O'Malley, Van Eaton, Byers and Knudson, a bill for an act to amend section four hundred sixteen point one hundred twenty-nine (416.129), Code 1950, relating to the providing of fire and police uniforms and equipment by cities.

Read first and second times, and passed on file.

#### BILL WITHDRAWN

Senator Hedin asked and received unanimous consent that Senate File 219 be withdrawn from further consideration of the Senate.

#### REPORT OF COMMITTEE ON RULES

Senator Hart called up for consideration the report of the committee on rules filed and found on pages 388 and 389 of the Senate Journal.

Senator Hart moved the adoption of the report and requested a roll call.

On the question "Shall the report of the committee on rules be adopted?" the vote was:

#### Ayes, 45:

Anderson	Hattery	Molison	Van Patten
Bateson	Hedin	Myrland	Vest
Bekman	Henningsen	Nesmith	Walter
Berg	Hultman	Oltman	Watson of
Byers	Humbert	Parker	O'Brien
Colburn	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevoid	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow
Hart	Mercer	Van Eaton	

#### Nays, 3:

Augustine	Dailey	O'Malley
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#### Absent or not voting, 2:

Gillespie	Utzig
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The motion having received a constitutional and two-thirds majority prevailed, and the report of the committee on rules was adopted.

#### REPORT OF THE JOINT COMMITTEE ON RULES

Senator Hart called up for consideration the report of the joint committee on rules filed and found on pages 402 and 403 of the Senate Journal.

Senator Hart moved the adoption of report.

The motion prevailed and the report of the joint committee on rules was unanimously adopted.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 60, a bill for an act provided for participating in the Federal Restoration Act.

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

House File 130, a bill for an act relating to qualifications to practice a profession.

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

House File 160, a bill for an act relating to tax levied for repair, furnishing and care of township buildings.

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

House File 166, a bill for an act relating to application to the United States secretary of agriculture for return of assets of Iowa Rural Rehabilitation Corporation.

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

House File 322, a bill for an act relating to the number of lighted lamps required on a motorcycle.

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

House File 323, a bill for an act relating to the duties of the township trustees.

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

House File 324, a bill for an act relating to revocation of certificates of building and loan associations.

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

House Concurrent Resolution 14, inviting the Pioneer Lawmakers of Iowa to meet with the Fifty-fourth General Assembly Wednesday afternoon, March 14, 1951.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION 14

*Whereas*, the Fifty-fourth General Assembly is advised of a meeting of the Pioneer Lawmakers Association to be held in the Historical Building on Wednesday, March 14, 1951, and of their custom to formally meet with the General Assembly;

*Now, Therefore, Be It Resolved by the House, the Senate Concurring:* That the General Assembly meet in joint session in the House chamber on Wednesday, March 14, 1951, at 2:00 p.m., and that the Pioneer Lawmakers be invited to attend and present a program on that date.

#### HOUSE MESSAGES CONSIDERED

House File 60, a bill for an act to amend chapter one hundred seven (107), Code 1950, to provide for participation in the Federal Restoration Act.

Read first and second times, and passed on file.

House File 130, a bill for an act to amend section one hundred forty-seven point three (147.3), Code 1950, relating to qualifications to practice a profession, and providing that men as well as women may be licensed as practitioners of cosmetology upon reaching eighteen years of age.

Read first and second times, and passed on file.

House File 160, a bill for an act to amend section three hundred sixty point eight (360.8), Code 1950, relating to tax levied for repair, furnishing and care of township buildings.

Read first and second times, and passed on file.

House File 166, a bill for an act designating the state department of social welfare as the state agency to make application to the secretary of agriculture of the United States for the return of the assets of the Iowa Rural Rehabilitation Corporation now dissolved and providing for the future administration of such assets.

Read first and second times, and passed on file.

House File 322, a bill for an act relating to the number of lighted lamps required on a motorcycle and to amend section three hundred twenty-one point four hundred nineteen (321.419), Code 1950.

Read first and second times, and passed on file.

House File 323, a bill for an act relating to the duties of the township trustees and to amend section three hundred fifty-nine point seventeen (359.17), Code 1950.

Read first and second times, and passed on file.

House File 324, a bill for an act relating to revocation of certificates of building and loan associations and to amend section five hundred thirty-four point one hundred one (534.101), Code 1950.

Read first and second times, and passed on file.

#### HOUSE CONCURRENT RESOLUTION 14

Senator Byers asked and received unanimous consent to take up for consideration House Concurrent Resolution 14 and moved its adoption.

The motion prevailed and the resolution was adopted.

Senator Mercer asked and received unanimous consent that he be excused for the balance of the day.

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

#### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

#### THIRD READING OF BILLS

Senator Bateson asked and received unanimous consent to take up Senate File 113, a bill for an act to amend section four hundred forty-one point nine (441.9), Code 1950, relating to the duties of the county assessor, and to provide for the county assessor to be clerk of the county conference board.

On motion of Senator Bateson, the report of the committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Bateson moved that the bill be read a third 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:

Anderson	Hart	Myrland	Van Eaton
Augustine	Hattery	Nesmith	Van Patten
Bateson	Hedin	Oltman	Vest
Bekman	Henningsen	O'Malley	Walter
Berg	Hultman	Parker	Watson of
Byers	Humbert	Prentis	O'Brien
Colburn	Jacobson	Ridout	Watson of
Dailey	Knudson	Risk	Pottawattamie
Dykhous	Linnevoid	Roberts	West
Elthon	Lord	Sharp	Whitehead
Fishbaugh	Lynes	Tudor	Zastrow
Gillespie	McCarville		

Nays, none.

Absent or not voting, 6:

Doud	Mercer	Utzig	Weichman
Fletcher	Molison		

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

Senator Hattery asked and received unanimous consent to take up for consideration Senate File 244, a bill for an act relating to the change in the name of the profession of "podiatry" to that of "chiropody".

Senator Hattery asked and received unanimous consent that House File 168 be substituted for Senate File 244.

On motion of Senator Hattery, House File 168, a bill for an act relating to the change in the name of the profession of "podiatry" to that of "chiropody", with report of committee recommending passage, was taken up, and considered, and the report of the committee adopted.

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

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

Ayes, 44:

Anderson	Dykhous	Hultman	Myrland
Augustine	Elthon	Humbert	Nesmith
Bateson	Fishbaugh	Jacobson	Oltman
Bekman	Gillespie	Knudson	O'Malley
Berg	Hart	Linnevoid	Parker
Byers	Hattery	Lord	Prentis
Colburn	Hedin	Lynes	Ridout
Dailey	Henningsen	McCarville	Risk



Roberts	Van Patten	Watson of	West
Sharp	Vest	O'Brien	Whitehead
Tudor	Walter	Watson of	Zastrow
Van Eaton		Pottawattamie	

Nays, none.

Absent or not voting, 6:

Doud	Mercer	Utzig	Weichman
Fletcher	Molison		

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

#### BILL WITHDRAWN

Senator Hattery asked and received unanimous consent that Senate File 244 be withdrawn from further consideration of the Senate.

Senator Dykhouse asked and received unanimous consent to take up Senate File 60, a bill for an act to permit trolling from power boats and sail boats on the waters of the State of Iowa where the use of outboard motors is permitted.

On motion of Senator Dykhouse, the report of the committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Dykhouse asked and received unanimous consent to withdraw the amendment to Senate File 60, filed by him, and found on page 334 of the Senate Journal.

Senator Dykhouse offered the following amendment and moved its adoption:

Amend Senate File 60 by adding the following section:

"Sec. 2. Section one hundred six point sixteen (106.16), Code 1950, is hereby amended by adding to subsection one (1) thereof the following:

"'Provided, however, that boats in classes IV and V, when equipped with an outboard motor not to exceed five (5) horsepower, shall be permitted upon any artificial lake of fifty (50) acres or more in size.'"

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, 43:**

Anderson	Hart	McCarville	Van Eaton
Augustine	Hattery	Myrland	Van Patten
Bateson	Hedin	Nesmith	Vest
Bekman	Henningsen	Oltman	Walter
Berg	Hultman	O'Malley	Watson of
Byers	Humbert	Parker	O'Brien
Colburn	Jacobson	Prentis	Watson of
Dailey	Knudson	Risk	Pottawattamie
Dykhouse	Linnevold	Roberts	West
Elthon	Lord	Sharp	Whitehead
Fishbaugh	Lynes	Tudor	Zastrow
Gillespie			

**Nays, 1:**

Ridout

**Absent or not voting, 6:**

Doud	Mercer	Utzig	Weichman
Fletcher	Molison		

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

Senator Parker asked and received unanimous consent to take up Senate File 156, a bill for an act to amend section one hundred forty-seven point seventeen (147.17), Code 1950, relating to general provisions of the practice acts to change the provisions governing medical examiners.

On motion of Senator Parker, the report of the committee recommending passage was taken up, considered, and the report of the committee adopted.

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

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

**Ayes, 44:**

Anderson	Hart	Myrland	Van Eaton
Augustine	Hattery	Nesmith	Van Patten
Bateson	Hedin	Oltman	Vest
Bekman	Henningsen	O'Malley	Walter
Berg	Hultman	Parker	Watson of
Byers	Humbert	Prentis	O'Brien
Colburn	Jacobson	Ridout	Watson of
Dailey	Knudson	Risk	Pottawattamie
Dykhouse	Linnevold	Roberts	West
Elthon	Lord	Sharp	Whitehead
Fishbaugh	Lynes	Tudor	Zastrow
Gillespie	McCarville		

**Nays, none.**

**Absent or not voting, 6:**

Doud	Mercer	Utzig	Weichman
Fletcher	Molison		

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

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

Senator Elthon took the chair at 2:25 p.m.

Senator Lord asked and received unanimous consent to take up Senate File 161, a bill for an act authorizing a patent to issue to the southeast quarter (SE $\frac{1}{4}$ ) of the southwest quarter (SW $\frac{1}{4}$ ) of section sixteen (16), township seventy-eight (78) north, range two (2), west of the 5th P.M., Muscatine County, Iowa.

On motion of Senator Lord, the report of the committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Lord moved that the bill be read a third 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:**

Anderson	Hart	Myrland	Van Eaton
Augustine	Hattery	Nesmith	Van Patten
Bateson	Hedin	Oltman	Vest
Bekman	Henningsen	O'Malley	Walter
Berg	Hultman	Parker	Watson of
Byers	Humbert	Prentis	O'Brien
Colburn	Jacobson	Ridout	Watson of
Dailey	Knudson	Risk	Pottawattamie
Dykhouse	Linnevoold	Roberts	West
Elthon	Lord	Sharp	Whitehead
Fishbaugh	Lynes	Tudor	Zastrow
Gillespie	McCarville		

**Nays, none.****Absent or not voting, 6:**

Doud	Mercer	Utzig	Weichman
Fletcher	Molison		

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

Senator Dailey moved that the 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 Doud asked and received unanimous consent to take up Senate File 108, a bill for an act to amend section two hundred twenty-nine point nine (229.9), Code 1950, relating to the findings and orders of the county commission of insanity.

On motion of Senator Doud, the report of the committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Doud asked and received unanimous consent that action on Senate File 108 be deferred and that the bill be placed on the calendar under unfinished business.

President Nicholas took the chair at 3:00 p.m.

Senator Bekman asked and received unanimous consent to take up for consideration Senate File 243, a bill for an act to amend section six hundred eighty-two point twenty-six (682.26), Code 1950, relating to the release and discharge of investments and liens of fiduciaries, and to legalize releases of liens heretofore made by fiduciaries.

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:**

Anderson	Gillespie	McCarville	Van Eaton
Augustine	Hart	Myrland	Van Patten
Bateson	Hattery	Nesmith	Vest
Bekman	Henningsen	Oltman	Walter
Berg	Hultman	O'Malley	Watson of
Byers	Humbert	Parker	O'Brien
Colburn	Jacobson	Ridout	Watson of
Dailey	Knudson	Risk	Pottawattamie
Doud	Linnevold	Roberts	West
Dykhouse	Lord	Sharp	Whitehead
Elthon	Lynes	Tudor	Zastrow
Fishbaugh			

**Nays, none.**

**Absent or not voting, 7:**

Fletcher	Mercer	Prentis	Weichman
Hedin	Molison	Utzig	

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

Senator Berg asked and received unanimous consent to take up

Senate File 217, a bill for an act to change the name of the state school for the blind to the Iowa Braille and Sight-Saving School.

On motion of Senator Berg, the report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Berg asked and received unanimous consent that action on Senate File 217 be deferred and that the bill be placed on the calendar under unfinished business.

Senator Dailey asked and received unanimous consent to take up House File 169, a bill for an act relating to the change in name of the Soldiers' Orphans Home to the Iowa Annie Wittenmyer Home.

On motion of Senator Dailey, the report of committee recommending amendment, in accordance with the amendment by Senator Dailey, and passage was taken up, considered, and the report of the committee adopted.

Senator Dailey submitted the following amendment and moved its adoption:

Amend House File 169 as follows:

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

Section 1. Section two hundred eighteen point one (218.1), Code 1950, is amended by striking all of subsection eleven (11) and inserting in lieu thereof the following: "11. The Iowa Annie Wittenmyer Home."

Sec. 2. Section two hundred eighteen point eighty (218.80), Code 1950, is amended by striking from lines three (3) and four (4) of subsection one (1) the words, "soldiers' orphans home" and inserting in lieu thereof the following: "The Iowa Annie Wittenmyer Home".

Sec. 3. Section two hundred fifty-five point twenty-eight (255.28), Code 1950, is amended by striking from lines three (3) and four (4) the words, "the soldiers' orphans home" and inserting in lieu thereof the following: "The Iowa Annie Wittenmyer Home".

Sec. 4. Section four hundred forty-four point twelve (444.12), Code 1950, is amended by striking from line nineteen (19) the words, "the Iowa soldiers' orphans home" and inserting in lieu thereof the following: "The Iowa Annie Wittenmyer Home".

2. Amend the title by striking all after the words "An Act" and inserting in lieu thereof the words "relating to the change in name of the soldiers' orphans home to The Iowa Annie Wittenmyer Home."

The amendment was adopted.

Senator Dailey moved that the bill be read a third 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:

Anderson	Fishbaugh	Lynes	Van Eaton
Augustine	Gillespie	McCarville	Van Patten
Bateson	Hart	Nesmith	Vest
Bekman	Hattery	Oltman	Watson of
Berg	Hedin	O'Malley	O'Brien
Byers	Henningsen	Parker	Watson of
Colburn	Hultman	Ridout	Pottawattamie
Dailey	Humbert	Roberts	West
Doud	Jacobson	Sharp	Whitehead
Dykhouse	Linnevold	Tudor	Zastrow
Elthon	Lord		

Nays, 1:

Knudson

Absent or not voting, 9:

Fletcher	Myrland	Risk	Walter
Mercer	Prentis	Utzig	Weichman
Molison			

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

#### EXPLANATION OF VOTE

Senator Knudson asked and received unanimous consent to have the following explanation printed in the Senate Journal:

"I voted "nay" on House File 169 because I fear that we are establishing a precedent that will tend to destroy recognition of the fact that the institutions that bear names having local application are not state institutions. I repeat, I feel it is a bad precedent."

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 3 and House File 9.

**JAMES H. NESMITH**, *Chairman Senate Committee.*  
**ELMER A. BASS**, *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 3 and House File 9.

## BILL SENT TO THE GOVERNOR

Senator Nesmith, 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, 1951, sent to the Governor for his approval: Senate File 3.

JAMES H. NESMITH, *Chairman.*

Passed on file.

## BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on February 15 the Governor had approved the following bills:

Senate File 1, relating to a budget and financial control committee.

Senate File 48, relating to hospital bonds for the city of Spencer, Iowa.

Senate File 69, relating to Consolidated School District of Ainsworth, Washington County, Iowa.

Senate File 189, relating to special limitations of interest in real estate.

## BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following assignment of bills to committee:

- S. F. 334 Judiciary 1
- S. F. 335 Social security
- S. F. 336 Social security
- S. F. 337 Judiciary 1
- S. F. 338 Judiciary 1
- S. F. 339 Social security
- S. F. 341 Public health
- S. F. 342 Judiciary 2
- S. F. 343 Cities and towns
- S. F. 344 Cities and towns
- S. F. 345 Schools and educational institutions
- S. F. 346 Appropriations
- S. F. 347 Appropriations
- S. F. 348 Appropriations
- S. F. 351 Compensation of public officers and employees
- S. F. 352 Tax revision
- S. F. 353 Judiciary 2
- S.J.R. 4 Mines and mining

- H. F. 88 Tax revision
- H. F. 117 Judiciary 1
- H. F. 125 Public health
- H. F. 319 Schools and educational institutions

#### REPORTS OF COMMITTEES

Senator Doud submitted the following report:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **Senate File 298**, a bill for an act relating to the renewal of teachers' certificates, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ALDEN L. DOUD, *Chairman*.

Ordered passed on file.

Senator Linnevold submitted the following report:

MR. PRESIDENT: Your committee on election reform to which was referred **Senate File 34**, a bill for an act relating to nominations by non-party organizations, begs leave to report it has had the same under consideration and recommends the same **do pass**.

WM. LINNEVOLD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on election reform to which was referred **Senate File 36**, a bill for an act to amend section forty-three point forty-one (43.41), Code 1950, and repealing section forty-three point forty-four (43.44), Code 1950, relating to the change of party affiliation at primary election, begs leave to report it has had the same under consideration and recommends the same **do pass**.

WM. LINNEVOLD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on election reform to which was referred **Senate File 42**, a bill for an act relating to the selection of counting boards—duties, begs leave to report it has had the same under consideration and recommends the same **do pass**.

WM. LINNEVOLD, *Chairman*.

Ordered passed on file.

Senator Watson of O'Brien submitted the following report:

MR. PRESIDENT: Your committee on highways to which was referred **House File 59**, a bill for an act relating to classification, jurisdiction, control, establishment, alteration and vacation of highway, begs leave to



report it has had the same under consideration and recommends the same **do pass**.

HARRY E. WATSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to which was referred **Senate File 199**, a bill for an act to amend section three hundred eight A point three (308A.3), Code 1950, relating to the apportionment of the road use tax fund to cities and towns which have been incorporated since the taking of the federal census of 1940 and prior to the census of 1950, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HARRY E. WATSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to which was referred **Senate File 200**, a bill for an act to amend section three hundred eight A point three (308A.3), Code 1950, relating to the apportionment of the road use tax fund to cities and towns whose corporation status has been changed since the latest federal census, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HARRY E. WATSON, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 61 as follows: strike all of line 8 and line 9 up to the word "for" in line 9.

HARRY E. WATSON.

Amend Senate File 246 as follows:

1. Strike all after the enacting clause and substitute in lieu thereof the following:

Section 1. In all actions or in proceedings in probate where an order, judgment or decree has been entered prior to July 4, 1951, based upon service of notice by publication as provided by Rule Sixty (60) of the Iowa Rules of Civil Procedure or any statute authorizing publication of notice or upon service of notice by publication or posting pursuant to authorization or direction of any court of competent jurisdiction in the State of Iowa, all such orders, judgments or decrees are hereby declared valid and of full force and effect, unless an action shall be commenced within the time provided in section two (2) hereof to question such order, judgment or decree, or any right or status created, confirmed or existing thereunder.

Sec. 2. No action shall be maintained in any court to question any such order, judgment or decree, or any right or

status created, confirmed or existing thereunder unless such action shall be commenced within one (1) year from July 4, 1951.

Sec. 3. The provisions of section six hundred fourteen point eight (614.8), Code 1950, as to the rights of minors and insane persons and any other provision of law fixing or extending the time within which actions may be commenced shall not be applicable to extend the time within which any such action shall be commenced beyond one (1) year after July 4, 1951.

Sec. 4. This act shall not affect pending litigation and shall not operate to revive rights or claims previously barred, or permit any action to be brought or maintained upon any claim or cause of action which was barred by any rule, law or statute in force prior to July 4, 1951.

Sec. 5. If any clause, sentence, paragraph, section or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of the act, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment has been rendered.

FRANK C. BYERS.

Amend Senate File 343, section 8, lines 2 and 8, by capitalizing the word "the".

CHARLES S. VAN EATON.

Amend Senate File 344 by adding the following section thereto: "This Act shall be in full force and effect from and after its publication in The Coggon Monitor, a newspaper published at Coggon, Iowa, and The Anthon Herald, a newspaper published at Anthon, Iowa."

CHARLES S. VAN EATON.

On motion of Senator Elthon, the Senate adjourned until 10:30 a.m., Monday, February 19, 1951.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 19, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Father John J. Nels, pastor of the St. Mary's Catholic Church, Centerville, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Berg for the day on request of Senator Elthon.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Dailey, from H. C. Fromm, secretary, and members of the Burlington Protestant Mutual Fire Insurance Association in opposition to proposed legislation relating to the licensing of insurance agents.

By Senator Doud, from members of the board of education of the Jesup, Buchanan County, Consolidated School, favoring an increase in state aid to schools.

By Senator Hedin, from members of the Scott County board of social welfare favoring proposed legislation relating to the licensing of children's boarding homes.

By Senator Mercer, from volunteer firemen of East Amana, Johnson County, favoring proposed legislation relative to volunteer firemen.

By Senator Molison, from county officials and employees of Poweshiek County favoring an increase in salary for county officials.

## INTRODUCTION OF BILLS

Senate File 363, by Senators Bekman, Dykhouse and Hedin, a bill for an act to amend section one hundred seventeen point eleven

(117.11), Code 1950, relating to salary of director of real estate commission.

Read first and second times, and passed on file.

Senate File 364, by Senator O'Malley, a bill for an act to amend chapter ninety-seven (97), Code 1950, relating to old age and survivors' insurance and providing refunds in certain situations.

Read first and second times, and passed on file.

Senate File 365, by Senator Zastrow, a bill for an act to amend section ninety-six point eleven (96.11), Code 1950, relating to duties of the state advisory council.

Read first and second times, and passed on file.

Senate File 366, by committee on aeronautics, a bill for an act to transfer from the general fund of the State of Iowa to the state aviation fund the sum of fifteen thousand dollars (\$15,000) each year of the biennium beginning July 1, 1951, and ending June 30, 1953.

Read first and second times, and placed on the calendar.

Senate File 367, by Senator Bekman, a bill for an act relating to the deposit of fees collected from practitioners of cosmetology and the use of said fees and to amend sections one hundred fifty-seven point eight (157.8) and one hundred fifty-seven point fourteen (157.14), Code 1950, relating thereto.

Read first and second times, and passed on file.

Senate File 368, by Senators Sharp and Jacobson, a bill for an act to permit and provide for conveying to the United States certain lands in Allamakee and Clayton Counties in the State of Iowa.

Read first and second times, and passed on file.

Senate File 369, by Senators Dykhouse and Ridout, a bill for an act to prohibit the placing of any materials or waste materials from privately owned lands caused by dredging, pumping, washing or processing operations, into any streams, lake, marsh or lands under the control of the state conservation commission nor dump, place or cause to be placed, any deleterious materials into any streams, lakes, marsh or lands, under the control of the commission.

Read first and second times, and passed on file.

Senate File 370, by Senator Dykhouse, a bill for an act relating to the prohibited destructive acts on lands or waters of the state and to amend chapter one hundred eleven point thirty-five (111.35), Code 1950.

Read first and second times, and passed on file.

Senate File 371, by Senator Doud, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of twenty-two thousand dollars (\$22,000) of revenue waterworks bonds of the town of Keosauqua, Iowa, and delaring said bonds issued pursuant to said proceedings to be enforceible obligations against the net revenue of the water plant and system of said town of Keosauqua, Iowa.

Read first and second times, and passed on file.

President pro tempore Hart took the chair at 10:45 a.m.

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

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

Senator Oltman of Buena Vista moved that a committee of six be appointed to notify Erle Cocke, Jr., national commander of the American Legion, Governor William S. Beardsley and Robert H. Bush, American Legion Department Commander of Iowa, that the joint convention was ready to receive them.

Motion prevailed and the President appointed Senators Oltman of Buena Vista, Hattery of Story and Bateson of Hardin, on the part of the Senate, and Representatives Lucken of Plymouth, Burrows of Benton and Ramseyer of Washington, on the part of the House.

The committee waited upon Mr. Cocke, Governor Beardsley and Mr. Bush and escorted them to the Speaker's station.

President Hart then presented Lieutenant Governor William H. Nicholas, who made the following remarks:

**NATIONAL COMMANDER COCKE, GOVERNOR BEARDSLEY, MR. SPEAKER, MEMBERS OF THE JOINT CONVENTION:**

Before I introduce our honored speaker, there are several notable guests here today, and, as I call their names, will they please stand, and will you hold your applause until they have all been introduced.

Don Wilson, national chairman of the foreign relations committee; Chet Trumbull, department commander of South Dakota; Sid Smith, department commander, Idaho; Bill Elkins, department commander, Texas; Robert Bush, department commander, Iowa; Paul A. Turnquist, national executive committeeman from Iowa.

At this time it gives me great pleasure to present to you Erle Cocke, Jr., from Dawson, Georgia, national commander of the American Legion. Commander Cocke has a brilliant war record, was a prisoner of war, wounded on several occasions, spent months in Army hospitals, and is now one of the most vigorous commanders of the American Legion that the American Legion has ever had. National Commander Erle Cocke, Jr., of Dawson, Georgia.

Commander Cocke addressed the joint convention as follows:  
**MR. PRESIDENT, YOUR EXCELLENCY THE GOVERNOR, THE SPEAKER, LADIES AND GENTLEMEN OF THIS DISTINGUISHED ASSEMBLAGE:**

I assure you it's a genuine pleasure to be here. On such occasions as this it is in most remembrance to be in a building that looks so much like the state capitol where the legislature meets in Georgia, and I am sure that sometimes it probably acts that way, too, with the exception that we only have one Republican in the House of Representatives in our great state. And we have the misfortune, or fortune, of ever having had two governors at the same time. But I assure you it is a genuine pleasure to come before such a distinguished group wherein, on behalf of the American Legion, I have had the opportunity of speaking before some eighteen state legislatures similar to yours and on the problems of the day. I recognize it's not an honor that you bestow upon me as an individual, but upon the organization of the American Legion. Not only for all that it stands for on the national level, but that here in Iowa you have done a great job, and I certainly come to say that your department is one of the most outstanding in American Legion activities, and one that we recognize as being one of the leaders in the forefront of the American Legion's national position. Then, too, the Department of Iowa has asked me to come before you and thank you for the splendid cooperation that you have rendered in their behalf in the past legislation that they have recommended, so I assure you it is a pleasure to come and be a part of such an assemblage.

The national commander of the American Legion has many chores to perform, particularly when you recognize that this is the forty-second state that I have been in in fifteen weeks. It means that you have an opportunity to see America at the grass roots, to see America where most Americans really come from, and not those that ultimately end up in

Washington. We believe that the American Legion reflects what the American people are really like as no other organization on the national scene today. It reflects the position of the crossroads of America, as well as the courthouses and the main streets. That reflection, when interpreted, means a prepared and more determined people than we've ever had before. One that is destined to rise to such an occasion as will present itself to us in a seven to ten year type of conflict, the type of conflict that as a nation it's important for all of us to see that we are prepared, and we are probably in better shape today than most people realize, because the year 1951 is not like the year 1942. It would be better compared to the year 1944, or certainly the latter weeks of 1943, if we mean our progress in industrial production. It's important to be sure that we do afford ourselves a genuine opportunity to be prepared and to foster and perpetuate as soon as possible the type of Americanism that will make this nation gigantic in its influence to carry on the leadership for which we have asked ourselves in international problems. That leadership today demands the cooperation of every citizen of this nation and, as we go about the means of gearing ourselves to war, we find a new thought and new action throughout this nation of ours, one that says it's high time that we all quit talking about whom are we going to fight and recognize the fact that we have been fighting a Soviet influence and a Soviet-dominated world for now some eight months. It's important, to be sure, that we recognize that if we are to operate in Europe as we have operated in the Pacific we might again tie the hands of another commander as to who sends troops and where they should be sent, that certainly the question should be decided prior to the time that General Eisenhower sets up his headquarters in Paris, because if you don't, you will be tying the hands of General Eisenhower on the matter of whether he will have the quantity of troops to maintain the position of the United States in Europe, or you'll be putting him in the same basket in which you have already put General MacArthur. In a matter of six hours the first case of international banditry, that of North Korea, was handled in quick and decisive action, so fast that Malik couldn't even get a message back to Moscow and find out whether he should go to the meeting and veto or not. That's how fast it was. Then we went through a process of three and a half months of fighting both with the Red Chinese in Korea and with the Red Chinese sympathizers at the U. N. And finally we had a group that went along with us in a watered-down resolution. It's rather funny that, as we have reviewed the situation today and can easily understand the calculated risk such as they talked about when Chiang Kai-shek first offered to place 300,000 troops from a base of some 600,000 at our disposal, we declined because Red China might be offended by the action. Well, we've been fighting Red China four and a half months. We have even had Red China declared an aggressor for some six or seven constant periods of operation. It is a matter of some six weeks now that we have had backing and support in a general way and in a crystal form for three weeks, and yet there has been no blockade of Chinese ports, and there has been no bombing of China. Yet, now the American people feel a little closer to what's going on, a little more feeling in their appreciation for the fact that it's

important to work together and to draw together all elements in the nation that will work together for the defense of this nation, and as we go about the mission in the Legion at this time we believe that the American public wants to know what is going on. They want also the facts as we recognize them and the type of people that we are fighting; we might as well recognize what we're fighting just as Stalin puts out the information himself. His propaganda statement of several days ago is the same type of propaganda shield that we have found on many occasions wherein they make one statement today to offset something that's probably going on somewhere else. It's important that we as a nation take a minute or two to reflect on what has happened. Stalin makes a statement that they're not fighting—any Reds—except individual volunteers. Well, let's assume that all of those people that are fighting there in Korea volunteered their services. Well, why shouldn't we take upon ourselves the chance to fight the Communistic infiltration on an individual level and be sure that every individual is so put together that he will fight as an individual for purposes of eliminating many from the chance of making war on this nation? I can talk to you a few minutes about civil defense. I can talk to you about the importance of being sure that you as a nation today have a civil defense program powerful enough not to be outmoded by the time it will be used, one that must be constantly kept up to date for a period of ten, fifteen or twenty years, and certainly that's important. I'm sure that before your splendid legislature you'll consider the possibility of bomb shelters. Bomb shelters may be effective and helpful, but did you ever think that it would probably be a better idea that if we're going to assume the position of looking after people and fighting individual Communists it would be a good idea to build a few jails and put all these individuals in the same spot?

It's impossible today to speak on every issue, and know all of the answers. We of the Legion do not. We feel that the position we have taken in the defense of this nation and for the urging of preparedness rests with the representatives in our legislatures and at every echelon of government wherein you have a responsibility to assume for defense purposes for your state and for your communities; therefore, it behooves all of us to assume the responsibilities today of knowing what's going on, to be informed and, as we're informed, to discount in advance the problems that we will face, problems that will last us for probably the extent of your generation, and certainly bring in more problems that you as a group will have to face in the future, but you certainly are making a step forward when you solve them well in advance. So I come before you as a member of the American Legion, speaking out for the patriotic Americans who feel that Communism should be attacked, and that, as it is attacked, it's attacked as far forward as possible. We've lost ground in the last five years of a cold war, two and a half years of which we operated without even recognizing that it was a cold war. And now, as we reflect, those of us who were in the second world war, who thought we did a pretty good job in the conflict between 1941 and 1945, we now realize that we didn't do such a good job, if you look at a balance sheet on what's happened since, and the land that has been captured by



the Kremlin-directed warmongers of that nation and then realize that they have taken more ground and captured more people than were liberated from the Axis; it makes the '41-'45 war a little less effective, except to those that have paid the supreme sacrifice. We cannot underestimate the gallantry of those who have gallantly defended this nation in the past. It's going to take more gallant people; the youth of your state will serve and train during the next two to five years, and they will do it in the same spirit of interest of protecting America as they have in every generation before and as the generations will pass on, because the heel of oppression will never rest in this nation as long as the American Legion can fold and mold the democratic voice of the American people as they see it. I say to you, rather sincerely, that today is a most important day in the lives of all of us. We must recognize that we must begin to let the individual Communist report what we have, report the fact that if Russia starts a shooting war against us that she is signing her own death warrant, and that as she recognizes that we have just lit up the skies in Nevada, wherein we have just changed the complexion of time and space, that as we add more implements of war, we are adding more implements for the destruction of Russia. I hope that all of their fine, infiltrated rats that have come into our midst will report back that America is ready, and that they will never lead the field in industrial power. They probably have us now at a two to one lead in terms of production of war materials. We'll probably come to a one-to-one basis in production with Russia before next September, and therefore, it behooves all of us to be sure that we lose no more manpower and that we lose no more time and that each of those precious items is stockpiled, salvaging this nation in an international situation. And so, on behalf of the American Legion, as we come before such a distinguished group, recognizing that we could have stressed many more problems of importance, those problems of importance which lay in the balance of the justice wherein this nation has made itself free and independent in the past, and it's important to you to see your responsibility and your charge. Such charge shall never be pushed another step forward, because it must be a man's position to take a stand against individual Communists if that is the way they want to fight them. We must also guard against the tyranny that may come from any direction, and that as you build that system you're also building the type of principles and using the recommendations of men that have seen the experiences of war. We get credit for being rather high on Joe Stalin's warmonger list, but we are there for one purpose, and we don't care much about the positive Americanism that we manufacture; we are manufacturing the thought of salvation, the type that the spiritual interest of this nation will also uphold when our backs are to the wall. I said to you that we have backed up far enough. It's of a major importance to this nation today to be sure that everything is made a bulwark of firm and solid cement—to be sure that we yield no more, that we give no more inches, because if we lose any more inches, we can expect to lose several miles. We've lost all the miles that we can. Today it's imperative to be sure as a nation that we stand up and are counted and to be sure that those nations that are with us will not be reluctant as they rearm themselves, but that

they be enthusiastic as they rearm themselves. They should be as enthusiastic for their own salvation as we are for ours. Until we have such enthusiasm, then the mission of the American people today has not been transplanted throughout the people that think as we do throughout this world, and I say to you, rather sincerely again, that it's important that the people of this country recognize that as you build a system of civil defense you're building your own protection. That protection will ultimately mean the first step toward the survival of this community and this nation, and I assure you that, as long as the American Legion is here, the battle of survival will not go by default. Thank you very much.

The minutes of the joint convention were read and approved.

Goode of Davis moved that the joint convention be now dissolved.

Motion prevailed.

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

#### PRESENTATION OF VISITORS

Senator Dailey asked and received unanimous consent to present to the Senate Paul R. Hesser, commander, American Legion Post 52, Burlington, who was present in the Senate chamber.

Senator Anderson asked and received unanimous consent to present to the Senate Mrs. Cora Abraham, president, Iowa Department of the American Legion Auxiliary, of Mount Pleasant, who was present in the Senate chamber.

Senator Prentis asked and received unanimous consent to present to the Senate thirty-two members of the Ringgold County Farm Bureau who were present in the balcony with Mrs. Arthur Deibert, chairwoman of the "Get out the Vote" campaign in the recent general election, and also, Richard Franklin, Ringgold County agent.

#### HOUSE FILE 19 RE-REFERRED

Senator Byers asked and received unanimous consent that House File 19 be re-referred to the committee on private corporations.

#### ADDITIONAL COPIES

Senator Watson of O'Brien asked and received unanimous consent to have 300 additional copies of Senate File 61 printed.

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

## AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

## MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 81, a bill for an act relating to headlights for railroad locomotives, power vehicles, power cars, and other equivalent equipment.

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

House File 137, a bill for an act relating to street railway regulations.

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

House File 179, 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 Senate is asked:

House File 192, a bill for an act relating to qualifications of fire and police department employees under civil service.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE MESSAGES CONSIDERED

House File 81, a bill for an act to amend section four hundred seventy-seven point twenty-two (477.22) and section four hundred seventy-seven point twenty-five (477.25), Code 1950, relating to headlights for railroad locomotives, power vehicles, power cars and other equivalent equipment.

Read first and second times, and passed on file.

House File 137, a bill for an act to amend section four hundred two point three (402.3), Code 1950, relating to street railway regulations.

Read first and second times, and passed on file.

House File 179, a bill for an act to amend section ninety-two point eleven (92.11), Code 1950, relating to employment of persons under sixteen (16) years of age.

Read first and second times, and passed on file.

House File 192, a bill for an act to amend section three hundred sixty-five point thirteen (365.13), Code 1950, relating to chiefs of

police and chiefs of fire departments under civil service, and section three hundred sixty-five point seventeen (365.17), Code 1950, relating to qualifications of fire and police department employees under civil service.

Read first and second times, and passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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, 223 and 226.

JAMES H. NESMITH, *Chairman Senate Committee.*  
ELMER A. BASS, *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, 223 and 226.

#### BILLS SENT TO THE GOVERNOR

Senator Nesmith, 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, 1951, sent to the Governor for his approval: Senate Files 96, 223 and 226.

JAMES H. NESMITH, *Chairman.*

Passed on file.

#### PROOFS OF PUBLICATION

Published copy of Senate File 256 and verified proof of publication of said bill in the Pella Chronicle on February 15, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

Published copy of Senate File 371 and verified proof of publication of said bill in the Van Buren County Register, Keosauqua, on February 15, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE, *Secretary of Senate*

## REPORTS OF COMMITTEES

Senator Jacobson submitted the following report:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade to which was referred **Senate File 102**, a bill for an act to amend section one hundred sixteen point six (116.6) and section one hundred sixteen point eleven (116.11), Code 1950, relating to the practice of accountancy, 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 102 as follows:

1. Section 1, line 4, by inserting after the word "person" the word "who".

2. By striking all of section 2 and inserting in lieu thereof the following:

Sec. 2. Section one hundred sixteen point eleven (116.11), Code 1950, is amended by inserting in line sixteen (16) after the word "auditor of state" the following: "or file with the auditor of state a certificate issued by an insurance carrier stating that a policy has been issued to such person insuring his liability to the extent of said sum".

ARTHUR H. JACOBSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade to which was referred **Senate File 157**, a bill for an act to amend and revise the state plumbing code, to provide for the licensing and regulation of plumbers and the investigation and inspection of plumbing installations for the protection of public health of the state, begs leave to report it has had the same under consideration and recommends the same **do pass.**

ARTHUR H. JACOBSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade to which was referred **Senate File 232**, a bill for an act relating to the definition of "fireworks", begs leave to report it has had the same under consideration and recommends the same **do pass.**

ARTHUR H. JACOBSON, *Chairman.*

Ordered passed on file.

Senator Hattery submitted the following report:

MR. PRESIDENT: Your committee on banks, building and loan to which was referred **Senate File 250**, a bill for an act relating to off street parking and issuance of revenue bonds, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN R. HATTERY, *Chairman.*

Ordered passed on file.

Senator Byers submitted the following report:

**MR. PRESIDENT:** Your committee on judiciary 2 to which was referred **House File 17**, a bill for an act to amend section three hundred forty-five point one (345.1), Code 1950, relating to expenditures of county boards of supervisors, 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 Sharp submitted the following report:

**MR. PRESIDENT:** Your committee on public lands and buildings to which was referred **Senate File 216**, a bill for an act to provide for the termination of contracts for the construction of public improvements when construction or work thereon is stopped because of a national emergency, and to prescribe procedures, the adjustment and payment of compensation, and to provide a method for settlement of disputes in connection therewith, 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 7, subsection 1, of Senate File 216, by striking from line 3 the following: "public schools, corporations," and inserting in lieu thereof the following: "public school corporations,".

2. Amend section 8 to read as follows:

"This act being deemed of immediate importance shall be in full force and effect upon its publication in The Clayton County Register, a newspaper published at Elkader, Iowa, and in The Oakland Acorn, a newspaper published at Oakland, Iowa."

**F. E. SHARP, Chairman.**

Ordered passed on file.

Senator Colburn submitted the following report:

**MR. PRESIDENT:** Your committee on appropriations to which was referred **Senate Joint Resolution 2**, a joint resolution creating a special committee to survey the present and future needs and the proposed use of advanced education facilities in the State of Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass**.

**JAY C. COLBURN, Chairman.**

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on appropriations to which was referred **House Concurrent Resolution 6**, a joint resolution providing that the bills totaling \$14,542.79, authorized by legislative action, are hereby approved and ordered paid as provided by section two point twenty (2.20), Code 1950, begs leave to report it has had the same under consideration and recommends the same **do pass**.

**JAY C. COLBURN, Chairman.**

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 92**, a bill for an act authorizing the executive council to purchase a strip and certain parcels of land in Jones County from the Chicago and North Western Railway Company and to provide an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAY C. COLBURN, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 18 by adding thereto a new section as follows:

"Section three hundred sixty-five point six (365.6), subsection one (1), Code 1950, is hereby amended by inserting in line four (4) of paragraph (a) thereof, after the words 'market master' the words 'city manager and administrative assistants to the manager'."

JOHN R. HATTERY and J. T. DYKHOUSE.

Amend Senate File 93 by adding thereto section 9 as follows: "Nothing in this bill shall affect pending proceedings or litigation brought under any provisions of chapter three hundred sixty-two (362), Code 1950, prior to the effective date of this enactment." and renumber section nine (9) of the pending bill as section ten (10).

COMMITTEE ON CITIES AND TOWNS,  
J. T. DYKHOUSE, *Chairman*.

Amend the amendment to Senate File 101 filed on February 13, 1951, by Bekman, Dykhouse and Henningsen by striking from line three (3) the word "and" and inserting in lieu thereof the words "or fire and".

E. K. BEKMAN.  
J. T. DYKHOUSE.  
O. H. HENNINGSEN.

Amend Senate File 163 as follows:

1. Insert a comma (,) after the word "corporation" in line 3 of section 3.
2. Insert after the word "fees" in line 11 of section 3 the following: " , provided, however, that any businesses licensed by municipal corporations under the provisions of any other section of this act shall not be required to obtain an additional license."
3. Insert after the word "include" in line 4 of section 5 the words "the authority to abate".

4. Insert after the word "storage," in line 4 of section 11 the word "handling,".

5. Insert after the word "therefor." in line 10 of section 39 the following: "Notice of any proposal to dispose of real property under the provisions of this section shall be given by publication once each week for two consecutive weeks in the manner provided by section six hundred eighteen point fourteen (618.14). The last of said publications shall appear not less than ten days before the meeting of the council at which said proposal is to be acted on."

6. Strike the words "annually checked" from line 7 of section 40 and insert in lieu thereof the words "checked annually".

JOHN R. HATTERY.  
J. T. DYKHOUSE.

Amend Senate File 313, section 1, line 1, by inserting after the word "shall" the words ", for a fee or other considerations,".

Further amend Senate File 313, section 1, line 3, by striking the ", " after the word "department" and inserting in lieu thereof the following "of agriculture,".

Further amend Senate File 313, section 1, line 4, by striking the word "the" and inserting in lieu thereof the word "that".

RAYMOND R. GILLESPIE.

Amend Senate File 329 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Section thirty-five A point four (35A.4), Code of 1950, is hereby amended as follows:

"The surviving unremarried widow or widower, child or children, stepchild or stepchildren, mother, father, or person standing in loco parentis, in the order named and none other, of any deceased person, shall be paid the compensation that such deceased person would be entitled to under this chapter, if living, except in case the parents of such deceased person have been divorced prior to the entry of such deceased person into the armed forces of the United States, and custody of such deceased person has been granted to one or the other of such parents, the parent to whom custody of such person has been granted by court order or decree shall be considered the eligible beneficiary for such compensation as may be payable according to the terms of this act, and the parent not so awarded custody shall be ineligible. In case a natural parent has abandoned or deserted his or her child or children prior to the time of their entry into the armed forces of the United States, such abandoning or deserting parent shall not be considered to be an eligible beneficiary to whom compensation may be paid under the provisions of this act and the beneficiary next in line as hereinabove provided shall be recognized as the eligible beneficiary; but, if any person has heretofore died or shall



hereafter die, from service connected causes incurred between September 16, 1940, and December 31, 1946, the first of survivors as hereinbefore designated and in the order named, shall be paid five hundred dollars, regardless of the length of such service. The World War II Service Compensation Board is hereby authorized and empowered to hold hearings and make findings of fact and determine the order of eligibility of beneficiaries in cases involving, or wherein desertion or abandonment of such child or children has been charged and the findings and determination of the board in such cases shall be final."

Sec. 2. Section thirty-five A point eight (35A.8), Code 1950, is hereby amended by striking from line seven (7) the following: "December 31, 1950", and substituting in lieu thereof the following: "July 1, 1951".

Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Clayton County Register, a newspaper published at Elkader, Iowa, and in The Mediapolis New Era, a newspaper published at Mediapolis, Iowa.

F. E. SHARP.

Amend Senate File 93 by adding after the word "defendant" in section 7, line 37, the following words: "as shown by the plat books in the office of the county auditor."

COMMITTEE ON CITIES AND TOWNS,  
J. T. DYKHOUSE, *Chairman*.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 20, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend S. P. Williamson, pastor of the First Christian Church, Fairfield, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Doud, from Alois A. Kaufman, secretary of the board of directors of the Independent School District of Dubuque, in opposition to an increase in state aid to the public schools of Iowa in any form other than general aid.

By Senator Oltman, from county officers and deputies of Buena Vista County favoring an increase in salary for county officials.

By Senator Ridout, from residents of Emmet County in opposition to proposed legislation permitting county recorders to retain a percentage of fee collected in hunting and fishing licenses; also, from members of the Izaak Walton League favoring the use of live pigeons in hunting.

By Senator Tudor, from Charles Marvin, secretary of the Farmers Mutual Aid Association of Jackson, Clinton and adjoining counties, in opposition to proposed legislation relating to the licensing of insurance agents.

By Senator Van Eaton, from members of the faculty of the Merville, Woodbury County, Public Schools in opposition to proposed legislation relating to the minimum wage for teachers.

By Senator Walter, from residents of Marshall County favoring the repeal of rent control.

## INTRODUCTION OF BILLS

Senate File 372, by committee on governmental affairs, a bill for an act relating to tax administration and to abolish the state tax commission and transfer its powers and duties relating to general

tax administration and collection to the treasurer of state and to create a board of tax appeals and review and transfer to said board all powers and duties of the tax commission relating to tax appeals and review.

Read first and second times, and placed on the calendar.

Senate File 373, by committee on governmental affairs, a bill for an act to create a department of finance and to abolish the department of banking, the department of insurance, the securities department, the division of building and loan under the auditor of state, and the real estate commission and to transfer their powers and duties to the department of finance and to transfer the administration of laws relating to small loan and finance companies and chattel loans to the department of finance.

Read first and second times, and placed on the calendar.

Senate File 374, by committee on governmental affairs, a bill for an act to create a department of conservation and natural resources and to abolish the Iowa natural resources council, the state conservation commission, the state soil conservation committee, and the geological board and to transfer their powers and duties to said department of conservation, and to transfer certain powers and duties of the executive council to said department.

Read first and second times, and placed on the calendar.

Senate File 375, by committee on governmental affairs, a bill for an act to create in the office of the secretary of state a division of occupational registration; to define the duties of said division; to transfer license issuing, clerical, and other administrative duties from certain examining boards to said division; and to amend various sections of the Code relating thereto.

Read first and second times, and placed on the calendar.

Senate File 376, by committee on governmental affairs, a bill for an act to place the office of the state fire marshal under the direction of the attorney general, and to transfer from the secretary of agriculture to said office certain powers and duties relating to the inspection of publicly used buildings.

Read first and second times, and placed on the calendar.

Senate File 377, by committee on governmental affairs, a bill for an act to transfer the division of bonded warehouses from the jurisdiction of the commerce commission and place it under the department of agriculture.

Read first and second times, and placed on the calendar.

Senate File 378, by committee on governmental affairs, a bill for an act to abolish the commission on uniform state laws.

Read first and second times, and placed on the calendar.

Senate File 379, by committee on governmental affairs, a bill for an act to transfer the office of commerce counsel from the jurisdiction of the commerce commission and to transfer all powers and duties of said office to the attorney general.

Read first and second times, and placed on the calendar.

Senate File 380, by Senators McCarville, Lynes, Augustine and Ridout, a bill for an act granting to the "Public Service Commission of Iowa" certain authority and powers; designating its proceedings and procedure; defining terms used in act; enumerating the duties of the commission; providing penalties for violation of commission orders or provisions of this act; specifying services to be provided and rates to be charged; providing regulations with which utilities, as defined by this act, must comply to do business within state; designating requirements for organization and regulation of a utility, as defined by this act; authorizing commission to intercede in contract negotiations; providing for granting of facilities of one utility to another; providing for valuation of utility property by commission; providing for accounting systems, examination and audits, and publication of balance sheets; providing for manner of establishing depreciation percentages; providing for information on and verification of construction costs; permitting division and distribution of surplus property by a mutually owned telephone company; requiring reports to commission and investigation of costs of reports; requiring reports from and publication by the commission; designating records of commission as public, with exceptions; requiring commission to prescribe standard commercial units of products or service; requiring filing of rate schedules and regulations and publication thereof; providing for the establishment of joint tolls; requiring investigation of interstate rates, specifying the manner in which rates may be changed and requiring

publication of changes; prohibiting discrimination in compensation for services, with exceptions; granting authority to commission to appoint agents and defining powers of such agents; providing for examination of evidence by commission; requiring utilities to fill out questionnaire and deliver documents; providing for complaints by consumers and manner of hearing same; providing for summary investigation by commission and procedure thereafter; providing for complaint by utility; providing for witness fees and mileage; providing for depositions and stenographic records; providing for transcript as evidence; authorizing fixing of reasonable rates, charges and services or to amend existing ones and requiring utilities to conform to them; providing for test on commission orders; establishing effective date of commission orders; providing for appeal to district court and the method and scope of same; providing for appeal to supreme court; providing for rehearing by commission and requiring such before appeal; providing for injunctions and restricting them; requiring testimony and production of documents although incriminating, and providing immunity; providing for the necessity of procuring orders to transact business and to make extension or improvements in certain cases; authorizing commission to require procuring of certificate of convenience and necessity, and providing procedure for same; granting commission authority to procure an injunction for violation of its orders in certain cases; prescribing procedure for indeterminate permits and extension where there is competing service; validating permits and franchises granted prior to May 1, 1951, providing for granting of indeterminate permit on surrender of existing license or franchise; providing for commission's control over contracts with affiliates and defining affiliates; providing for filing with commission all pension or allied plans and setting forth regulation controlling same and contributions to it; providing for certain requirements when financing replacements, extensions or improvements; providing for loans to officers and directors under certain circumstances and penalty for violation; requiring filing of all publicity or training material and surveys, with exceptions; denying franchises, permits and licenses to foreign corporations; establishing which licenses, permits or franchises shall be indeterminate permits; validating certain franchises and permits; prohibiting discrimination, defining same and providing a penalty; providing for treble damages against utilities in certain cases; providing for rate change where rate is based on cost of service to utility and its cost has

been changed by federal authority; providing penalty for failure of individual to comply with the provisions of this act and to utility when such failure was at direction of utility or general officer thereof; providing penalty for utilities violation of provisions of this act and holding utility liable for acts of agent; authorizing commission to temporarily alter or suspend rates in certain cases; granting to commission authority to require and direct manner of providing adequate and safe transmission lines; providing that provisions of act shall not act as waiver or release in certain cases; providing that rates of May 1, 1951, shall govern, unless prescribed procedure is followed; providing for reorganization or abandonment by utilities on commission approval; providing for payment of commission expenditures by utilities and authorizing the manner of determining and collecting same; providing for collection of bills rendered for expenditures by distress and prescribing manner thereof; placing the burden of proof in certain instances; giving precedence to provisions of this act.

Read first and second times, and passed on file.

Senate File 381, by Senators McCarville, Lynes, Augustine and Ridout, a bill for an act creating and establishing a "Public Service Commission of Iowa" providing for appointment of members, their term of office, qualifications, salary and removal; defining terms used in act; providing for office of the commission, its accounting for and disposition of funds; setting forth powers of the commission and manner of conducting its business.

Read first and second times, and passed on file.

Senate File 382, by Senators Lord, Mercer, Hart, Dailey and O'Malley, a bill for an act to amend chapter three hundred three (303), Code 1950, and to amend sections three hundred three point one (303.1), three hundred three point two (303.2) and three hundred three point three (303.3), Code 1950, to establish a state engineering and architectural library and relating to state libraries.

Read first and second times, and passed on file.

Senate File 383, by Senators Byers, O'Malley, Berg, Dailey and Hedin, a bill for an act to amend section four hundred forty-four point twelve (444.12), Code 1950, relating to payment for county psychiatric treatment.

Read first and second times, and passed on file.

Senate File 384, by Senators Doud, Prentis, Fishbaugh, Anderson, Lynes, Berg, Elthon, Hart, Dykhouse, Zastrow and Colburn, a bill for an act to make it a crime to commit acts or advocate acts intended to effect the overflow of the government of the United States or the State of Iowa or of any political subdivision thereof by violence or other unlawful means, or to attempt or conspire so to do, relating to subversive organizations generally, to the loyalty of candidates for public office and of officers and employees of the state or of any political subdivision thereof and relating to the policy of the state in giving aid to institutions which fail to report what procedures have been adopted to determine the loyalty of its officers and employees and providing for the enforcement of the provisions of said act, and providing penalties for the violations thereof.

Read first and second times, and passed on file.

Senate File 385, by Senators Prentis, Doud, Colburn, Risk, Lord and Hultman, a bill for an act relating to eligibility of members of the General Assembly to appointive offices and to amend section two point forty (2.40), Code 1950.

Read first and second times, and passed on file.

Senate File 386, by committee on military affairs, a bill for an act to amend section one point four (1.4), Code 1950, relating to federal acquisition of real estate within the State of Iowa.

Read first and second times, and placed on the calendar.

Senate File 387, by Senators McCarville and Hedin, a bill for an act requiring the operation of sewage treatment plants by licensed superintendents or operators; providing for the licensing of sewage treatment plant superintendents or operators; creating a board to examine applicants for plant superintendents or operator's license; providing for rules and regulations for administering the act; providing for the issuance of a license upon meeting qualifications established by the board and the payment of license fees; and setting forth penalties for violation of the act.

Read first and second times, and passed on file.

#### HOUSE CONCURRENT RESOLUTION 6

Senator Colburn called up the following resolution and moved the adoption of the report of the committee recommending passage.

On motion of Senator Colburn, the report of the committee was adopted.

#### 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 section two point twenty (2.20), Code 1950:

A. C. Gustafson, postage, telephone, telegraph, extra clerical hire and misc. expense during interim (House).....	\$ 158.02
A. C. Gustafson, postage for House postmaster (House).....	50.00
Addressograph-Multigraph Corp., supplies for machine (House).....	117.72
Burroughs Adding Machine Co., repairing machine (House).....	6.15
Des Moines Rubber Stamp Works, badges and rubber stamps (House) .....	134.60
International Business Machines Corp., typewriter and repair service (House) .....	396.38
Koch Brothers, supplies (House) .....	462.00
Royal Typewriter Co., typewriters (House) .....	1,964.45
L. C. Smith & Corona Typewriters, Inc., typewriters (House).....	2,470.40
Western Union, telegrams (House) .....	16.25
Northwestern Bell Telephone Co., long distance expense (House).....	9.55
Storey-Kenworthy Co., office equipment and supplies (House)....	3,677.72
Commercial Office Supply Co., supplies (Senate).....	84.00
Des Moines Rubber Stamp Works, badges (Senate).....	99.00
Hawkeye Bindery, Inc., supplies (Senate).....	11.32
International Business Machines Corp., ribbons and repair service (Senate) .....	16.66
Koch Brothers, supplies (Senate) .....	45.00
L. C. Smith & Corona Typewriters, Inc., typewriters and repair service (Senate) .....	2,593.98
Storey-Kenworthy Co., office supplies (Senate).....	18.25
Koch Brothers, binders, instruction sheets, posts (Senate and House) .....	2,142.45
Carroll Lane, postage for Senate postmaster (Senate).....	50.00

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.

On motion of Senator Prentis, the resolution was adopted.

#### PRESENTATION OF VISITORS

Senator Gillespie asked and received unanimous consent to present to the Senate the members of the senior class of the Earlham High School who were present in the balcony with their principal, George W. Bowman.

Senator Knudson asked and received unanimous consent to



present to the Senate the members of the government class of the Britt High School who were present in Senate chamber.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

**MR. PRESIDENT:** I am directed to request the return for correction of House File 86, a bill for an act to legalize the action of the board of supervisors of Polk County.

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

Senate File 72, a bill for an act to legalize and validate the proceedings taken by the town council of the town of Greene, Butler County.

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

Senate File 161, a bill for an act authorizing a patent be issued to Charles Henderson.

Also: That the House has adopted the report of the joint committee on rules, and the amendment recommended therein.

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

House File 27, a bill for an act relating to exemptions from moneys and credits taxation.

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

House File 31, a bill for an act to provide for the creation of a lien for the cost of care of inmates in Woodward State Hospital and Glenwood State School.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File 27, a bill for an act to amend subsection twenty (20) of section four hundred twenty-seven point one (427.1), Code 1950, relating to exemptions from moneys and credits taxation of the capital stock in certain manufacturing corporations.

Read first and second times, and passed on file.

House File 31, a bill for an act to amend section two hundred twenty-three point sixteen (223.16), Code 1950, to provide for the creation of a lien for the cost of care of inmates in Woodward State Hospital and Glenwood State School.

Read first and second times, and passed on file.

#### HOUSE FILE 86 RETURNED TO THE HOUSE

Senator Byers asked and received unanimous consent that House

File 86 be withdrawn from the committee on judiciary 2 and returned to the House.

#### BILL WITHDRAWN

Senator Jacobson asked and received unanimous consent that Senate File 150 be withdrawn from further consideration of the Senate.

#### SPECIAL ORDER

The hour of 10:30 a.m. having arrived, the chair announced the special order for the consideration of the municipal code study bills.

#### THIRD READING OF BILLS

On motion of Senator Dykhouse, Senate File 165, a bill for an act relating to the forms of government, classification and fiscal year of municipal corporations and to the election of officers thereof, and to repeal certain sections of chapters three hundred sixty-three (363), four hundred sixteen (416), four hundred nineteen (419), and four hundred twenty (420), Code 1950, relating thereto, and to enact a substitute therefor, and to amend various sections of the Code to conform thereto, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

President pro tempore Hart took the chair at 11:35 a.m.

Senator Henningsen offered the following amendment and moved its adoption:

Amend Senate File 165, section 7, by striking the sentence beginning with "The" in line 4 to and including the first period (.) in line 6.

The amendment was adopted.

Senator Dykhouse asked and received unanimous consent to withdraw the committee amendment filed and found on page 268 of the Senate Journal.

Senator Dykhouse offered the following amendment by Senators Dykhouse and Hattery and moved the adoption of section 1 of the amendment:

Amend Senate File 165 as follows:

1. Strike all of section 11 and insert in lieu thereof the following:

"Sec. 11. Transition from election in March, 1951. All municipal corporations except those operating under the provisions of chapter four hundred nineteen (419), Code 1950, in which the last regular municipal election was held in March, 1951, shall hold the next regular municipal election in November, 1953, as provided in section eight hereof, and the terms of office of all elective officers of said municipal corporations are hereby extended to December 31, 1953. At said election, the mayor, one-half of the members of the council, as nearly as may be, and other elective officers shall be elected for four-year terms of office, and the rest of the members of the council shall be elected for two-year terms, as provided in section twelve (12) hereof. All succeeding municipal elections shall be held as provided in section eight (8) hereof." (Temporary.)

2. Strike all of section 14 and insert in lieu thereof the following:

"Sec. 14. Certain cities with election in March, 1951. All municipal corporations operating under the provisions of chapter four hundred nineteen (419), Code 1950, in which the last regular municipal election was held in March, 1951, shall hold their next regular municipal election in November, 1953, as provided in section eight (8) hereof. In such municipal corporations the terms of incumbent elective officers are hereby extended as follows: Terms of office which expire on the first Monday in April, 1953, are extended to December 31, 1953; and terms of office which expire on the first Monday in April, 1955, are extended to December 31, 1955. Thereafter all regular municipal elections shall be held in such municipal corporations in November as provided in section eight (8) hereof." (Temporary.)

3. Strike from line 5 of section 35 the word "councilman" and insert in lieu thereof the words "any municipal office".

The motion prevailed and section 1 of the amendment was adopted.

On motion of Senator Dykhouse, the balance of the amendment was adopted.

Senator Dykhouse offered the following amendment and moved its adoption:

Amend Senate File 165 by striking section 113.

The amendment was adopted.

Senator Fishbaugh offered the following amendment and moved its adoption:

Amend Senate File 165 by striking all of sections 9, 10, 11, 12, 13 and 14.

Further amend by renumbering the remaining sections.

Senator Knudson moved the previous question on the amendment, which motion prevailed.

The amendment was lost.

Senator Hattery offered the following amendment and moved its adoption :

Amend section 23 by adding "No ballot shall have any party designation thereon".

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, 50:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevoid	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

Nays, none.

Absent or not voting, none.

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

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

AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 168.

JAMES H. NESMITH, *Chairman Senate Committee.*

ELMER A. BASS, *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 168.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 19, 1951, the Governor had approved the following bill: Senate File 3, relating to gambling devices.

COMMUNICATION FROM STATE COMPTROLLER

The following communication was received from the office of the state comptroller:

OFFICE STATE COMPTROLLER

February 20, 1951.

To the Secretary of the Senate and Chief Clerk of the House of Representatives.

In accordance with the provisions of chapter 25, Code of 1950, there are submitted herewith claims acted upon by the State Appeal Board on February 16, 1951. Each claim bears the recommendation of the board.

Claims of a general nature are numbers 127, 130, 142, 145, 147 to 152 inclusive, and 165.

R. E. JOHNSON, Chairman State Appeal Board.

No.	Name of Claimant and Nature of Claim	Amount of Claim
127	J. M. Snow, Des Moines, Iowa—Injury to left hand while an inmate of the Iowa State Penitentiary .....	\$ 1,800.00
130	Independent School District, Ames, Iowa—Tuition of pupils attending school, children of students and instructors at Iowa State College who are residing on the campus.....	31,916.53
142	Independent School District, Iowa City, Iowa—Tuition of pupils attending school, children of students and instructors at the University who are residing on the campus.....	21,252.50

No.	Name of Claimant and Nature of Claim	Amount of Claim
145	Chicago, Rock Island & Pacific R. R. Co., Chicago, Ill.—Trans- portation for two Iowa Guard officers per request of the Adjutant General's office, papers necessary for payment were lost .....	194.15
147	Estel Funeral Home, Marshall- town, Iowa—Funeral services, Amelia Sawyer, old age recipient .....	150.00
148	Town of Montrose, Montrose, Iowa—Refund of sales tax paid on purchase of fire truck.....	123.00
149	Sheriff of Marshall County, Marshalltown, Iowa—For serving of papers relative to hearings of the Cosmetology Department .....	6.00
150	Emil Hawkinson, Forest City, Iowa—Claimant states deer ate 750 bushels of corn in his field .....	840.00
151	County Treasurer, Howard County—Agricultural land tax credit refund for tax years 1949 and 1950.....	2,744.49
152	County Treasurer, Mitchell County—Agricultural land tax credit refund for tax year 1950 .....	664.68
165	Wm. H. Jacobs, Inwood, Iowa—Claimant states deer frightened his cattle causing one steer to die and damaging fences .....	400.00

Passed on file.

#### BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following assignment of bills to committee:

- S. F. 356 Social security
- S. F. 357 Compensation of public officers and employees
- S. F. 358 Ways and means
- S. F. 360 Judiciary 1
- S. F. 361 Schools and educational institutions
- S. F. 362 Cities and towns

- S. F. 363 Compensation of public officers and employees
- S. F. 364 Social security
- S. F. 365 Social security
- S. F. 367 Judiciary 2
- S. F. 368 Public lands and buildings
- S. F. 369 Conservation
- S. F. 370 Conservation
- S. F. 371 Judiciary 1
- H. F. 60 Conservation
- H. F. 81 Railroads
- H. F. 137 Public utilities
- H. F. 160 Tax revision
- H. F. 166 Social security
- H. F. 179 Manufacturing, commerce and trade
- H. F. 192 Cities and towns
- H. F. 322 Motor vehicles
- H. F. 323 Judiciary 2
- H. F. 324 Judiciary 2

#### REPORTS OF COMMITTEES

Senator Bateson submitted the following report:

**MR. PRESIDENT:** Your committee on agriculture to which was referred **Senate File 313**, a bill for an act to require the registration of bulls used for public service and to require a certificate of health, begs leave to report it has had the same under consideration and recommends the same *de pass*.

R. R. BATESON, *Chairman*.

Ordered passed on file.

Senator Tudor submitted the following report:

**MR. PRESIDENT:** Your committee on tax revision to which was referred **Senate File 254**, a bill for an act to amend section three hundred forty-seven point seven (347.7), Code 1950, to raise the limitation on the power to levy annually special taxes for the improvement and maintenance fund of county public hospitals in counties having a population of one hundred thirty-five thousand (135,000) inhabitants or over, 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 254 by striking from line four (4), section one (1), the word and figure "five (5)" and substituting therefor the words and figures "three and one-half (3½)".

J. M. TUDOR, *Chairman*.

Ordered passed on file.

Senator Bekman submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred **Senate File 239**, a bill for an act to amend section five hundred eighteen point eighteen (518.18), Code 1950, relating to the time permitted for filing annual reports with the commissioner of insurance, begs leave to report it has had the same under consideration and recommends the same **do pass**.

E. K. BEKMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to which was referred **Senate File 274**, a bill for an act to amend section five hundred eight point twenty-eight (508.28), Code 1950, and to repeal section five hundred nine point thirteen (509.13), Code 1950, relating to the requirement that issuance of life insurance policies be based upon medical examinations, 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 Parker submitted the following report:

MR. PRESIDENT: Your committee on public health to which was referred **Senate File 341**, a bill for an act to provide for the rehabilitation of alcoholics who voluntarily enter or who are committed thereto as provided herein to state hospitals for treatment, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EDWARD S. PARKER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public health to which was referred **House File 125**, a bill for an act relating to permits received from other states for dead bodies being shipped into the state, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EDWARD S. PARKER, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 122 by adding the following section:

Sec. 2. Amend chapter one hundred thirty-five C (135C), Code 1950, by adding the following section:

"The state department of health shall issue a special license to an applicant to care for not to exceed five persons



providing that the application for license referred to in this chapter is accompanied by a certificate of the local board of health of the applicant recommending that such special license be issued."

ARTHUR H. JACOBSON.

Amend Senate File 163 by striking the word "welfare" in line 5 of section 3.

JOHN R. HATTERY.

Amend Senate File 164 by striking the period (.) after the word "town" in section 3, subsection 3, line 13, and adding the following: ", providing however that in cities having more than one hundred fifty thousand (150,000) population the council shall each month print in pamphlet form a detailed itemized statement of all receipts and disbursements of the city, and a summary of its proceedings during the preceding month, and furnish copies thereof to the state library, the city library, the daily newspapers of the city and to persons who shall apply therefor at the office of the city clerk, and such pamphlet shall constitute publication as required herein."

GEORGE E. O'MALLEY.

Amend Senate File 32 as follows:

1. Amend the title by striking all after the word "Act" and substitute in lieu thereof the following:

"to make all general laws pertaining to municipal corporations applicable to cities organized under special charter (with certain exceptions and limitations) as well as to cities organized under other specific and exceptional forms of municipal government; and to repeal various sections of chapter four hundred twenty (420), Code 1950, relating to cities organized under special charter; and to enact substitutes for certain of the sections so repealed; and to amend various other sections of the Code by striking therefrom references to cities organized under special charter or organized under other specific and exceptional forms of municipal government; and to authorize editorial revision of the Code to strike such references in general."

2. Strike section 2 and substitute the following:

Sec. 2. Section four hundred twenty point forty-one (420.41), Code 1950, is hereby repealed and the following enacted in lieu thereof:

"1. Except as hereinafter in this section provided, the provisions of this code which, by their terms, are made applicable to all municipal corporations, shall be applicable to cities organized under special charter, and the provisions of this code, applicable by

their terms to municipal corporations of a certain population, shall be applicable to cities under special charter of like population, and except as hereinafter in this section provided, said special charters shall have no further force and effect.

"2. To whatever extent provisions made applicable by subsection 1 of this section to cities organized under special charter shall be inconsistent with the provisions of this chapter, the provisions so made applicable shall be construed to provide additional rights, powers and privileges to such cities or to provide alternative procedures which such cities may adopt or avail themselves of at the election of their respective governing bodies or appropriate officers, insofar as such provisions, so made applicable, are susceptible to such construction. Insofar as such provisions, so made applicable, are not susceptible to such construction the provisions of this chapter shall be controlling.

"3. Notwithstanding the provisions of subsection 1 of this section, nothing herein contained shall be deemed to impair, alter or affect the provisions of any such special charter or any existing amendment thereto in any of the following respects:

"(a) As an act of incorporation or as evidence thereof.

"(b) In respect of authority to license, tax and regulate various persons, occupations, amusements, places and objects, as said general subjects of licensing, taxing and regulation are more specifically set forth in the respective charters of such cities.

"(c) In respect of the levy and collection of taxes for city purposes, in accordance with provisions of the respective charters of such cities and other provisions of law relating to such levy and collections including, but without limitation, provisions relating to liens, distraint, tax sales, redemptions, tax deeds and other provisions incident to the levy and collection of taxes; provided that this paragraph shall apply only with respect to cities which prior to and currently with the taking effect of this act collect general city taxes directly or by or through their own officers, rather than indirectly and by or through any other public body or officer thereof.

"(d) In respect of the election or appointment of a clerk, treasurer, police magistrate and marshal or in respect of the authority, functions, duties or compensation of any thereof.

"(e) In respect of the power or authority of any such city to borrow money and issue bonds or other evidences of indebtedness therefor.

"(f) In respect of the appropriation, condemning or taking of lands and property by any such city for public purposes and in respect of procedure and appeals in connection with any such taking.

"(g) In respect of the power to enact, make, adopt, amend and repeal ordinances necessary or proper in connection with any provisions referred to in paragraphs (a) to (f), inclusive, of this subsection."

3. Strike section 3 and substitute the following:

"Sec. 3. The following sections of the Code of 1950 are

hereby repealed: Sections four hundred twenty point one (420.1) to four hundred twenty point thirteen (420.13), inclusive; four hundred twenty point seventeen (420.17) to four hundred twenty point thirty (420.30), inclusive; four hundred twenty point thirty-two (420.32); and four hundred twenty point thirty-three (420.33)."

4. Strike section 4 and substitute the following:

"Sec. 4. The following sections of the Code of 1950 are hereby repealed: Sections four hundred twenty point forty-two (420.42); four hundred twenty point forty-seven (420.47) to four hundred twenty point fifty-eight (420.58), inclusive; four hundred twenty point sixty-two (420.62) to four hundred twenty point one hundred fifty-four (420.154), inclusive; four hundred twenty point one hundred fifty-nine (420.159); four hundred twenty point one hundred ninety (420.190) to four hundred twenty point two hundred three (420.203), inclusive; four hundred twenty point two hundred eight (420.208) to four hundred twenty point two hundred twelve (420.212), inclusive; four hundred twenty point two hundred forty-nine (420.249); and four hundred twenty point two hundred seventy-two (420.272)."

JOHN R. HATTERY.  
J. T. DYKHOUSE.

Amend Senate File 375 by striking the word "administrater" in section 81, subsection 2, line 5, and insert in lieu thereof the word "administer".

X. T. PRENTIS.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 21, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend C. William Bast, pastor of the First Congregational Church, Mitchellville, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lord for the day on request of Senator Berg.

## PETITION

The following petition was presented and placed on file:

By Senator Berg, from members of the board of education of Jesup, Buchanan County, Consolidated School favoring proposed legislation relating to supplementary aid to school districts.

## INTRODUCTION OF BILLS

Senate File 388, by Senator Watson of Pottawattamie, a bill for an act to amend section three hundred six point forty-seven (306.47), Code 1950, with reference to fees to be paid in laying out public highways.

Read first and second times, and passed on file.

Senate File 389, by committee on insurance, a bill for an act to amend section five hundred fifteen point eighty-one (515.81), Code 1950, relating to cancellation of insurance policies other than life.

Read first and second times, and placed on the calendar.

Senate File 390, by Senators Bekman and Berg, a bill for an act relating to deductions from salaries or wages of governmental employees in fulfillment of any subscription payments to any authorized insurance corporation for group hospital and surgical insurance, group health and accident insurance and group life insurance.

Read first and second times, and passed on file.

Senate File 391, by Senator West, a bill for an act relating to cemeteries not owned by the township wherein located and to amend section three hundred fifty-nine point thirty-three (359.33), Code 1950.

Read first and second times, and passed on file.

Senate File 392, by Senators Doud, Colburn, Elthon, Lynes, Anderson and Molison, a bill for an act to provide for the establishment of a minimum foundation program for the State of Iowa for the purpose of equalizing educational opportunity and the equalization of the tax burden in the several school districts of the state; to establish a joint financial responsibility between the state and the several school districts of the state for the support of said foundation program; to establish the ability of the several assessment units of the state to support education; to provide for the method of raising local funds for the support of the foundation program; to provide for the distribution of said funds to the local school districts of the assessment units; to establish the procedure for distributing state aid moneys; and to repeal chapter two hundred eighty-six (286), Code 1950, and chapter two hundred eighty-six A (286A), Code 1950.

Read first and second times, and passed on file.

Senate File 393, by Senator Roberts, a bill for an act authorizing a patent to issue to the southeast quarter ( $SE\frac{1}{4}$ ) of the southeast quarter ( $SE\frac{1}{4}$ ) of section nine (9), township seventy-one (71) north, range eighteen (18), west of the fifth (5th) principal meridian, Monroe County, Iowa.

Read first and second times, and passed on file.

Senate File 394, by Senators Dykhouse, Risk, Hultman, O'Malley, Knudson, Anderson, Mercer, Lynes, Colburn and Vest, a bill for an act to amend section three hundred forty-nine point seventeen (349.17), Code 1950, relating to official newspapers.

Read first and second times, and passed on file.

Senate File 395, by Senators Dykhouse, Risk, Hultman, O'Malley, Knudson, Anderson, Mercer, Lynes, Colburn and Vest, a bill for an act to amend section six hundred eighteen point eleven (618.11), Code 1950, relating to fees for publication.

Read first and second times, and passed on file.

Senate File 396, by Senators McCarville, Bekman and O'Malley, a bill for an act to amend chapter ninety-seven (97), Code 1950, relating to the old age and survivors' insurance system which regulates the collections of contributions for said system and the payments of benefits thereunder.

Read first and second times, and passed on file.

Senate File 397, by Senators Bekman, Bateson and Parker, a bill for an act to amend chapter one hundred forty-five (145), Code 1950, relating to the board of eugenics, providing for an executive secretary and necessary employees; and the fixing and payment of salaries therefor.

Read first and second times, and passed on file.

Senate File 398, by Senators Bekman, McCarville and O'Malley, a bill for an act to amend chapter ninety-two (92), Code 1950, relating to the employment of minors.

Read first and second times, and passed on file.

Senate File 399, by Senator Bekman, a bill for an act to amend section five hundred seven point four (507.4); Code 1950, relating to salaries of insurance examiners.

Read first and second times, and passed on file.

Senate File 400, by Senators Whitehead and Berg, a bill for an act to amend chapter three hundred two (302), Code 1950, relating to school funds.

Read first and second times, and passed on file.

Senate File 401, by Senators Whitehead and Berg, a bill for an act to amend section eight point six (8.6), Code 1950, relating to specific powers and duties of the state comptroller.

Read first and second times, and passed on file.

Senate File 402, by Senator Vest, a bill for an act to legalize and validate the proceedings taken by the city council of the city of Jefferson, Iowa, authorizing and providing for the construction of extensions and improvements to the municipal waterworks of said city by the drilling and casing of a new well.

Read first and second times, and passed on file.

### PRESENTATION OF VISITORS

Senator Oltman asked and received unanimous consent to present to the Senate members of the legislative committee of the Buena Vista, Pocahontas and Humboldt County Farm Bureaus; also, Mrs. John Mevis, who were present in the balcony.

Senator Roberts asked and received unanimous consent to present to the Senate fifteen pupils of the Lincoln Rural School of Marion County who were present in the balcony with their teacher, Ruby Ver Steeg.

### ADDITIONAL COPIES

Senator Doud asked and received unanimous consent to have printed 300 additional copies of Senate File 203, as passed by the Senate.

### BILL WITHDRAWN

Senator Utzig asked and received unanimous consent that Senate File 327 be withdrawn from further consideration of the Senate.

### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 69, a bill for an act relating to the appointment of probation officers in juvenile court and their salaries and expenses.

Also: 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 legalizing the action of the board of supervisors of Polk County.

Also: That the House has concurred in Senate amendments to and passed House File 169, a bill for an act relating to the change in the name of the Soldiers' Orphans Home.

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

House Concurrent Resolution 12, petitioning Congress to amend the Constitution of the United States.

A. C. GUSTAFSON, *Chief Clerk.*

### HOUSE CONCURRENT RESOLUTION 12

*Whereas*, the Constitution and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall

be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the constitution or laws of any state to the contrary notwithstanding, and

*Whereas*, the decisions of the Supreme Court of the United States and of certain state courts have shown the imminent danger of said objective being accomplished without the consent of the people and without the Congress being aware of the import of certain provisions of the Charter of the United Nations, the Genocide, Human Rights, Right to Organize, International Trade Organization Conventions and other covenants and conventions upon our form of government, and

*Whereas*, said danger is imminent and immediate

*Be It Resolved by the House, the Senate Concurring*: That the Congress of the United States be and it is hereby petitioned and urged to immediately submit to the several states an amendment to the Constitution of the United States and the following form of said amendment is hereby suggested, to wit:

1. The basic principles of this Constitution, namely, the establishment of a representative form of a federal government, consisting of the Congress, the Executive and the Judiciary, and of the sovereignty of the governments of the several states of the character guaranteed by the Constitution; the express limitations of the Constitution on the powers of Congress: the guarantees of individual liberties contained in this Constitution and in the Bill of Rights, set forth in the first Ten Amendments, and the independence of the Federal Judiciary, shall not be abolished nor altered by any treaty or executive agreement.

2. The power of the Senate to ratify treaties shall be exercised only by two-thirds of the entire membership of the Senate and not by two-thirds only of the members present.

3. The Supreme Court shall have and promptly exercise original jurisdiction to pass upon the validity of all treaties and executive agreements upon application by the President or of the governor of any state made within six months of the date of the proclamation of any treaty or executive agreement.

*Be It Further Resolved*, that certified copies of the foregoing resolution be immediately forwarded by the Secretary of State of the State of Iowa, under the Great Seal, to the President of the United States, the President of the Senate of the United States, and the Speaker of the House of Representatives of the United States.

#### HOUSE MESSAGES CONSIDERED

House File 69, a bill for an act to amend section two hundred thirty-one point eight (231.8), Code 1950, relating to the appointment of probation officers in juvenile court and their salaries and expenses.

Read first and second times, and passed on file.



House File 86, a bill for an act to legalize the action of the board of supervisors of Polk County in contracting for and making expenditures for the erection of a maintenance shed and storage yard for the housing and maintenance of secondary road equipment and materials for said county.

Read first and second times, and passed on file.

### SPECIAL ORDER

The Senate resumed consideration of the municipal code study bills.

### THIRD READING OF BILLS

On motion of Senator Dykhouse, Senate File 28, a bill for an act to provide for the government of cities and towns under the mayor-council form of municipal government, and to repeal various sections of chapter three hundred sixty-three (363), Code 1950, relating thereto and to enact a substitute therefor, 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, 49:

Anderson	Gillespie	Molison	Van Eaton
Augustine	Hart	Myrland	Van Patten
Bateson	Hattery	Nesmith	Vest
Bekman	Hedin	Oltman	Walter
Berg	Henningsen	O'Malley	Watson of
Byers	Hultman	Parker	O'Brien
Colburn	Humbert	Prentis	Watson of
Dailey	Jacobson	Ridout	Pottawattamie
Doud	Knudson	Risk	Weichman
Dykhouse	Linnevoid	Roberts	West
Elthon	Lynes	Sharp	Whitehead
Fishbaugh	McCarville	Tudor	Zastrow
Fletcher	Mercer	Utzig	

Nays, none.

Absent or not voting, 1:

Lord

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

On motion of Senator Dykhouse, Senate File 20, a bill for an act to provide for the government of cities and towns under the commission form of municipal government, and to repeal various sections of chapter four hundred sixteen (416), Code 1950, relating thereto and to enact a substitute therefor, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Dykhouse asked and received unanimous consent to withdraw the committee amendment filed and found on page 216 of the Senate Journal.

Senator Dailey offered the following amendment and moved its adoption:

Amend Senate File 20 by adding a section following section 2 to be known as section 3 and renumbering the remaining sections. "Whenever any city shall have been organized on the commission plan on or before the effective date of this act, no reduction or increase of the population of such city, shown by a subsequent census, shall have any effect upon the organization and number of councilmen but the same shall continue, remain, and be as in this chapter prescribed for cities of the population such city had at the time its electors voted to adopt such plan of government as shown by the then preceding census".

The amendment was adopted.

Senator Byers offered the following amendment and moved its adoption:

Amend Senate File 20 by striking all of section 28 and by renumbering the succeeding sections.

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, 49:**

Anderson	Gillespie	Molison	Van Eaton
Augustine	Hart	Myrland	Van Patten
Bateson	Hattery	Nesmith	Vest
Bekman	Hedin	Oltman	Walter
Berg	Henningesen	O'Malley	Watson of
Byers	Hultman	Parker	O'Brien
Colburn	Humbert	Prentis	Watson of
Dailey	Jacobson	Ridout	Pottawattamie
Doud	Knudson	Risk	Weichman
Dykhouse	Linnevoid	Roberts	West
Elthon	Lynes	Sharp	Whitehead
Fishbaugh	McCarville	Tudor	Zastrow
Fletcher	Mercer	Utzig	

**Nays, none.**

**Absent or not voting, 1:**

**Lord**

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

On motion of Senator Dykhouse, Senate File 18, a bill for an act to provide for the government of municipal corporations under the council-manager by popular election form of municipal government, and to repeal various sections of chapter four hundred nineteen (419), Code 1950, relating thereto, and to enact substitutes therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Doud took the chair at 11:30 a.m.

Senator Hattery offered the following amendments by Senator Hattery and Dykhouse and moved their adoption:

**Amend Senate File 18 as follows:**

1. Strike from line 14 of section 2 the figures "419.9" and insert in lieu thereof the figures "419.19".
2. Insert after the word "government" in line 10 of section 7 the words "and may appoint with approval of the council such administrative assistants as shall be deemed advisable".
3. Insert after the word "appointed" in line 12 of section 7 the words "and shall take active control of the police, fire, and engineering departments of the city".
4. Insert after the words and figures "three hundred sixty-five (365)" in line 24 of section 7 the words ", except that any administrative assistants to the manager shall hold office at his pleasure".
5. Insert after the word "city," in line 26 of section 7 the words "and all public buildings,"
6. Strike from lines 29 and 30 of section 7 the words ", and of all public buildings".
7. Strike from line 43 of section 7 the words "of trustees".
8. Insert after the word "election." in line 45 of section 7 the following sentence: "If a board or commission is abolished or ceases to exist, management theretofore exercised by such board or commission shall thereupon vest in the manager."
9. Strike from lines 6 and 7 of section 12 the words "during the period necessary to perfect municipal reorganization".
10. Strike from line 2 of section 13 the comma (,) after the word "police".
11. Strike all of section 17 and insert in lieu thereof the following: "Sec. 17. Sections four hundred nineteen point thirty-seven (419.37) and four hundred nineteen point thirty-eight (419.38), Code 1950, are hereby repealed."

12. Insert following section 13 the following section:

"Sec. 14. Applicable statutes. Unless otherwise specifically provided by statute, all laws which are applicable by their terms to all cities and towns shall be applicable to cities under the city manager plan by popular election, and all laws applicable by their terms to cities of a certain population shall be applicable to cities of like population under the city manager plan by popular election." (419.70, 419.71, C50, revised.)

Further amend Senate File 18 by renumbering the remaining sections.

The amendments were adopted.

Senator O'Malley offered the following amendment and moved its adoption:

Amend Senate File 18, section 7, subsection 7, line 4, by striking the period (.) following the word "provided" and inserting in lieu thereof a comma (,) and adding the following: "subject, however, to the provisions of chapters seventy (70) and three hundred sixty-five (365)."

The amendment was adopted.

Senator Hattery offered the following amendment by Senators Hattery and Dykhouse and moved its adoption:

Amend Senate File 18 by adding thereto a new section as follows:

"Section three hundred sixty-five point six (365.6), subsection one (1), Code 1950, is hereby amended by inserting in line four (4) of paragraph (a) thereof, after the words 'market master' the words 'city manager and administrative assistants to the manager'."

The amendment was adopted.

Senator Knudson offered the following amendment and moved its adoption:

Amend Senate File 18, section 2, by striking from line 11 the words "five hundred" and substituting therefor the words "two hundred fifty".

Further amend by striking from line 13 the words "one thousand" and substituting therefor the words "five hundred".

The amendment was adopted.

Senator Watson of Pottawattamie offered the following amendment and moved its adoption:

1. Amend Senate File 18, section 7, subsection 9, by inserting after the comma following the figures "(370)" the following: "three hundred seventy-one (371), sections three hundred ninety-seven point twenty-nine (397.29), three hundred ninety-seven point thirty (397.30), three hundred ninety-seven point thirty-one (397.31), three hundred ninety-seven point thirty-two (397.32), three hundred ninety-seven point thirty-three (397.33), three hundred ninety-seven point thirty-four (397.34), three hundred ninety-seven point thirty-five (397.35) and chapter three hundred ninety-nine (399)".

2. Further amend Senate File 18, section 7, subsection 10, by adding after the word "improvements" in line 35 the following: "except those designated in and which are covered by the provisions of chapters three hundred seventy (370) and three hundred seventy-one (371), sections three hundred ninety-seven point twenty-nine (397.29), three hundred ninety-seven point thirty (397.30), three hundred ninety-seven point thirty-one (397.31), three hundred ninety-seven point thirty-two (397.32), three hundred ninety-seven point thirty-three (397.33), three hundred ninety-seven point thirty-four (397.34), three hundred ninety-seven point thirty-five (397.35), and chapter three hundred ninety-nine (399)".

The amendment was adopted.

Senator Henningsen asked and received unanimous consent to withdraw the amendments to Senate File 18 filed by him and found on pages 233 and 313 of the Senate Journal.

Senator Hattery offered the following amendment and moved its adoption:

Amend the title to Senate File 18 by striking all after the word "Act" and inserting in lieu thereof the following:

"to provide for the government of municipal corporations under the council-manager by popular election form of municipal government, and to repeal various sections of chapter four hundred nineteen (419), Code 1950, relating thereto, and to enact substitutes therefor and to amend various other sections of the Code relating thereto."

The amendment was adopted.

Senator McCarville moved that the bill be read a third 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:**

Anderson	Gillespie	Molison	Van Eaton
Augustine	Hart	Myrland	Van Patten
Bateson	Hattery	Nesmith	Vest
Bekman	Hedin	Oltman	Walter
Berg	Henningsen	O'Malley	Watson of
Byers	Hultman	Parker	O'Brien
Colburn	Humbert	Prentis	Watson of
Dailey	Jacobson	Ridout	Pottawattamie
Doud	Knudson	Risk	Weichman
Dykhouse	Linnevold	Roberts	West
Elthon	Lynes	Sharp	Whitehead
Fishbaugh	McCarville	Tudor	Zastrow
Fletcher	Mercer	Utzig	

**Nays, none.**

**Absent or not voting, 1:**

**Lord**

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

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

### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 72 and 161.

**JAMES H. NESMITH, *Chairman Senate Committee.***  
**ELMER A. BASS, *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 72 and 161.

### BILLS SENT TO THE GOVERNOR

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

**MR. PRESIDENT:** Your committee on enrolled bills respectfully reports that it has, on this 21st day of February, 1951, sent to the Governor for his approval: Senate Files 72 and 161.

**JAMES H. NESMITH, *Chairman.***

Report adopted.

### PROOF OF PUBLICATION

Published copy of House File 86 and verified proof of publication of said bill in the Des Moines Daily Record on February 19, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

**CARROLL A. LANE, *Secretary of Senate.***

### BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 20, 1951, the Governor had approved the following bill:

Senate File 96, relating to the practice of chiropractic.

### BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following assignment of bills to committee:

- S. F. 380 Public utilities
- S. F. 381 Public utilities
- S. F. 382 Public libraries
- S. F. 383 Public health
- S. F. 384 Judiciary 1
- S. F. 385 Governmental affairs
- S. F. 387 Conservation
- S. F. 388 Highways
- S. F. 390 Insurance
- S. F. 391 Tax revision
- S. F. 392 Schools and educational institutions
- S. F. 393 Public lands and buildings
- S. F. 394 Printing
- S. F. 395 Printing
- S. F. 396 Social security
- S. F. 397 Public health
- S. F. 398 Labor
- S. F. 399 Compensation of public officers and employees
- S. F. 400 Schools and educational institutions
- S. F. 401 Schools and educational institutions
- S. F. 402 Judiciary 2
- H. F. 27 Tax revision
- H. F. 31 Board of control
- H. F. 69 Compensation of public officers and employees
- H. F. 86 Judiciary 2
- H.C.R. 12 Judiciary 1

### REPORTS OF COMMITTEES

Senator Hultman submitted the following report:

**MR. PRESIDENT:** Your committee on conservation to which was referred **Senate File 99**, a bill for an act establishing anti-pollution and sanitary districts, providing for election of trustees, describing their powers and duties, providing for classification and assessment of lands and waters of

the district according to benefits and providing for levy of taxes against persons within the district, etc., begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

O. N. HULTMAN, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on conservation to which was referred **Senate File 190**, a bill for an act to amend chapter one hundred seven (107), Code 1950, relating to the state conservation commission, to provide for participation in the Federal Restoration Act, 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.

Also :

MR. PRESIDENT: Your committee on conservation to which was referred **Senate File 263**, a bill for an act to amend section one hundred nine point thirty-nine (109.39), Code 1950, relating to providing the conservation commission power to regulate methods of take of fish and game, 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.

Also :

MR. PRESIDENT: Your committee on conservation to which was referred **Senate File 326**, a bill for an act amending section one hundred seven point twelve (107.12), Code 1950, to increase the salary of state conservation director, 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.

Also :

MR. PRESIDENT: Your committee on conservation to which was referred **Senate File 300**, a bill for an act to provide for an engineering survey preparatory to the establishment of a state owned lake in Polk County and to make appropriation therefor, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

Amend Senate File 300 as follows:

1. By striking the period (.) at the end of the title and inserting in lieu thereof the following: “; to provide for engineering survey and preliminary work preparatory to dredging Lizard Lake in Pocahontas



County and make appropriation therefor; to provide for an appropriation to purchase land on the site in Montgomery County where engineering plans have been completed; to provide additional appropriation for dredging Little Wall Lake in Hamilton County; to provide additional appropriation for dredging Silver Lake in Dickinson County; to provide for additional riprap on Brown's Lake in Woodbury County and make an appropriation therefor.

2. Section two (2), line three (3), is amended by striking the following: "thirty thousand dollars (\$30,000)" and inserting in lieu thereof the following "fifteen thousand dollars (\$15,000)".

3. By inserting the following new sections:

"Sec. 3. There is hereby appropriated, out of any funds in the general funds of the State of Iowa, not otherwise appropriated, an additional sum of thirty-seven thousand dollars (\$37,000), or so much thereof as may be necessary, for payment of expenses for dredging Little Wall Lake in Hamilton County.

"Sec. 4. There is hereby appropriated, out of any funds in the general funds of the State of Iowa, not otherwise appropriated, an additional sum of forty thousand dollars (\$40,000), or so much thereof as may be necessary, for payment of expenses for dredging Silver Lake in Dickinson County

"Sec. 5. There is hereby appropriated, out of any funds in the general funds of the State of Iowa, not otherwise appropriated, the sum of twenty-five thousand dollars (\$25,000), or so much thereof as may be necessary for payment of expenses for a preliminary survey regarding the dredging of Lizard Lake in Pocahontas County.

"Sec. 6. There is hereby appropriated, out of any funds in the general funds of the State of Iowa, not otherwise appropriated, the sum of twenty thousand dollars (\$20,000), or so much thereof as may be necessary, to provide additional shore riprap on Brown's Lake in Woodbury County.

"Sec. 7. There is hereby appropriated, out of any funds in the general funds of the State of Iowa, not otherwise appropriated, the sum of one hundred fifteen thousand dollars (\$115,000), or so much thereof as may be necessary, to purchase land on the site in Montgomery County where engineering plans, for creation of a lake, have been completed."

O. N. HULTMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on conservation to which was referred **House File 94**, a bill for an act to amend sections three hundred fifty point one (350.1) and three hundred fifty point five (350.5), Code 1950, relating to bounties on wild animals, 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.

Also:

**MR. PRESIDENT:** Your committee on conservation to which was referred **House File 225**, a bill for an act to amend sections four hundred fifty-five A point nineteen (455A.19), four hundred fifty-five A point twenty-two (455A.22) and four hundred fifty-five A point twenty-four (455A.24), Code 1950, relating to floodways and flood control, 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.

Also:

**MR. PRESIDENT:** Your committee on conservation to which was referred **House File 226**, a bill for an act to amend section one hundred eleven point four (111.4), Code 1950, relating to permits for construction of dams, 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 Knudson submitted the following report:

**MR. PRESIDENT:** Your committee on ways and means to which was referred **Senate File 41**, a bill for an act relating to the requirements in preparing the local budget, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HERMAN M. KNUDSON, *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on ways and means to which was referred **Senate File 210**, a bill for an act relating to governmental subdivision sales and use tax credit, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HERMAN M. KNUDSON, *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on ways and means to which was referred **Senate File 211**, a bill for an act relating to the taxation of platted real estate, 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 211 by inserting after the word "plat," in line 7 the following: "or until sold by the owner platting the same,".

HERMAN M. KNUDSON, *Chairman*.

Ordered passed on file.

Senator Berg submitted the following report:

MR. PRESIDENT: Your committee on military affairs to which was referred **Senate File 329**, a bill for an act to amend sections thirty-five A point four (35A.4) and thirty-five A point eight (35A.8), Code 1950, relating to service compensation board, begs leave to report it has had the same under consideration and recommends the same **be amended in accordance with the amendment filed by Senator Sharp and found on pages 438 and 439 of the Senate Journal, and when so amended the bill do pass.**

JOHN P. BERG, *Chairman.*

Ordered passed on file.

Senator Hattery submitted the following report:

MR. PRESIDENT: Your committee on banks, building and loan to which was referred **Senate File 153**, a bill for an act to amend sections five hundred thirty-six point one (536.1), five hundred thirty-six point twelve (536.12), five hundred thirty-six point thirteen (536.13), five hundred thirty-six point fifteen (536.15), five hundred thirty-six point sixteen (536.16), and five hundred thirty-six point eighteen (536.18), Code 1950, relating to the regulation of the business making loans of \$300 or less so as to provide for the regulation of the business of making loans of \$500 or less; to define the term "small loans", begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

JOHN R. HATTERY, *Chairman.*

Ordered passed on file.

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **Senate File 4**, a bill for an act relating to the procedure for release of chattel mortgages, conditional sales contracts and pledges of personal property, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **Senate File 7**, a bill for an act to amend chapter sixteen (16), Code 1950, by increasing the number of copies of the Code, Acts of the General Assembly, Annotations to the Code and Supplements thereto, and reports of the supreme court that are distributed to the law library of the State University, 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 259**, a bill for an act to regulate the making and sale of

abstracts of title to real estate for the protection of the public, to create a board of examiners and to prescribe its powers and duties, to provide for licensing of persons, firms and corporations engaged in said business, to require the maintenance of surety bonds by licensees, to require the examination and registration of persons engaged in the business of making and certifying abstracts of title to real estate, and prescribing penalties for violations, and to provide for the licensing without examination of persons, firms and corporations engaged in said business since October 1, 1950, 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 76**, a bill for an act to legalize the actions of the board of supervisors of Osceola County in contracting and paying for the construction of a concrete floor in the new highway maintenance building of said county, 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 Doud submitted the following report:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **Senate File 270**, a bill for an act relating to the acreage limitations on schoolhouse sites, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ALDEN L. DOUD, *Chairman*.

Ordered passed on file.

Senator Fishbaugh submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 256**, a bill for an act to legalize and validate proceedings taken by the city council of the city of Pella, Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 318**, a bill for an act to amend chapter six hundred thirty-six (636), Code 1950, relating to descent and distribution and providing that aliens may inherit to the extent that citizens of the United States may inherit in such foreign country, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 337**, a bill for an act to legalize and validate the proceedings of the council of the town of LeGrand, Marshall County, Iowa, for the issuance, sale and delivery of waterworks revenue bonds for the purpose of paying part of the cost of a waterworks, and to legalize and validate said bonds, and provisions for payment of the same, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 338**, a bill for an act to legalize and validate the proceedings of the council of the town of Albion, Marshall County, Iowa, to establish a waterworks system and for the issuance of waterworks bonds, sale and delivery of such bonds and waterworks revenue bonds issued in payment for the construction of such waterworks system, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 371**, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of \$22,000 of revenue waterworks bonds of the town of Keosauqua, Iowa, and declaring said bonds issued pursuant to said proceedings to be enforceable obligations against the net revenue of the water plant and system of said town of Keosauqua, Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **House File 163**, a bill for an act to authorize and legalize proceedings of the Independent School District of Mason City, Iowa, for the issuance and delivery of school bonds and for the levy of taxes for the payment of said bonds, and declaring the bonds issued pursuant to said proceedings to be enforceable obligations, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

Senator Dykhouse submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred **Senate File 343**, a bill for an act to provide for the appointment of a board of auditorium trustees in municipal corporations and to prescribe the organization, powers and duties of such boards, 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 cities and towns to which was referred **Senate File 344**, a bill for an act to amend section four hundred four point five (404.5), Code 1950, and to authorize an auditorium fund and an auditorium building fund for municipal corporations, 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 Watson of Pottawattamie submitted the following report:

MR. PRESIDENT: Your committee on board of control to which was referred **Senate File 10**, a bill for an act to authorize the state board of control to construct a domiciliary dormitory of not less than two hundred fifty (250) bed capacity to replace obsolete building at the Iowa Soldiers' Home, and to appropriate money therefor, begs leave to report it has had the same under consideration and **returns the bill without recommendation**.

DEVERE WATSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on board of control to which was referred **Senate File 133**, a bill for an act to amend section two hundred twenty-three point sixteen (223.16), Code 1950, to provide for the creation of a lien for the cost of care of inmates in Woodward State Hospital and Glenwood State School, begs leave to report it has had the same under consideration and recommends the same **do pass**.

DEVERE WATSON, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 50 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section four hundred fifty point fifty-nine (450.59), Code 1950, is amended by adding thereto the

following: The court may, upon satisfactory showing and on such notice to the state tax commission and other parties who may be affected by the release of the lien as the court may prescribe, make an order releasing any item of real estate including a deferred estate or remainder interest therein or personal property from the lien of the tax imposed by this chapter; provided that the payment of the tax as fixed by the state tax commission on the specific item of property released, or the determination by the court that other property subject to the lien of the tax to be released constitutes good and sufficient security for the payment of the tax, or upon such other equitable terms as will assure the payment of the tax shall constitute a satisfactory showing."

ELMER K. BEKMAN.

ARTHUR JACOBSON.

PAUL MCCARVILLE.

Amend Senate File 108 by striking all of section 1 and renumbering the remaining sections.

EARL C. FISHBAUGH, JR.

Amend Senate File 163 by striking section 3 and inserting in lieu thereof the following: "Sec. 3. They shall have power to pass ordinances regulating places of business and the operation thereof within the limits of the corporation, to the extent necessary to prevent such businesses or the manner of operation thereof from constituting a nuisance or from jeopardizing public health, safety or morals. They shall have power to inspect such places of business and operations to determine the need for such regulations. They shall have power to require, issue and revoke licenses and permits as an aid to regulation, and may fix license fees in an amount sufficient to defray the cost of inspection and licensing. They shall provide fines and penalties for violations, and may by other appropriate proceedings enforce their ordinances. Any businesses licensed by municipal corporations under the provisions of any other section of this act shall not be required to obtain another license."

CHARLES S. VAN EATON.

Amend Senate File 163 by striking the word "businesses" in line 2 of section 3 and inserting in lieu thereof the following: "established places of business".

CHARLES S. VAN EATON.

Amend Senate File 163, section 11, by inserting after the word "may" following the period in line 4 the following words: "consistent with code standards promulgated by nationally recognized fire prevention agencies".

J. T. DYKHOUSE.

JOHN R. HATTERY.

Amend Sharp amendment to Senate File 329 filed February 19, 1951, as follows: by striking lines 3 and 4 and substituting in lieu thereof the following:

"Section 1. Section thirty-five A point four (35A.4), Code 1950, is hereby amended by striking all after the period in line 38 and substituting in lieu thereof the following:"

F. E. SHARP.

Amend House File 49 by adding to section two (2) the following subsection:

"7. Any tax certifying or tax levying body of the State of Iowa or governmental subdivision thereof may make application to the state tax commission for the refund of any sales or use tax upon the gross receipts of all sales of goods, wares, merchandise or material to any contractor, used in the fulfillment of any written contract with the State of Iowa or any departmental agency or political subdivision thereof, which property becomes an integral part of the project under contract and at the completion thereof becomes public property, except goods, wares, merchandise or materials used in the performance of any contract in connection with a municipally owned public utility engaged in selling gas, electricity, or heat to the general public.

"(a) Such contractor shall state under oath, on forms provided by the state tax commission, the amount of such sales of goods, wares, merchandise or materials used in the performance of such contract, and upon which sales or use tax has been paid, and shall file such forms with the municipality which has made any written contract for performance by said contractor. Such form shall be filed by the contractor with the municipality before final settlement is made.

"(b) Such municipality shall, not more than sixty (60) days after the final settlement has been made, make application to the state tax commission for any refund of the amount of such sales or use tax which shall have been paid upon any goods, wares, merchandise or materials, such application to be made in the manner and upon forms to be provided by the state tax commission, and the state tax commission shall forthwith audit such claim and, if approved, request the comptroller to issue his warrant to such municipality in the amount of such sales or use tax which has been paid to the State of Iowa under such contract.

"(c) Any contractor who shall falsely claim any refund under the provisions of this subsection shall be guilty of a misdemeanor and in addition thereto shall be liable for the payment of the tax with penalty and interest thereon."

J. T. DYKHOUSE.  
JOHN R. HATTERY.

Amend House File 83 by adding at the end of section 11 the following:

"Provided that nothing in this act shall be construed as



affecting or limiting any secondary road construction program which is now a part of the general construction program of a county, begun or approved before January 1, 1951, under chapter 309, Code 1950. All such programs shall continue until completion, regardless of the provisions of this act, under said chapter as it existed prior to the amendments of this act."

SHERMAN WEST.

Amend House File 94 as follows:

1. Section 1, line 3, by inserting after the word "each" the word "adult".
2. Section 2, line 3, by inserting after the word "each" the word "adult".

PAUL E. MCCARVILLE.

#### ADDITIONAL COPIES

Senator Hattery asked and received unanimous consent to have printed 300 copies of Senate File 18, as passed by the Senate.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 22, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Otto Frerking, pastor of the Presbyterian Church, Cleghorn, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Dailey, a resolution adopted by the city council of Burlington, Des Moines County, favoring an enabling act to permit elective officers of municipal corporations to participate in the federal social security act.

By Senator Oltman, from members of the town council of Laurens, Pocahontas County, favoring legislation relating to volunteer firemen.

By Senator Parker, from residents of Ida County, favoring legislation relating to an increase in the benefits of the old age and survivors' insurance act.

By Senator Utzig, from residents of Dubuque, Dubuque County, favoring legislation relating to the licensing of insurance agents; also, in opposition to legislation relating to the renewal of teachers' certificates.

By Senator Walter, from residents of Marshall County favoring the repeal of rent control.

By Senator Watson, from residents of Pottawattamie County favoring legislation relating to an increase in the benefits of the old age and survivors' insurance act.

## INTRODUCTION OF BILLS

Senate File 403, by Senators McCarville and O'Malley, a bill for an act to amend chapters eighty-five (85) and eighty-six (86), Code 1950, so as to provide a method of obtaining jurisdiction over non-

resident employers under the workmen's compensation and occupational disease compensation laws.

Read first and second times, and passed on file.

Senate File 404, by Senators Prentis, Doud, Colburn, Bateson and Zastrow, a bill for an act relating to the adoption, amendment, revision, or repeal of rules and regulations adopted by administrative agencies as defined herein and to the publication and distribution of said rules and regulations.

Read first and second times, and passed on file.

Senate File 405, by Senator O'Malley, a bill for an act to amend section three hundred fifty-nine point forty-three (359.43), Code 1950, relating to township levy for fire apparatus and services.

Read first and second times, and passed on file.

Senate File 406, by Senator Dailey, a bill for an act to amend chapter four hundred twenty-five (425), Code 1950, relating to homestead tax credit and providing double credit to those seventy-five (75) years of age or older.

Read first and second times, and passed on file.

Senate File 407, by Senator Bekman, a bill for an act to amend section three hundred twenty-one point two hundred forty-nine (321.249), Code 1950, relating to the establishment of school zones.

Read first and second times, and passed on file.

Senate File 408, by committee on judiciary 1, a bill for an act for publication of the Rules of Civil Procedure and Supreme Court Rules and to amend section fourteen point three (14.3), Code 1950.

Read first and second times, and placed on the calendar.

Senate File 409, by committee on judiciary 1, a bill for an act relating to the duties of the township trustees and to amend section three hundred fifty-nine point seventeen (359.17), Code 1950.

Read first and second times, and placed on the calendar.

Senate File 410, by committee on judiciary 1, a bill for an act relating to the number of lighted lamps required on a motorcycle

and to amend section three hundred twenty-one point four hundred nineteen (321.419), Code 1950.

Read first and second times, and placed on the calendar.

Senate File 411, by committee on judiciary 1, a bill for an act to amend section five hundred four point one (504.1), Code 1950, relating to corporations not for pecuniary profit.

Read first and second times, and placed on the calendar.

Senate File 412, by committee on judiciary 1, a bill for an act relating to bonds of cities or towns for street improvements and their payment from the street construction fund and to amend section three hundred ninety-six point twenty-two (396.22), Code 1950.

Read first and second times, and placed on the calendar.

Senate File 413, by Senator O'Malley, a bill for an act to create a state trade commission; to define its powers and duties; and to define and prohibit unfair sales and unfair trade practices; to prevent the advertising or offering for sale or selling of merchandise below actual cost, for the purpose of or having the effect of injuring competitors or destroying competition; and to provide remedies and imposing penalties for violations thereof.

Read first and second times, and passed on file.

Senate File 414, by Senators Utzig and Van Eaton, a bill for an act to declare the necessity of creating public bodies corporate and politic, to be known as housing authorities, to clear blighted areas and to provide housing in urban and rural areas for persons of low income, including farmers and veterans; to make land available for redevelopment by private enterprise or public agencies in accordance with approved redevelopment plans; to create or authorize the creation of such authorities in certain cities and counties or regions comprising cooperating counties; to define the powers and duties of authorities and to provide for the exercise of such powers, including acquiring property, exercising the power of eminent domain, issuing bonds and other obligations, and giving security therefor; to provide that authorities, their property and securities shall be exempt from taxation and assessment, and to confer remedies on obligees of authorities; to enable the advance preparation of projects so they can provide jobs and stimulate industry

when necessary in the period of reconversion; and to authorize the creation of an advisory board to housing authorities composed of representatives of business, real estate, home financing and other interests.

Read first and second times, and passed on file.

Senate File 415, by Senators Hart and Bekman, a bill for an act providing for state general building aid to assist school districts in financing approved programs of school building construction and/or rehabilitation, providing for the administration of such aid by the state department of public instruction, and making the appropriation for such aid.

Read first and second times, and passed on file.

Senate File 416, by Senators Hart and Bekman, a bill for an act providing for state equalization building aid to further assist districts which have qualified for state general building aid, but which are financially unable to carry out approved programs of school building construction and/or rehabilitation; providing for the administration of such aid by the state department of public instruction; and making the appropriation for such aid.

Read first and second times, and passed on file.

Senate File 417, by Senators Augustine, Doud, Colburn, Lynes and Mercer, a bill for an act to amend chapter one hundred twenty-three (123), Code 1950, to prevent the liquor control commission from discriminating against a citizen of Iowa and to provide a method of subpoenaing evidence from companies selling liquor or wine to Iowa.

Read first and second times, and passed on file.

Senate File 418, by Senator Ridout (Soeth), a bill for an act to amend chapter three hundred twenty-one (321), Code 1950, relating to regulation of registration fees of trucks in storage for part of the licensed year and to provide for penalty for violation thereof.

Read first and second times, and passed on file.

Senate File 419, by Senators Elthon and Augustine, a bill for an act fixing the number of senators in the general assembly, apportioning them among the several counties according to the number

of inhabitants in each, and dividing the state into senatorial districts.

Read first and second times, and passed on file.

Senator Lynes moved that the Senate rules committee be authorized and empowered to arrange the regular calendar of the Senate until such time as the bills are consigned to the sifting committee.

Senator Fishbaugh moved that action on the motion by Senator Lynes be deferred until 10:30 a.m., Friday, February 23, 1951.

Senator Dykhouse moved the previous question on the motion by Senator Fishbaugh and the motion by Senator Lynes.

Senator Jacobson raised the point of order that the motion by Senator Dykhouse was out of order in that the two motions pertain to unrelated subject matter, and therefore the previous question should apply only to the motion by Senator Fishbaugh.

The Chair ruled the point well taken.

On motion by Senator Fishbaugh that action be deferred, roll call was demanded.

On the question "Shall action on the motion by Senator Lynes be deferred?" the vote was: •

**Ayes, 30:**

Augustine	Gillespie	Molison	Tudor
Bateson	Hultman	Myrland	Utzig
Bekman	Humbert	O'Malley	Vest
Colburn	Jacobson	Parker	Walter
Dailey	Knudson	Prentis	Watson of
Doud	Linnevoild	Ridout	Pottawattamie
Fishbaugh	Lord	Risk	West
Fletcher	McCarville	Roberts	

**Nays, 14:**

Anderson	Hart	Nesmith	Watson of
Berg	Henningsen	Oltman	O'Brien
Byers	Lynes	Sharp	Weichman
Elthon	Mercer		Zastrow

**Absent or not voting, 6:**

Dykhouse	Hedin	Van Patten	Whitehead
Hattery	Van Eaton		

The motion prevailed and action was deferred.

## SPECIAL ORDER

The Senate resumed consideration of the municipal code study bills.

## THIRD READING OF BILLS

On motion of Senator Dykhouse, Senate File 32, a bill for an act to make all general laws pertaining to municipal corporations applicable to cities organized under special charter and other specific forms of municipal government and to repeal sections four hundred twenty point forty (420.40), and four hundred twenty point forty-one (420.41) of the Code relating thereto and enact substitutes therefor, and repeal all other sections of chapter four hundred twenty (420) and various other sections of the Code relating exclusively to cities organized under special charter, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Dykhouse offered the following amendments by Senators Dykhouse and Hattery and moved their adoption:

Amend Senate File 32 as follows:

1. Strike from line 12 of section 2 the word "regular" and insert in lieu thereof the word "regulate".

2. Strike all of section 5 and insert in lieu thereof the following: Sec. 5. Section twenty point five (20.5), Code 1950, is amended as follows:

1. By striking from lines five (5) and six (6) of subsection two (2) the words "including cities acting under special charter,".

2. By striking from lines two (2) and three (3) of subsection three (3) the words "including cities acting under a special charter,".

3. By striking from lines ten (10) and eleven (11) of subsection three (3) the words "including cities acting under special charters,".

3. Amend section 10 by striking from line 3 the words and figure "and four (4)" and inserting in lieu thereof the words and figure "to five (5)".

4. Amend section 11 by striking from line 2 the word and figure "nine (9)" and inserting in lieu thereof the word and figures "ten (10)".

5. Amend section 40 by striking from line 3 the word and figure "eight (8)" and inserting in lieu thereof the word and figures "twenty-nine (29)".

Further amend said section by striking from line four (4) the word "cities" and inserting in lieu thereof the word "board".

6. Amend section 42 by striking from line 3 the word "operating" and inserting in lieu thereof the word "acting".

7. Amend section 43 by striking from lines 2 and 3 the words and figures "two (2) to four (4)" and inserting in lieu thereof the words and figures "five (5) to seven (7)".

8. Amend section 46 by striking from line 3 the words and figures "five and six (6)" and inserting in lieu thereof the words and figures "four (4) and (5)".

9. Amend section 56 by striking from lines 2 and 3 the words and figures "two (2) and three (3)" and inserting in lieu thereof the words and figures "three (3) and four (4)".

10. Amend section 57 by striking from line 2 the words and figures "two (2) to four (4)" and inserting in lieu thereof the words and figures "three (3) to five (5)".

11. Amend section 68 by striking from line 3 the words "in cities".

Senator Zastrow took the chair at 11:10 a.m.

The amendment was adopted.

Senator Hattery asked and received unanimous consent to withdraw the amendments to Senate File 32 filed by Senators Hattery and Dykhousé and found on pages 334 and 392 of the Senate Journal.

Senator Hattery called up the amendment to Senate File 32 filed by Senators Hattery and Dykhousé and found on pages 455, 456 and 457 of the Senate Journal.

On motion of Senator Lord the amendment was adopted.

Senator Lord moved that the bill be read a third 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:**

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhousé	LinnevoId	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

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

On motion of Senator Dykhouse, Senate File 33, a bill for an act relating to the ordinances of municipal corporations, and to repeal certain sections of chapter three hundred sixty-six (366), Code 1950, relating thereto, and to amend certain sections of said chapter, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

President Nicholas took the chair at 11:35 p.m.

Senator Hattery offered the following amendment by Senators Hattery and Dykhouse and moved its adoption:

Amend Senate File 33 by adding to section 4 the following new subsection:

**"6. Publication by a municipal corporation of its ordinances in the form of a bound or loose-leaf municipal code, or as a new edition of such municipal code, or as supplements to an existing edition of such municipal code, shall be deemed a sufficient publication and in lieu of publication in a newspaper, provided that: (a) Copies of such bound or loose-leaf codes shall be kept available at the clerk's office for public inspection and for sale at cost to the public; (b) A copy of such municipal code shall be furnished to the state law library, the municipal library, if any, and to a newspaper of general circulation in the municipality; (c) Copies of all amendments, new ordinances, and a list of repealed ordinances shall be provided, on or before the tenth day of the month succeeding final action thereon by the council, in the form of pamphlets or loose-leaf inserts, and made available to the public in the same manner as provided in paragraphs (a) and (b) hereof."**

Senator O'Malley offered the following amendment to the amendment and moved its adoption:

Amend the amendment by inserting after the word "corporation" in line 3 the following: ", in cities having more than one hundred fifty thousand (150,000) population,".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Jacobson offered the following amendment and moved its adoption:

Amend Senate File 33 by striking from line 3 of section 2 the words

“permanent and general” and inserting in lieu thereof the words “general or permanent”.

The amendment was adopted.

Senator Dailey offered the following amendment and moved its adoption :

Amend Senate File 33 by adding thereto the following :

“Sec. 6. Every ordinance or resolution appropriating money or ordering any street improvement or sewer, or making or authorizing the making of any contract, or granting any franchise or right to occupy or use the streets, highways, bridges, or public places in the municipal corporation for any purpose, shall be complete in the form in which it is finally passed, and remain on file with the city clerk for public inspection at least one week before the final passage or adoption thereof, and a motion therefor in writing indicating the nature of such ordinance or resolution shall become part of the council's proceedings.”

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, 49 :

Anderson	Gillespie	Molison	Van Eaton
Augustine	Hart	Myrland	Van Patten
Bateson	Hattery	Nesmith	Vest
Bekman	Hedin	Oltman	Walter
Berg	Henningsen	O'Malley	Watson of
Byers	Hultman	Parker	O'Brien
Colburn	Humbert	Prentis	Watson of
Dailey	Jacobson	Ridout	Pottawattamie
Doud	Knudson	Risk	Weichman
Dykhouse	Linnevold	Roberts	West
Elthon	Lynes	Sharp	Whitehead
Fishbaugh	McCarville	Tudor	Zastrow
Fletcher	Mercer	Utzig	

Nays, none.

Absent or not voting, 1 :

Lord

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

#### MESSAGES FROM THE HOUSE

The following messages were received from the House :

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

Senate File 2, a bill for an act relating to the administration of state budget and finances.

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 to legalize the special election and proceedings of the Consolidated School District of Newhall, Iowa.

Also: I am directed to request the return of House File 27, a bill for an act relating to exemptions from moneys and credits taxation, for the reason that a motion to reconsider has been filed.

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

House Concurrent Resolution 15, authorizing a committee to be appointed to survey repairs needed to the state capitol building.

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

House File 97, a bill for an act relating to teachers and providing for sabbatical leaves.

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

House File 420, a bill for an act to establish a department of public instruction.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 2

1. Amend the title to Senate File 2 by striking the same and inserting in lieu thereof the following: "An Act relating to the administration of state budget, finances and fiscal control and to assign certain duties relating thereto to the state comptroller."

2. Further amend Senate File 2 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Amend section eleven point five (11.5), Code 1950, by inserting after the period (.) in line seven (7) the following new sentence: "Each department and institution of the state shall keep its records and accounts in a current condition."

Sec. 2. Amend section eight point six (8.6), Code 1950, as follows:

1. Amend subsection six (6) by inserting a period (.) after the word "state" in line nine (9), and striking in lines nine (9), ten (10), eleven (11), twelve (12) and thirteen (13) the words "and to centralize all disbursements of the state government other than the disbursements of the state fair board, the institutions under the state board of education and state conservation commission."

2. Amend subsection seven (7) by adding a new subsection as follows: "The comptroller shall assign an employee or employees of his office to check and preaudit receipts and expenditures, whether public or private, of the state fair board and the institutions under the state board of education. The employee or employees of the comptroller as hereinbefore provided shall be under the direction and supervision of the comptroller and act as an agent of said comptroller. The state fair board and the institutions under the state board of education shall furnish said em-

ployee or employees of the comptroller with office space and such help and assistance as may be necessary to properly perform the duties herein specified."

Sec. 3. Amend section eight point five (8.5), Code 1950, by adding thereto a new subsection as follows:

Division of Personnel. There shall be a personnel division in the office of the state comptroller which shall be organized as follows:

1. Director. The division shall be in the charge of an administrative officer appointed by the comptroller with the approval of the Governor, and shall be known as the director of personnel.

2. Through the personnel director, the Governor with the cooperation of the executive council shall adopt and establish a plan of classification and compensation for each position and type of employment in state government, except for positions for which the salaries or compensation is fixed by statute, and shall prescribe therein the necessary salary schedules, fixing a minimum and maximum for each class of employees doing the same general type of work. With the approval of the Governor, the personnel director shall make such regulations and adopt such methods of qualifying employees for positions as will make the plan effective, and shall prescribe rules to provide for personnel administration which shall include rules governing appointments, promotions, demotions, transfers, separations, vacations and sick leave as provided by law, and hours of employment.

The plan adopted for personnel administration shall be based on merit system principles and standards.

3. The employees under the attorney general and the employees of institutions under the state board of education shall not come under the division of personnel.

4. Merit System. The present joint merit system now effective in state agencies expending federal funds shall remain in full force and effect so far as they apply to such agencies until such time as the plan and rules promulgated under the provisions of the preceding sections are approved by the appropriate federal agencies.

Sec. 4. Amend section two hundred sixty-two point twenty-three (262.23), subsection two (2), Code 1950, by inserting after the word "only" in line one (1) the words "after preaudit by the state comptroller and".

Sec. 5. Amend section one hundred seventy-three point eleven (173.11), subsection two (2), Code 1950, by striking the period (.) at the end of said subsection and inserting in lieu thereof a comma (,) and adding the following: "provided that all claims against the state fair board shall be checked and preaudited by the state comptroller before such claims are approved and before warrants for the same are signed by the president and secretary."

Sec. 6. Amend section one hundred twenty-three point ten (123.10), Code 1950, by striking the words "said commission" in line eleven (11) thereof and inserting in lieu thereof the words "the state division of personnel".

## HOUSE CONCURRENT RESOLUTION 15

*Whereas, the state capitol building is in need of extensive repairs;*

*Therefore, Be It Resolved by the House, the Senate Concurring, that there is hereby created a committee of six (6), three (3) to be appointed by the President of the Senate and three (3) to be appointed by the Speaker of the House, who, together with the state architect, shall make a survey of the needed repairs on the inside and outside of the capitol building.*

This committee shall specifically list the repairs vital to the preservation of the capitol building and shall submit the same back to the Fifty-fourth General Assembly for consideration and such projects as are approved by the General Assembly shall be carried out by the executive council during the next biennium thereafter.

## HOUSE MESSAGES CONSIDERED

House File 97, a bill for an act to amend chapter two hundred ninety-four (294), Code 1950, relating to teachers and providing for sabbatical leaves of absence of teachers and providing for necessary regulations and rules governing the same.

Read first and second times, and passed on file.

House File 420, a bill for an act to establish a department of public instruction of the State of Iowa; to establish a board of public instruction, provide for the election of members thereof, and prescribe the powers and duties of said board; to provide for the appointment of a superintendent of public instruction and assistant superintendents and such other staff members and employees as necessary, and to prescribe the powers and duties of such superintendents and staff members; to abolish the board of educational examiners and the board for vocational education and to transfer duties of said boards to the board of public instruction; to amend certain sections of the Code of 1950 relating thereto, and to repeal certain sections of said Code to effect the general purposes of this act.

Read first and second times, and passed on file.

## PRESENTATION OF VISITORS

Senator Berg asked and received unanimous consent to present to the Senate twelve members of the American history class of the Finchford Consolidated School who were present in the balcony with their superintendent, Harry Haven.

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

## AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

## EXECUTIVE SESSION

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

The Senate, in executive session, confirmed the following appointments:

Allan F. Beck of Cerro Gordo County as a member of the Iowa Real Estate Commission for the regular term ending June 30, 1953.

James W. Foster of Monroe County as a member of the State Soil Conservation Committee for the regular term ending June 30, 1955.

J. F. Ingels of Fayette County as a member of the State Soil Conservation Committee for the regular term terminating June 30, 1955.

The Senate arose from executive session and resumed regular session.

## THIRD READING OF BILLS

On motion of Senator Dykhouse, Senate File 163, a bill for an act relating to the general powers of municipal corporations and to repeal chapter three hundred sixty-eight (368) of the Code, relating thereto, and certain other sections of the Code, relating thereto, and to enact a substitute therefor, and to amend various sections of the Code relating thereto, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Colburn took the chair at 2:45 p.m.

Senator Van Eaton asked and received unanimous consent to withdraw the following amendment:

Amend Senate File 163 by striking the word "businesses" in line 2 of section 3 and inserting in lieu thereof the following: "established places of business".

Senator Hattery asked and received unanimous consent to withdraw sections 1 and 2 of the amendment filed by Senators Hattery and Dykhouse and found on page 437 of the Senate Journal.

Senator Hattery asked and received unanimous consent to withdraw the amendment to Senate File 163 filed by him and found on page 455 of the Senate Journal.

Senator Hattery offered the balance of the amendment filed by Senators Hattery and Dykhouse and moved its adoption:

3. Insert after the word "include" in line 4 of section 5 the words "the authority to abate".

4. Insert after the word "storage," in line 4 of section 11 the word "handling,".

The amendment was adopted.

On motion of Senator Hattery, the following amendment was adopted:

Amend Senate File 163, section 11, by inserting after the word "may" following the period in line 4 the following words: "consistent with code standards promulgated by nationally recognized fire prevention agencies".

Senator Hattery offered the following amendment and moved its adoption:

Amend Senate File 163 by adding at the end of section 15 the following: "They shall have power, when authorized by a majority vote of the electors thereof, to maintain a joint police department with any contiguous municipal corporation."

The amendment was adopted.

Senator Dykhouse submitted the following committee amendment and moved its adoption:

Amend Senate File 163 as follows:

1. Strike from line 4 of section 21 the word "one" and insert in lieu thereof the word "five".

The amendment was adopted.

Senator Van Eaton offered the following amendment:

Senator Van Eaton asked and received unanimous consent to insert following the word "regulating" in line 3 the word "established".

Amend Senate File 163 by striking section 3 and inserting in lieu thereof the following: "Sec. 3. They shall have power to pass ordinances regulating established places of business and the operation thereof within the limits of the corporation, to the extent necessary to prevent such businesses or the manner of operation thereof from constituting a nuisance or from jeopardizing public health, safety or morals. They shall have power to inspect such places of business and operations to determine the need for such regulations. They shall have power to require, issue and revoke licenses and permits as an aid to regulation, and may fix license fees in an amount sufficient to defray the cost of inspection and licensing. They shall provide fines and penalties for violations, and

may by other appropriate proceedings enforce their ordinances. Any businesses licensed by municipal corporations under the provisions of any other section of this act shall not be required to obtain another license."

Senator Vest offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking from line 3 the following: "established places of".

The amendment to the amendment was lost.

On motion of Senator Elthon, the amendment was adopted.

On motion of Senator Hattery, the following amendment was adopted:

"Strike section 33 and renumber the succeeding sections."

On motion of Senator Hattery, the following amendment was adopted:

3. Strike the word "twenty-five" in line 2 of section 35 and insert in lieu thereof the word "five".

On motion of Senator Hattery, the following amendment was adopted:

5. Insert after the word "therefore." in line 10 of section 39 the following: "Notice of any proposal to dispose of real property under the provisions of this section shall be given by publication once each week for two consecutive weeks in the manner provided by section six hundred eighteen point fourteen (618.14). The last of said publications shall appear not less than ten days before the meeting of the council at which said proposal is to be acted on."

On motion of Senator Hattery, the following amendment was adopted:

6. Strike the words "annually checked" from line 7 of section 40 and insert in lieu thereof the words "checked annually".

Senator Doud offered the following amendment and moved its adoption:

Amend Senate File 163 by striking section 43, and renumbering the following sections.

President Nicholas took the chair at 4:00 p.m.

The amendment was lost.

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



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

**Ayes, 48:**

Anderson	Hart	Myrland	Van Eaton
Augustine	Hattery	Nesmith	Van Patten
Bateson	Hedin	Oltman	Vest
Bekman	Henningsen	O'Malley	Walter
Berg	Hultman	Parker	Watson of
Byers	Humbert	Prentis	O'Brien
Colburn	Jacobson	Ridout	Watson of
Dailey	Knudson	Risk	Pottawattamie
Dykhouse	Linnevoold	Roberts	Weichman
Elthon	Lynes	Sharp	West
Fishbaugh	McCarville	Tudor	Whitehead
Fletcher	Mercer	Utzig	Zastrow
Gillespie	Molison		

**Nays, none.**

**Absent or not voting, 2:**

Doud                      Lord

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

On motion of Senator Dykhouse, Senate File 23, a bill for an act relating to the mayors and police courts of cities and towns, and to repeal various sections of chapters three hundred sixty-three (363), four hundred sixteen (416), four hundred nineteen (419), and four hundred twenty (420), Code 1950, and to amend chapter three hundred sixty-seven (367), Code 1950, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hattery offered the following amendment by Senators Hattery and Dykhouse and moved its adoption:

Amend Senate File 23 by striking section 1 and renumbering the following sections.

The amendment was adopted.

Senator Hattery offered the following amendment by Senators Hattery and Dykhouse and moved its adoption:

Amend Senate File 23 as follows:

1. Strike from section 4 all of subsection 3 and renumber the remaining subsection.
2. Strike from section 6 all of subsection 4 and renumber the remaining subsection.

The amendment was adopted.

Senator Fishbaugh moved that the bill be read a third 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:**

Anderson	Hart	Myrland	Van Eaton
Augustine	Hattery	Nesmith	Van Patten
Bateson	Hedin	Oltman	Vest
Bekman	Henningsen	O'Malley	Walter
Berg	Hultman	Parker	Watson of
Byers	Humbert	Prentis	O'Brien
Colburn	Jacobson	Ridout	Watson of
Dailey	Knudson	Risk	Pottawattamie
Dykhousé	Linnevoid	Roberts	Weichman
Elthon	Lynes	Sharp	West
Fishbaugh	McCarville	Tudor	Whitehead
Fletcher	Mercer	Utzig	Zastrow
Gillespie	Molison		

**Nays, none.**

**Absent or not voting, 2:**

Doud                      Lord

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

#### HOUSE FILE 27 RETURNED TO THE HOUSE

Senator Tudor asked and received unanimous consent that House File 27 be withdrawn from the committee on tax revision and returned to the House.

#### ADDITIONAL COPIES

Senator Dykhousé asked and received unanimous consent to have printed 500 copies of Senate Files 32, 33 and 163, as passed by the Senate.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 169.

JAMES H. NESMITH, *Chairman Senate Committee.*

ELMER A. BASS, *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 169.

## BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that, on February 21, the Governor had approved the following bills:

Senate File 223, relating to foreign corporations.

Senate File 226, relating to regulation and supervision of corporations for pecuniary profit.

## PROOF OF PUBLICATION

Published copy of House File 362 and verified proof of publication of said bill in the Messenger-News, Des Moines, on February 8, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE, *Secretary of Senate.*

## REPORTS OF COMMITTEES

Senator Tudor submitted the following report:

MR. PRESIDENT: Your committee on tax revision to which was referred **Senate File 279**, a bill for an act to amend sections four hundred twenty-two point thirteen (422.13), Code 1950, relating to income taxes to provide for a joint return by a husband and wife, and splitting of income by a husband and wife equally for income tax purposes, begs leave to report it has had the same under consideration and recommends the same **do pass.**

J. M. TUDOR, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on tax revision to which was referred **Senate File 297**, a bill for an act to amend section twenty-four point seven (24.7), Code 1950, requiring the certification of budgets, levies for bond issues and other levies, begs leave to report it has had the same under consideration and recommends the same **do pass.**

J. M. TUDOR, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on tax revision to which was referred **Senate File 309**, a bill for an act to amend sections four hundred twenty-two point five (422.5), four hundred twenty-two point twelve (422.12) and four hundred twenty-two point thirteen (422.13), Code 1950, relating to decreasing the rate of tax imposed on income; increasing the deductions from the computed tax and relating to returns by individuals, begs leave to report it has had the same under consideration and recommends the same **do pass.**

J. M. TUDOR, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on tax revision to which was referred **House File 87**, a bill for an act relating to police department maintenance fund, begs leave to report it has had the same under consideration and recommends the same *de pass*.

J. M. TUDOR, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on tax revision to which was referred **House File 160**, a bill for an act to amend section three hundred sixty point eight (360.8), Code 1950, relating to tax levied for repair, furnishing and care of township buildings, begs leave to report it has had the same under consideration and recommends the same *de pass*.

J. M. TUDOR, *Chairman*.

Ordered passed on file.

Senator Weichman submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 76**, a bill for an act relating to the compensation of appointive members of the state printing board and to amend section fifteen point five (15.5), Code 1950, relating thereto, begs leave to report it has had the same under consideration and recommends the same *de pass*.

H. E. WEICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 104**, a bill for an act to amend sections sixty-four point eight (64.8), sixty-four point fifteen (64.15) and three hundred nine point nineteen (309.19), Code 1950, relating to bonds of deputy state officers, county officers, their deputies and county engineers, begs leave to report it has had the same under consideration and recommends the same *de pass*.

H. E. WEICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 130**, a bill for an act to amend section six hundred two point forty-nine (602.49), Code 1950, relating to the salaries of the clerk and bailiff of the municipal court, 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 de pass*:

Amend Senate File 130, section 1, line 4, by striking the word "forty-seven" and inserting in lieu thereof the word "forty-two".

Further amend Senate File 130, by striking lines 5 and 6 and inserting in lieu thereof the following:

"2. Strike from line twenty-seven the words 'three thousand' and insert in lieu thereof the words 'three thousand five hundred'."

H. E. WEICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 149**, a bill for an act to amend section six hundred one point one hundred thirty-one (601.131), Code 1950, relating to salaries for justices of the peace and constables, begs leave to report it has had the same under consideration and recommends the same **do pass**.

H. E. WEICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 194**, a bill for an act to amend section seven hundred seventy-five point five (775.5), Code 1950, relating to fee for attorney of defendant in criminal cases, begs leave to report it has had the same under consideration and recommends the same **do pass**.

H. E. WEICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 275**, a bill for an act to amend chapter one (1), section fifty (50), Acts of the Fifty-third General Assembly, relating to compensation of members of board of social welfare, begs leave to report it has had the same under consideration and recommends the same **do pass**.

H. E. WEICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 315**, a bill for an act to amend sections three hundred fifty-nine point forty-six (359.46) and three hundred fifty-nine point forty-seven (359.47), Code 1950, relating to compensation of township trustees and clerks, begs leave to report it has had the same under consideration and recommends the same **do pass**.

H. E. WEICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 363**, a bill for an act to amend section one hundred seventeen point eleven (117.11), Code 1950, relating to salary of director of real estate commission, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

Amend Senate File 363, section 1, lines 4 and 5, by striking the words and figures "five thousand (5,000)" and inserting in lieu thereof the words and figures "forty-two hundred (4200)".

H. E. WEICHMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **House File 107**, a bill for an act to amend section two hundred thirty-four point ten (234.10), Code 1950, relating to compensation of county board members of the department of social welfare, begs leave to report it has had the same under consideration and recommends the same **do pass.**

H. E. WEICHMAN, *Chairman.*

Ordered passed on file.

Senator Bateson submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred **Senate File 132**, a bill for an act to amend section one hundred seventy-four point two (174.2), Code 1950, to clarify the powers of a "society" as defined in section one hundred seventy-four point two (174.2), begs leave to report it has had the same under consideration and recommends the same **do pass.**

R. R. BATESON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to which was referred **House File 158**, a bill for an act to amend chapter one hundred seventy-seven (177), Code 1950, relating to corn and small grain growers association, begs leave to report it has had the same under consideration and recommends the same **do pass.**

R. R. BATESON, *Chairman.*

Ordered passed on file.

Senator Lynes submitted the following report:

MR. PRESIDENT: Your committee on railroads to which was referred **Senate File 89**, a bill for an act to amend section four hundred seventy-seven point twenty-two (477.22), Code 1950, relating to headlights for rail employees when using track power cars at night, 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 89 as follows:

Strike the word "used" in line 7, and insert the following: ", when in use," in lieu thereof.

J. KENDALL LYNES, *Chairman.*

Ordered passed on file.

Senator Watson submitted the following report:

MR. PRESIDENT: Your committee on highways to which was referred **House File 58**, a bill for an act to amend chapter three hundred thirteen (313), Code 1950, relating to primary roads, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HARRY E. WATSON, *Chairman.*

Ordered passed on file.

Senator Linnevold submitted the following report:

MR. PRESIDENT: Your committee on election reform to which was referred **Senate File 277**, a bill for an act to amend sections forty-three point seven (43.7) and forty-three point forty-nine (43.49), Code 1950, relating to the time of voting the primary election and making a canvass of the returns thereof, begs leave to report it has had the same under consideration and recommends the same **do pass**.

WM. LINNEVOLD, *Chairman.*

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 164 as follows:

1. Insert after the word "inclusive," in line 3 of section 28 the words "and three hundred sixty-three point thirty-seven (363.37)".

2. Strike section 35 and insert in lieu thereof the following:

"Sec. 35. Sections four hundred sixteen point fourteen (416.14), four hundred sixteen point forty-five (416.45), four hundred sixteen point forty-nine (416.49), four hundred sixteen point fifty-three (416.53), four hundred sixteen point ninety-five (416.95), and four hundred sixteen point ninety-six (416.96), Code 1950, are hereby repealed."

3. Insert after section 39 the following new section:

"Sec. 40. Sections four hundred nineteen point sixteen (419.16) to four hundred nineteen point eighteen (419.18), inclusive, four hundred nineteen point thirty-four (419.34) and four hundred nineteen point thirty-five (419.35), Code 1950, are hereby repealed."

Further amend said Senate File by renumbering the remaining sections.

JOHN R. HATTERY.  
J. T. DYKHOUSE.

Amend Senate File 184, section 1, in lines 4 and 5, by striking the word "twenty-five" and inserting in lieu thereof the word "thirty".

A. E. AUGUSTINE.

Amend Senate File 246 as follows:

1. Strike the period (.) at the end of the title and add the following:

"and to limit the time within which actions may be brought to question such orders, judgments and decrees or rights or status arising thereunder."

E. K. BEKMAN.

Amend Senate File 334 by adding thereto a new section, as follows:

"Sec. 4. Section one hundred twenty-three point seventeen (123.17), Code 1950, subsection one (1), is hereby further amended by striking the period (.) at the end of said subsection and adding the following: 'except that the commission shall not make, maintain or enforce, or accomplish or effect administratively, any rule or regulation or policy which directly or indirectly influences or tends to influence the selection or employment by any manufacturer, importer, wholesaler or distributor of any alcoholic liquor, of any individual as its officer, agent, representative or other employee; nor shall it prohibit or discourage the employment of a resident of Iowa in such a capacity; nor, because of such employment, deny him the same right of access to commission offices or state liquor stores as is accorded others than commission employees; nor shall the commission do any other act or thing which would result in unjust or illegal discrimination against individuals so employed. However, nothing herein shall be construed to prohibit the commission from making and enforcing reasonable rules of conduct on the part of such employees, but such rules must operate equally upon and be applicable alike to all persons employed."

DeVERE WATSON.

Amend Senate File 406, section 1, line 14, by striking the following "five thousand dollars (\$5,000)" and inserting in lieu thereof the following "twenty-five hundred dollars (\$2500)".

THOMAS J. DAILEY.

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



# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 23, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Norman Brooks, pastor of the Congregational Church, Oakland, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Knudson, a resolution from members of the Chamber of Commerce, Mason City, Cerro Gordo County, favoring legislation relating to the termination of contracts for the construction of public improvements.

By Senator Linnevoold, from residents of Winneshiek County, favoring legislation relating to the repair of the Soldiers' Home at Marshalltown.

By Senator Tudor, from members of the Tipton, Cedar County, volunteer firemen favoring legislation relating to volunteer firemen.

By Senator Van Eaton, from the faculty of East Junior High School of Sioux City, Woodbury County, in opposition of legislation relating to employment of persons under eighteen years of age.

Senator Doud asked and received unanimous consent to have the following communication printed in the Senate Journal:

Des Moines, Iowa,  
February 15, 1951.

The Honorable A. L. Doud,  
Senate Chamber, State House,  
Des Moines, Iowa.

Dear Mr. Doud:

Attention has been called to the "ACO" group of Alcoholics Anonymous, Teachout Building, Des Moines, Iowa, that a bill, namely House File 289, has been filed and referred to the House committee on police regulation, suppression of crime and intemperance, for its consideration. Our attention has been further directed to the fact that many of the members of both the House and Senate have been led to believe that this bill is sponsored by "Alcoholics Anonymous." It is desired that a record be

made in the Journals of both houses that "Alcoholics Anonymous" does not officially participate in any religious, political or controversial matter, regardless of the opinion of any individual member or members. All A.A. groups nationally have been admonished by the founders of A.A. and the National Headquarters in New York not to participate in matters of this nature nor to officially express an opinion, which might tend to influence or lead to the belief that Alcoholics Anonymous is lending its good name to legislative matters where personal gain or selfish interests might be the motive behind such action.

Alcoholics Anonymous has all it can do to apply direct help to the individual sick alcoholic and as for information or scientific facts established on research on what alcohol does to the human body, we find such information is available and is amply taken care of by numerous worthy and accepted national organizations and universities.

The actions and inferences made by any member or members of Alcoholics Anonymous acting as an individual or individuals cannot be controlled. But we can loudly protest the use of the name Alcoholics Anonymous being used in controversial matters or for personal reasons.

Therefore, it has been unanimously voted by this group that your honorable bodies make official record of this protest in attaching the name Alcoholics Anonymous to this or any other bill or bills. And to be further advised that we respectfully solicit your help in our endeavors to keep the name Alcoholics Anonymous respected among all peoples.

Very truly yours,

OLIVER GARVIN, *Secretary,*

Alcoholics Anonymous, ACO Group,  
202 Teachout Building.

#### INTRODUCTION OF BILLS

Senate File 420, by committee on board of control, a bill for an act to authorize the purchase of a tract of land to be used as the site for an institutional sewage disposal plant at the Clarinda State Hospital.

Read first and second times, and placed on the calendar.

Senate File 421, by committee on agriculture, a bill for an act to amend section one hundred ninety-eight point eight (198.8), Code 1950, in regard to manner of submitting statements relative to the amount due on feed inspection.

Read first and second times, and placed on the calendar.

Senate File 422, by Senator Berg, a bill for an act to amend section four hundred twenty-seven point three (427.3), Code 1950, relating to exemptions for military service.

Read first and second times, and passed on file.

Senate File 423, by Senator Humbert, a bill for an act to regulate the sale of Spry and Crisco; providing an inspection fee and excise tax and the manner in which said fee and tax shall be paid, and providing the means and manner of the administration and enforcement thereof by the secretary of agriculture.

Read first and second times, and passed on file.

Senate File 424, by Senators Elthon, Fishbaugh, Van Eaton and O'Malley, a bill for an act to promote education of Christianity.

Read first and second times, and passed on file.

Senate File 425, by Senators Berg, Hultman, Van Eaton, Parker, Hart, Nesmith, O'Malley and Dailey, a bill for an act prohibiting the installation or equipment connected therewith of any television set, or any device designed for video reception, and for amending chapter three hundred twenty-one (321), Code 1950.

Read first and second times, and passed on file.

Senate File 426, by Senator Mercer (by request), a bill for an act to amend chapter one hundred thirty-five B (135B), Code 1950, relating to licensure and regulation of hospitals by adding a new code section making the act advisory only and not mandatory as to hospitals under the jurisdiction of the state board of education and the board of control.

Read first and second times, and passed on file.

Senate File 427, by Senator Mercer (by request), a bill for an act to amend chapter one hundred forty-two (142), Code 1950, relating to the use of dead bodies for scientific purposes.

Read first and second times, and passed on file.

Senate File 428, by Senator Mercer (by request), a bill for an act to authorize the state board of education to erect, maintain, and operate an addition to the Memorial Union Building at Iowa City on a self-liquidating basis and to borrow money and pledge the rents and profits and assess the students for said purpose.

Read first and section times, and passed on file.

Senate File 429, by Senators Lynes and Fishbaugh, a bill for an act to amend chapter eighty (80), Code 1950, relating to the department of public safety, and the duties of said department with

regard to the enforcement of the beer and liquor laws of the State of Iowa.

Read first and second times, and passed on file.

Senate File 430, by Senator Dykhouse, a bill for an act to amend chapter one hundred and nine (109), Code 1950, relating to the trapping of beaver under permit issued by the conservation commission.

Read first and second times, and passed on file.

Senate File 431, by Senators Van Eaton and O'Malley, a bill for an act to amend subsection two (2) of section four hundred twenty-seven point one (427.1), Code 1950, relating to the exemption from taxation of municipal and military property.

Read first and second times, and passed on file.

Senate File 432, by Senator O'Malley, a bill for an act to authorize boards of supervisors in any county to contribute to the support and maintenance of mental health clinics.

Read first and second times, and passed on file.

Senate File 433, by Senator O'Malley, a bill for an act to amend section three hundred twenty-one point four hundred sixty-seven (321.467), Code 1950, so as to authorize the issuance of permits for the operation of electric trolley buses, or trackless trolley buses, on certain rural highways.

Read first and second times, and passed on file.

Senate File 434, by Senators Bekman, McCarville, Oltman, Watson of Pottawattamie and Parker, a bill for an act to amend section four hundred twenty-seven point one (427.1), Code 1950, relating to property exempt from taxation.

Read first and second times, and passed on file.

Senate File 435, by Senator Roberts, a bill for an act to amend sections seven hundred seventy-five point five (775.5), and seven hundred seventy-five point six (775.6), Code 1950, relating to fees for an attorney appointed by the court to defend in a criminal case.

Read first and second times, and passed on file.

Senate File 436, by Senator Roberts, a bill for an act to amend section four hundred twenty-seven point three (427.3), Code 1950, to exempt members of a reserve component of the armed forces of the United States from payment of poll tax.

Read first and second times, and passed on file.

Senate File 437, by Senator Bekman, a bill for an act to amend section seventy-nine point two (79.2), Code 1950, relating to compensation and mileage of appraisers.

Read first and second times, and passed on file.

Senate File 438, by Senator Elthon, a bill for an act to amend section one hundred forty-seven point twenty (147.20), Code 1950, relating to the nomination and appointment to the board of examiners for professions licensed by the state department of health.

Read first and second times, and passed on file.

Senate File 439, by Senators Dykhouse and Bekman, a bill for an act to repeal section one hundred twenty-four point twenty-two (124.22), Code 1950, prohibiting manufacturers and wholesalers of beer from giving financial aid or furnishing fixtures or equipment to retailers, and to enact a substitute therefor.

Read first and second times, and passed on file.

Senate File 440, by Senator Berg (McFarlane), a bill for an act relating to viaducts, underpasses and railroad grade separations in certain cities and to amend sections three hundred eighty-seven point one (387.1) and three hundred eighty-seven point two (387.2), Code 1950.

Read first and second times, and passed on file.

Senate File 441, by Senator Berg (McFarlane), a bill for an act relating to the incurring of indebtedness by cities and towns for the elimination or separating of railroad grade crossings and to amend section four hundred seven point three (407.3), Code 1950.

Read first and second times, and passed on file.

Senate File 442, by Senator Berg (McFarlane), a bill for an act to create an alternate plan for elimination of the need for viaducts and underpasses through relocating, depressing, elevating

or consolidating main line and belt line railroad trackage in certain cities.

Read first and second times, and passed on file.

Senate File 443, by Senator Berg, a bill for an act relating to the control of the assignment of rooms in the capitol building by the executive council, and to amend section nineteen point fifteen (19.15), Code 1950.

Read first and second times, and passed on file.

Senate File 444, by Senators Berg and Hedin, a bill for an act to amend the law as it appears in chapter three hundred ninety-two (392), Code 1950, relating to joint use of municipal sewers and providing for an extension of the power of certain cities and towns to contract with each other for protection of the public water supply.

Read first and second times, and passed on file.

Senate File 445, by Senators Walter, Watson of O'Brien and Risk, a bill for an act relating to motor vehicles, the ownership thereof and other interests therein, and to provide for the issuance of certificates of title therefor upon payment of certain fees, and to prescribe penalties for violation of this act.

Read first and second times, and passed on file.

Senate File 446, by Senators McCarville and Lynes, a bill for an act relating to the use of vending machines in the sale of cigarettes, providing for the licensing of such machines, and providing a penalty for the illegal operation thereof.

Read first and second times, and passed on file.

Senate File 447, by Senator McCarville, a bill for an act to amend section ninety-six point seven (96.7), Code 1950, relating to payments charged against an employer.

Read first and second times, and passed on file.

Senate Joint Resolution 5, by Senator Fishbaugh, a joint resolution creating a special highway study committee to review and study information relating to highway construction and the effect of traffic thereon, and to make a report of legislation necessary to

preserve our highway system and guide future expenditures, and to make an appropriation to said committee.

Read first and second times, and passed on file.

Senate File 448, by Senator Jacobson, a bill for an act authorizing the board of supervisors to use county snow removal equipment for removal of snow from farm driveways and to amend section seven hundred forty point twenty (740.20), Code 1950, relating to private use of public property.

Read first and second times, and passed on file.

Senate File 449, by Senator Watson of Pottawattamie, a bill for an act to amend section three hundred seventy point thirteen (370.13), Code 1950, relating to the leasing of public parks under the jurisdiction of park boards.

Read first and second times, and passed on file.

#### HOUSE CONCURRENT RESOLUTION 15

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

#### HOUSE CONCURRENT RESOLUTION 15

*Whereas*, the state capitol building is in need of extensive repairs;  
*Therefore, Be It Resolved by the House, the Senate Concurring*, that there is hereby created a committee of six (6), three (3) to be appointed by the President of the Senate and three (3) to be appointed by the Speaker of the House, who, together with the state architect, shall make a survey of the needed repairs on the inside and outside of the capitol building.

This committee shall specifically list the repairs vital to the preservation of the capitol building and shall submit the same back to the Fifty-fourth General Assembly for consideration and such projects as are approved by the General Assembly shall be carried out by the executive council during the next biennium thereafter.

The motion prevailed and the resolution was adopted.

Senator Berg asked and received unanimous consent that Senate File 329 be made a special order of business for 10:30 a.m., Tuesday, March 6, 1951.

The hour of 10:30 a.m. having arrived, the Chair announced the consideration of the motion by Senator Lynes, action on which was deferred on February 22.

Senator Jacobson moved as a substitute motion that in the event a steering committee for the purpose of arranging the order of bills on the regular calendar of the Senate is appointed that the members of such steering committee be appointed by the President of the Senate. Such steering committee shall not be appointed until a motion requesting the appointment thereof has been adopted by the Senate.

Senator Jacobson asked and received unanimous consent to withdraw the substitute motion.

Senator Lynes asked and received unanimous consent to withdraw his motion.

#### PRESENTATION OF VISITORS

Senator Nesmith asked and received unanimous consent to present to the Senate the members of the homemakers' group of the Farm Bureau of Jasper County who were present in the Senate chamber.

Senator O'Malley asked and received unanimous consent to present to the Senate twenty-two members of the speech class of Woodside High School who were present in the balcony with their superintendent, George W. Davis.

#### SPECIAL ORDER

The Senate resumed consideration of the municipal code study bills.

#### THIRD READING OF BILLS

On motion of Senator Dykhouse, Senate File 164, a bill for an act to define the general powers and duties of municipal officers and to repeal various sections of the Code relating thereto and to enact substitutes therefor, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Watson of Pottawattamie took the chair at 10:45 a.m.

The following committee amendments were considered:

1. Amend by inserting in line 13 of section 3 after the word "town." the following sentence: "Said statement shall include a list of all claims allowed, unless the council provides by ordinance that; such list of claims shall be prepared in monthly pamphlet form on or before the tenth day of the succeeding month and that copies of such pamphlet shall be furnished to the state library, the municipal library, if any, a newspaper of



general circulation in the municipality, and to persons who shall apply therefor at the clerk's office."

2. Strike from line 14 of section 5 the figures "420.40" and insert in lieu thereof the figures "420.30".

3. Strike from line 8 of section 12 the figures "363.57" and insert in lieu thereof the figures "363.59".

4. Strike from line 5 of section 16 the words and figures ", Code 1950,".

5. Strike from lines 14 and 15 of section 23 the words "twenty-four of this chapter" and insert in lieu thereof the words "twenty-two of this act".

6. Strike from line 5 of section 38 the words and figures "secs. 2 to 23" and insert in lieu thereof the words and figures "secs. 21 to 23".

President pro tempore Hart took the chair at 10:58 a.m.

Senator Watson of Pottawattamie offered the following amendment to the amendment and moved its adoption:

Amend the committee amendment to Senate File 164, found on page 217 of the Senate Journal, with reference to section 3 of said Senate File by striking all of section 1 after the word "allowed" in line 4 of said amendment and adding a period (.)

President Nicholas took the chair at 11:13 a.m.

The amendment to the amendment was adopted.

On motion of Senator Dykhouse, section 1 of the committee amendment was adopted.

On motion of Senator Dykhouse, the balance of the committee amendment was adopted.

Senator O'Malley offered the following amendment:

Amend Senate File 164 by striking the period (.) after the word "town" in section 3, subsection 3, line 13, and adding the following: ", providing however that in cities having more than one hundred fifty thousand (150,000) population the council shall each month print in pamphlet form a detailed itemized statement of all receipts and disbursements of the city, and a summary of its proceedings during the preceding month, and furnish copies thereof to the state library, the city library, the daily newspapers of the city and to persons who shall apply therefor at the office of the city clerk, and such pamphlet shall constitute publication as required herein."

Senator O'Malley asked and received unanimous consent to alter the amendment as follows:

Amend Senate File 164, by adding after the word "allowed" in the committee amendment the following: ", providing however that in cities having more than one hundred fifty thousand (150,000) population the council shall each month print in pamphlet form a detailed itemized statement of all receipts and disbursements of the city, and a summary of its

proceedings during the preceding month, and furnish copies thereof to the state library, the city library, the daily newspapers of the city and to persons who shall apply therefor at the office of the city clerk, and such pamphlet shall constitute publication as required herein."

The amendment was adopted.

On motion of Senator Dykhouse, the following amendment was adopted:

Amend Senate File 164 by inserting in section 1, subsection 7, line 34, after the word "vacations" the words ", retirement plans".

On motion of Senator Dykhouse, the following amendment was adopted:

Amend Senate File 164 as follows:

1. Insert after the word "inclusive," in line 3 of section 28 the words "and three hundred sixty-three point thirty-seven (363.37)".

2. Strike section 35 and insert in lieu thereof the following:

"Sec. 35. Sections four hundred sixteen point fourteen (416.14), four hundred sixteen point forty-five (416.45), four hundred sixteen point forty-nine (416.49), four hundred sixteen point fifty-three (416.53), four hundred sixteen point ninety-five (416.95), and four hundred sixteen point ninety-six (416.96), Code 1950, are hereby repealed."

3. Insert after section 39 the following new section:

"Sec. 40. Sections four hundred nineteen point sixteen (419.16) to four hundred nineteen point eighteen (419.18), inclusive, four hundred nineteen point thirty-four (419.34) and four hundred nineteen point thirty-five (419.35), Code 1950, are hereby repealed."

Further amend said Senate File by renumbering the remaining sections.

On motion of Senator Dykhouse, the following amendment filed by Senator Prentis was adopted:

Amend Senate File 164 by inserting after section 24 the following new section:

"Sec. 25. Utilities boards—proceedings. Immediately following each meeting of the trustees or governing board of each municipally owned public utility, the trustees or board members shall publish by one insertion in at least one newspaper a summary of the proceedings together with a list of warrants drawn, the names of persons, firms, or corporations to whom drawn, the amount thereof, and the reason therefor. Publication shall be made in the manner provided by section six hundred eighteen point fourteen (618.14). Failure to make such publication shall constitute a misdemeanor."

Further amend said Senate File by renumbering the remaining sections.

Senator Watson of Pottawattamie offered the following amendment and moved its adoption:

Amend Senate File 164, section 11, by striking the period (.) at the end of line 2 and inserting the following: "except where there is no Iowa

newspaper of general circulation in the town, said annual report may be posted in three (3) public places."

The amendment was adopted.

Senator McCarville moved that the bill be read a third 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:**

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevoed	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

**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.

#### ADDITIONAL COPIES

Senator Dykhouse asked and received unanimous consent to have printed 500 copies of Senate File 164, as passed by the Senate.

#### SIFTING COMMITTEE APPOINTED

In accordance with Rule 37, the President appointed the following Senators as members of the sifting committee:

**Doud, chairman, Prentis, ranking member, Jacobson, Bekman, Oltman, Elthon, Van Patten, Ridout, Colburn, Walter, Risk, Augustine and Dykhouse.**

#### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that, on February 22, the Governor had approved the following bills:

**Senate File 72, relating to the town of Greene, Butler County, Iowa.**  
**Senate File 161, relating to Muscatine County, Iowa.**

## PROOF OF PUBLICATION

Published copy of Senate File 402 and verified proof of publication of said bill in the Jefferson Herald, on February 22, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE, *Secretary of Senate.*

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 71.

JAMES H. NESMITH, *Chairman Senate Committee.*

ELMER A. BASS, *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 71.

## BILL SENT TO THE GOVERNOR

Senator Nesmith, 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, 1951, sent to the Governor for his approval: Senate File 71.

JAMES H. NESMITH, *Chairman.*

Passed on file.

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

## AFTERNOON SESSION

The Senate reconvened, Senator Colburn presiding.

## INTRODUCTION OF BILLS

Senate File 450, by Senator Fishbaugh, a bill for an act to provide for the filing and enforcement of a lien upon farm crops for the value of fuel and lubricants furnished for the operation of farm machinery in the production of said crops.

Read first and second times, and passed on file.

Senate File 451, by Senator Bekman, a bill for an act to amend section five hundred ninety-eight point fourteen (598.14), Code 1950, relating to alimony and to make judgments, orders and decrees for payment of alimony liens on real estate only as to delinquent balances.

Read first and second times, and passed on file.

Senate File 452, by Senators McCarville and Vest, a bill for an act relating to intrastate fresh pursuit.

Read first and second times, and passed on file.

Senate File 453, by Senators Van Eaton, Dailey, O'Malley and Hedin, a bill for an act to provide for conditions under which union security clauses may be written into a labor agreement between employers and unions and to provide qualifications and conditions under which labor organization dues, initiation fees and insurance premiums may be deducted from wages by employers and paid to organizations of employees or labor unions to amend sections seven hundred thirty-six A point three (736A.3) and seven hundred thirty-six A point five (736A.5) and to repeal section seven hundred thirty-six A point four (736A.4), Code 1950, relating to labor agreements and labor union memberships.

Read first and second times, and passed on file.

Senate File 454, by Senator O'Malley, a bill for an act to amend section three hundred fifty-seven point two (357.2), Code 1950, with respect to payment of the cost of proposed water systems in districts which include publicly owned property.

Read first and second times, and passed on file.

Senate File 455, by Senator O'Malley, a bill for an act to amend section ninety-six point three (96.3), ninety-six point seven (96.7) and ninety-six point nineteen (96.19), Code 1950, relating to unemployment compensation and unemployment benefits; to re-determine benefits payable for partial unemployment; to change the limitation on benefit credits; and the manner in which benefits are charged; and to increase the allowable weekly benefit amount.

Read first and second times, and passed on file.

Senate File 456, by Senator O'Malley, a bill for an act to amend section ninety-six point five (96.5), Code 1950, to provide that

benefits may not be denied in cases of labor disputes where lockouts occur or employees are discharged pending negotiation for settlement in labor disputes.

Read first and second times, and passed on file.

Senate File 457, by Senator O'Malley, a bill for an act to amend chapter three hundred thirteen (313), Code 1950, relating to improvement of primary roads.

Read first and second times, and passed on file.

Senate File 458, by committee on motor vehicles, a bill for an act to amend section three hundred twenty-one point four hundred fifty-six (321.456), Code 1950, relating to the height of vehicles.

Read first and second times, and placed on the calendar.

Senate File 459, by Senators McCarville, Van Patten, Sharp, Hattery and Watson of O'Brien, a bill for an act to amend chapter three hundred twenty-one (321), Code 1950, relating to motor vehicles and law of road, and to provide for the inspection of certain vehicles and the appointment and supervision of official inspection stations.

Read first and second times, and passed on file.

Senate File 460, by Senator O'Malley, a bill for an act to amend section four hundred twenty-six point two (426.2), Code 1950, relating to agricultural land credits.

Read first and second times, and passed on file.

Senate File 461, by Senator Prentis (by request), a bill for an act to amend section eighty point nine (80.9), Code 1950, relating to the radio communications division in the department of public safety.

Read first and second times, and passed on file.

Senate File 462, by Senator Prentis (by request), a bill for an act to amend sections ninety-seven A point one (97A.1) and ninety-seven A point three (97A.3), Code 1950, relating to the radio communications division in the department of public safety.

Read first and second times, and passed on file.

Senate File 463, by Senator Doud (Kosek), a bill for an act to repeal chapter one hundred seventy-two (172), Code 1950, relating

to the operation of frozen food locker plants within the State of Iowa, and inserting a new chapter in lieu thereof.

Read first and second times, and passed on file.

Senate Joint Resolution 6, by Senators Lord, Weichman and Zastrow, a joint resolution creating a special committee to make a study of the operations of the Iowa old age and survivors' insurance system, to investigate into the proposal of uniting the Iowa old age and survivors' system with the federal social security system, and providing that such committee shall make a report of its findings to the Governor of Iowa and to the Fifty-fifth General Assembly, and appropriating the the sum of fifteen thousand dollars (\$15,000) or so much thereof as may be necessary to carry out the provisions of this joint resolution.

Read first and second times, and passed on file.

Senate Joint Resolution 7, by Senator Fishbaugh, a joint resolution to create a special public utility study committee to review and study information on needed legislation for supervision of public utility rates and to make an appropriation to said committee.

Read first and second times, and passed on file.

#### REPORTS OF COMMITTEES

Senator Doud submitted the following report:

**MR. PRESIDENT:** Your committee on schools and educational institutions to which was referred **Senate File 312**, a bill for an act to require regulation and licensing of representatives of non-resident business schools, trade schools, technical schools and correspondence schools and prescribing penalties for violations, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ALDEN L. DOUD, *Chairman*.

Ordered passed on file.

**Also:**

**MR. PRESIDENT:** Your committee on schools and educational institutions to which was referred **Senate File 332**, a bill for an act relating to continuance of musical education of children during vacation periods and to municipal bands, 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 332 by striking section 2 and substituting in lieu thereof the following:

Sec. 2. Section three hundred seventy-five point six (375.6) is amended by striking the period after the word "commission" in line four (4) thereof and adding the following: "and in cities having a population of over forty thousand (40,000), the said fund shall be administered by the park commissioner as provided for in chapter three hundred seventy (370)."

ALDEN L. DOUD, *Chairman.*

Ordered passed on file.

Senator Jacobson submitted the following report:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade to which was referred **House File 179**, a bill for an act to amend section ninety-two point eleven (92.11), Code 1950, relating to employment of persons under sixteen (16) years of age, begs leave to report it has had the same under consideration and recommends the same **do pass.**

ARTHUR H. JACOBSON, *Chairman.*

Ordered passed on file.

Senator Van Eaton submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles to which was referred **Senate File 207**, a bill for an act to amend chapter three hundred twenty-one (321), Code 1950, relating to motor vehicles and law of road, begs leave to report it has had the same under consideration and recommends the same **be amended in accordance with the amendment filed by Senator Van Patten and found on page 361 of the Senate Journal, and when so amended the bill do pass.**

CHARLES S. VAN EATON, *Chairman.*

Ordered passed on file.

Senator Myrland submitted the following report:

MR. PRESIDENT: Your committee on public utilities to which was referred **Senate File 323**, a bill for an act to amend section four hundred eighty-nine point fourteen (489.14), Code 1950, relating to eminent domain for electric transmission lines, and extending such right to non-profit cooperatives and cooperatives operating for profit, and further providing for an increase in the amount of land that may be condemned, begs leave to report it has had the same under consideration and recommends the same **do pass.**

E. C. MYRLAND, *Chairman.*

Ordered passed on file.

Senator Weichman submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 61**, a bill for an act to amend section two hundred thirty-one point eight (231.8), Code 1950, relating to the appointment of probation officers (in juvenile court) and their



salaries and expenses, begs leave to report it has had the same under consideration and recommends the same **do pass**.

H. E. WEICHMAN, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 135**, a bill for an act to amend section three hundred ninety-eight point eight (398.8), Code 1950, relating to the compensation of waterworks trustees, begs leave to report it has had the same under consideration and recommends the same **do pass**.

H. E. WEICHMAN, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 234**, a bill for an act to amend section six hundred two point forty-nine (602.49), Code 1950, relating to salaries of the clerk and bailiff of the municipal court, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

Amend Senate File 234, line 4, by striking the word "thirty-seven" and inserting in lieu thereof the word "thirty-two".

Further amend Senate File 234, line 6, by striking the word "forty-two" and inserting in lieu thereof the word "thirty-seven".

Further amend Senate File 234, line 8, by striking the word "forty-seven" and inserting in lieu thereof the word "forty-two".

Further amend Senate File 234, lines 9 and 10, by striking the word "twenty-five" and inserting in lieu thereof the words "twenty-five hundred".

Further amend Senate File 234, line 10, by striking the word "thirty-five" and inserting the words "three thousand".

Further amend Senate File 234, line 13, by striking the words "thirty-seven hundred fifty" and inserting in lieu thereof the words "thirty-two hundred fifty".

Further amend Senate File 234, line 14, by striking the word "three" and inserting in lieu thereof the words "three thousand".

Further amend Senate File 234, line 15, by striking the word "four" and inserting in lieu thereof the words "thirty-five hundred."

H. E. WEICHMAN, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 311**, a bill for an act to amend section six hundred one point one hundred twenty-eight (601.128),

Code 1950, relating to fees of justice, begs leave to report it has had the same under consideration and recommends the same **do pass**.

H. E. WEICHMAN, *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on compensation of public officers and employees to which was referred **Senate File 351**, a bill for an act to amend section two hundred thirty-one point eight (231.8), Code 1950, relating to the appointment and compensation of juvenile court probation officers and secretaries, begs leave to report it has had the same under consideration and **returns the bill without recommendation**.

H. E. WEICHMAN, *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on compensation of public officers and employees to which was referred **House File 69**, a bill for an act to amend section two hundred thirty-one point eight (231.8), Code 1950, relating to the appointment of probation officers in juvenile court and their salaries and expenses, begs leave to report it has had the same under consideration and recommends the same **do pass**.

H. E. WEICHMAN, *Chairman*.

Ordered passed on file.

#### BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following assignment of bills to committee:

- S. F. 10 Appropriations
- S. F. 300 Appropriations
- S. F. 403 Social security
- S. F. 404 Governmental affairs
- S. F. 405 Tax revision
- S. F. 406 Ways and means
- S. F. 407 Schools and educational institutions
- S. F. 413 Manufacturing, commerce and trade
- S. F. 414 Iowa development
- S. F. 415 Schools and educational institutions
- S. F. 416 Schools and educational institutions
- S. F. 417 Judiciary 1
- S. F. 418 Motor vehicles
- S. F. 419 Governmental affairs
- S. F. 422 Military affairs

- S. F. 423 Agriculture
- S. F. 424 Schools and educational institutions
- S. F. 425 Motor vehicles
- S. F. 426 Public health
- S. F. 427 Public health
- S. F. 428 Schools and educational institutions
- S. F. 429 Judiciary 1
- S. F. 430 Conservation
- S. F. 431 Ways and means
- S. F. 432 Public health
- S. F. 433 Highways
- S. F. 434 Ways and means
- H. F. 97 Schools and educational institutions
- H. F. 420 Schools and educational institutions

#### AMENDMENT FILED

Amend Senate File 212 by inserting in line 8, of section 14, after the word "taxation" the following: ", not to exceed one and one-fourth (1¼) mills in any year,".

PAUL E. MCCARVILLE.

On motion of Senator Van Patten, and in accordance with Senate Concurrent Resolution 9 duly adopted, the Senate adjourned until 2:00 p.m., Monday, March 5, 1951.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 5, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Father William J. Menster, director of Catholic Charities of Iowa and chaplain of the Orphans' Home, Dubuque, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Berg, from residents of Black Hawk County favoring proposed school legislation.

By Senator Bateson, from residents of Hamilton County favoring legislation relating to benefits for county officials.

By Senator Colburn, from residents of Shelby County favoring legislation relating to old age and survivors' insurance for state employees.

From Senator Mercer from employees of the State University of Iowa favoring legislation relating to old age and survivors' insurance.

By Senator Parker, from the faculty of the Marcus, Cherokee County, Public Schools, favoring legislation relating to old age and survivors' insurance; also, from residents of Plymouth County favoring legislation relating to farm aid associations.

By Senator Van Patten, from members of the Izaak Walton League, Warren County, in opposition to legislation relating to the abolishment of the conservation commission.

By Senator Weichman, from employees of Tama County favoring legislation relating to old age and survivors' insurance.

## COMMITTEE APPOINTED

Senator Elthon called to the attention of the members of the Senate the death of a former member of the Senate, the Honorable C. V. Findlay of Webster County, and moved that the President of the Senate appoint a committee to represent the Senate at the funeral.

The motion prevailed and the President appointed as such committee Senators McCarville, Vest and Oltman.

#### PRESENTATION OF VISITOR

Senator Nesmith asked and received unanimous consent to present to the Senate a former member of the Senate from Jasper County, the Honorable Ross R. Mowry, who was present in the Senate chamber.

#### COMMUNICATION

The following communication was received:

#### NEBRASKA STATE LEGISLATURE

February 28, 1951.

Honorable Carroll A. Lane,  
Secretary of the Senate,  
Iowa State Legislature,  
Des Moines, Iowa.

Dear Sir:

Legislative Resolution 3 was passed by the Legislature of Nebraska on February 26, 1951, and the enclosed copy is sent to you for the information of the members of the Iowa State Legislature as directed by the Legislature of Nebraska.

Sincerely yours,  
HUGO F. SRB,  
*Clerk of the Legislature.*

#### LEGISLATURE OF NEBRASKA SIXTY-SECOND SESSION

#### LEGISLATIVE RESOLUTION 3

Introduced by Charles F. Tvrdik of Douglas, William Moulton of Douglas, John P. McKnight of Nemaha

*Whereas*, during the past two seasons, football games played at Memorial Stadium of the University of Nebraska were televised, and

*Whereas*, it is impossible for all of the football fans of Nebraska to see the games at Memorial Stadium on account of the size, distance from the stadium and other physical circumstances, and

*Whereas*, all loyal Nebraskans like to see their university team in action on the gridiron and some may do this only by the medium of television, and

*Whereas*, the University of Nebraska has voted to carry out the policy of the National Collegiate Athletic Association to ban television of athletic games next year,

*Now, Therefore, Be It Resolved by the Sixty-second Session of the Nebraska State Legislature:*

1. That the University of Nebraska request a review of the findings of the Big Seven Conference in order to permit the television of home football games at Memorial Stadium at the University of Nebraska.

2. That a copy of this resolution, suitably engrossed, be sent to the Legislature in the states of Iowa, Missouri, Kansas, Oklahoma and Colorado urging such legislatures to take action in urging their universities who are members of the Big Seven Conference to permit television of home football games.

3. That a copy of this resolution suitably engrossed be sent to the chancellor of the University of Nebraska, and a copy to each of the presidents of the other universities in the Big Seven Conference urging such action of the Big Seven Conference.

CHARLES J. WARNER,  
*President of the Legislature.*

I, Hugo F. Srb, hereby certify that the above is a true and correct copy of Legislative Resolution 3, which was passed by the Legislature of Nebraska in Sixty-second regular session on the twenty-sixth of February, 1951.

HUGO F. SRB,  
*Clerk of the Legislature.*

Senator Elthon moved that the foregoing communication and resolution be printed in the Senate Journal and that the Secretary be directed to acknowledge receipt of same and forward copy of the Senate Journal to the President of the Nebraska Legislature, 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 227, a bill for an act relating to the legalizing of certain orders, judgments and decrees.

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 to appropriate funds from primary road fund to industrial commissioner.

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

House File 490, a bill for an act authorizing expenditures by the state highway commission.

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

House File 491, 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 492, a bill for an act transferring moneys from the industry revolving funds to the general fund.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File 227, a bill for an act to legalize and validate orders, judgments and decrees entered prior to July 4, 1951, upon service of notice by publication or posting, and to limit the time within which actions may be brought to question such orders, judgments and decrees or rights or status arising thereunder.

Read first and second times, and passed on file.

House File 447, a bill for an act to appropriate funds from the primary road fund to the industrial commissioner for payment of workmen's compensation claims of employees of the state highway commission.

Read first and second times, and passed on file.

House File 490, a bill for an act authorizing expenditures by the state highway commission from the primary road fund for the biennium beginning July 1, 1951, and ending June 30, 1953.

Read first and second times, and passed on file.

House File 491, a bill for an act making appropriation to defray expense of inaugural ceremonies.

Read first and second times, and passed on file.

House File 492, a bill for an act transferring moneys from the industry revolving funds created and established at the state penitentiary at Fort Madison and at the state reformatory at Anamosa to the general fund of state.

Read first and second times, and passed on file.

#### THIRD READING OF BILLS

Senator Doud called up for further consideration Senate File 108, a bill for an act to amend section two hundred twenty-nine point nine (229.9), Code 1950, relating to the findings and orders of the county commission of insanity.

Senator Fishbaugh offered the following amendment and moved its adoption:

Amend Senate File 108 by striking all of section 1 and renumbering the remaining sections.

The amendment was adopted.

Senator Doud asked and received unanimous consent that action on Senate File 108 be deferred and that the bill retain its place on the calendar.

On motion of Senator Weichman, Senate File 217, a bill for an act to change the name of the state school for the blind to the Iowa Braille and Sight-Saving School, was taken up for further consideration.

Senator Weichman moved that the bill be read a 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, 31:

Anderson	Gillespie	Lynes	Sharp
Bateson	Hart	Mercer	Tudor
Bekman	Hattery	Molison	Van Eaton
Berg	Hedin	Myrland	Watson of
Byers	Henningsen	Nesmith	O'Brien
Dailey	Hultman	O'Malley	Weichman
Elthon	Humbert	Ridout	Whitehead
Fishbaugh	Jacobson	Risk	Zastrow

Nays, 11:

Augustine	Fletcher	Parker	Walter
Colburn	Knudson	Roberts	West
Doud	Linnevold	Van Patten	

Absent or not voting, 8:

Dykhouse	Oltman	Utzig	Watson of
Lord	Prentis	Vest	Pottawattamie
McCarville			

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

On motion of Senator Hattery, Senate File 93, a bill for an act relating to municipal corporations, including their incorporation, discontinuance, annexation or severance of territory and the changing of names thereof and to repeal various sections of chapter three hundred sixty-two (362), Code 1950, relating thereto and to



enact substitutes therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The following committee admendments were considered:

Amend Senate File 98 by adding after the word "defendant" in section 7, line 87, the following words: "as shown by the plat books in the office of the county auditor."

Amend Senate File 93 by adding thereto section 9 as follows: "Nothing in this bill shall affect pending proceedings or litigation brought under any provisions of chapter three hundred sixty-two (362), Code 1950, prior to the effective date of this enactment." and renumber section nine (9) of the pending bill as section ten (10).

On motion of Senator Hattery, the amendments were adopted.

Senator Hattery asked and received unanimous consent that further action on Senate File 93 be deferred and that the bill retain its place on the calendar.

On motion of Senator Doud, Senate File 228, a bill for an act to provide for the establishment, maintenance, operation and expansion of non-profit school lunch programs in public schools in the State of Iowa, to authorize the State of Iowa to accept federal funds for this purpose and to conduct studies and appraisals of school lunch programs and report findings and recommendations to the Governor, was taken up, and considered.

Senator Walter offered the following amendment by Senators Walter, Molison and Anderson and moved its adoption:

Amend Senate File 228 by striking section 6, and renumbering the following section.

The amendment was adopted.

Senator Bateson took the chair at 3:30 p.m.

Senator Doud offered the following amendment and moved its adoption:

Amend Senate File 228 by striking all of section 7 and inserting in lieu thereof the following: "Sec. 7. This act being deemed of immediate importance shall take effect and be in force from and after its publication in The Record-Republican, a newspaper published in Bonaparte, Iowa, and the Marshalltown Times-Republican, a newspaper published in Marshalltown, Iowa."

The amendment was adopted.

Senator Doud offered the following amendment and moved its adoption:

Amend the title to Senate File 228 by striking the comma (,) after the word "maintenance" in line 1 and inserting in lieu thereof the word "and". Further amend the title by striking the words "and expansion" in line 2 and inserting a period (.) after the word "purpose" in line 4 and striking the words "and to" in line 4 and all of lines 5 and 6.

The amendment was adopted.

Senator Walter moved that the bill be read a third 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:

Anderson	Fletcher	Mercer	Van Eaton
Augustine	Gillespie	Molison	Van Patton
Bateson	Hart	Myrland	Walter
Bekman	Hattery	Nesmith	Watson of
Berg	Hedin	O'Malley	O'Brien
Byers	Henningsen	Parker	Watson of
Colburn	Hultman	Ridout	Pottawattamie
Dailey	Humbert	Risk	Weichman
Doud	Jacobson	Roberts	West
Elthon	Linnevold	Sharp	Whitehead
Fishbaugh	Lynes	Tudor	Zastrow

Nays, none.

Absent or not voting, 8:

Dykhous	Lord	Oltman	Utzig
Knudson	McCarville	Prentis	Vest

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

On motion of Senator Fishbaugh, Senate File 237, a bill for an act relating to claims against estates, guardianships or trusts, limiting the time within which action may be taken on such claims, and limiting the time within which action may be taken to contest the final settlement or discharge of an administrator, executor, guardian or trustee, was taken up, and considered.

Senator Fishbaugh asked and received unanimous consent that House File 318 be substituted for Senate File 237.

On motion of Senator Fishbaugh, House File 318, a bill for an act relating to claims against estates, guardianships or trusts; limiting the time within which action may be taken on such claims; and limiting the time within which action may be taken to contest

the final settlement or discharge of an administrator, executor, guardian or trustee, was taken up, and considered.

Senator Fishbaugh asked and received unanimous consent that action on House File 318 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Bekman, Senate File 246, a bill for an act to legalize and validate orders, judgments and decrees entered prior to July 4, 1951, upon service of notice by publication or posting, was taken up, and considered.

Senator Bekman asked and received unanimous consent that House File 227 be substituted for Senate File 246.

Senator Elthon moved that further action on House File 227 be deferred and that the bill retain its place on the calendar.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that, on February 23, the Governor had approved the following bill:

Senate File 71, relating to the Consolidated School District of Newhall, Benton County, Iowa.

#### BILL WITHDRAWN

Senator Bekman asked and received unanimous consent that Senate File 101 be withdrawn from further consideration of the Senate.

#### ADDITIONAL COPIES

Senator Prentis asked and received unanimous consent to have printed 500 copies of Senate File 2 as amended by the House.

#### BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following assignment of bills to committee:

- S. F. 435 Judiciary 2
- S. F. 436 Ways and means
- S. F. 437 Compensation of public officers and employees
- S. F. 438 Public health
- S. F. 439 Judiciary 2

S. F. 440	Railroads
S. F. 441	Railroads
S. F. 442	Railroads
S. F. 443	Public lands and buildings
S. F. 444	Public health
S. F. 445	Motor vehicles
S. F. 446	Manufacturing, commerce and trade
S. F. 447	Social security
S. F. 448	Highways
S. F. 449	Cities and towns
S. F. 450	Agriculture
S. F. 451	Judiciary 1
S. F. 452	Judiciary 1
S. F. 453	Labor
S. F. 454	Public lands and buildings
S. F. 455	Social security
S. F. 456	Labor
S. F. 457	Highways
S. F. 459	Highways
S. F. 460	Tax revision
S. F. 461	Motor vehicles
S. F. 462	Social security
S. F. 463	Manufacturing, commerce and trade
S.J.R. 5	Highways
S.J.R. 6	Social security
S.J.R. 7	Public utilities
H. F. 447	Appropriations
H. F. 490	Appropriations
H. F. 491	Appropriations
H. F. 492	Appropriations

#### AMENDMENTS FILED

Amend the House amendment to Senate File 2 by inserting in line 57 after the word "general" the following: " , employees of the conservation commission,".

E. K. BEKMAN.

ARTHUR H. JACOBSON.

PAUL E. MCCARVILLE.

Amend Senate File 50 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. The court may, upon satisfactory showing and on notice

to the state tax commission by registered mail or personal service and on such other notice to other parties who may be affected by the release of the lien as the court may prescribe, make an order releasing any item of real estate including a deferred estate or remainder interest therein or personal property from the lien of the tax imposed by this chapter; provided that the payment of the tax as fixed by the state tax commission on the specific item of property released, or the determination by the court that other property subject to the lien of the tax to be released constitutes good and sufficient security for the payment of the tax, or an arrangement or adjustment fixed by the court which will be fair and equitable to all parties affected and which will assure the payment of the tax shall constitute a satisfactory showing."

E. K. BEKMAN.  
ARTHUR H. JACOBSON.  
PAUL E. MCCARVILLE.

Amend Senate File 144 by inserting in line 7 after the first word "the" the following: "county organization of".

W. ELDON WALTER.

Amend Senate File 331 as follows:

1. Insert in line 6 of section 1 after "trustee." the following: "The question of abolishing an existing board of trustees may be initiated and submitted in like manner."

2. Further amend Senate File 331 by adding a new section as follows:

"Sec. 2. Section three hundred ninety-seven point thirty-nine (397.39), Code 1950, is amended by inserting in line one (1) after the word 'town' the following: 'or the board of trustees in control of any municipally owned utility'."

3. Amend the title of Senate File 331 by striking the word "section" in line 2 and inserting in lieu thereof the word "sections".

Further amend the title by inserting in line 3 after the figures "(397.29)" the following: "and three hundred ninety-seven point thirty-nine (397.39)".

JOHN P. BERG.

Amend Senate File 459 by adding a new paragraph following line 28 of section 1 as follows:

"The commissioner, upon proper application, shall issue a certificate of appointment as an official inspection station to any person, association or corporation owning and operating more than twenty-five motor vehicles, for purposes other than the sale thereof, to make inspections of his or its own vehicles only,

pursuant to such rules as may be issued by the commissioner. The commissioner, upon receipt of the fee required to be paid to him by this act, shall issue to such person, association or corporation a certificate of inspection and approval for each of his or its motor vehicles which such person, association or corporation certifies meets the inspection requirements of this act."

JOHN R. HATTEBY.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 6, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Paul Hann, pastor of the Methodist Church, Knoxville, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Hedin, from members of the Scott County Council of Parent-Teacher Associations, in opposition to legislation relating to employment of persons under eighteen years of age.

By Senator Knudson, from members of the Tom Howard Woman's Relief Corps of Clear Lake favoring legislation relating to the repair of the Soldiers' Home at Marshalltown; also, from members of the Mason City Ministerial Association in opposition to legislation relating to employment of persons under eighteen years of age.

By Senator O'Malley, from members of the Monroe Parent-Teacher Association, Des Moines, favoring proposed legislation relating to general and supplemental aid to schools; also, from members of the Parent-Teacher Association of Cattell School, Des Moines, favoring proposed school legislation; also, from employees of the Polk County juvenile court favoring legislation relating to the salary of probation officers and secretaries.

By Senator Parker, from faculty members of the Ida Grove, Ida County, Public Schools favoring proposed school legislation.

By Senator Utzig, from members of the Dubuque County Central Nursing Committee favoring legislation relating to county and multi-county health departments.

By Senator Van Eaton, from residents of Woodbury County favoring legislation relating to farm to market truckers.

## PRESENTATION OF VISITORS

Senator McCarville asked and received unanimous consent to present to the Senate Wesley Erbe, principal of the Fort Dodge

High School and Junior College, who was present in the Senate chamber.

Senator Hattery asked and received unanimous consent to present to the Senate the members of the class in American history and American government of the Huxley High School who were present in the balcony with their instructor, Eugene Haberkamp.

Senator Hattery asked and received unanimous consent to present to the Senate the members of the Junior High School of Cambridge who were present in the balcony with their superintendent, Mr. Marxer.

Senator O'Malley asked and received unanimous consent to present to the Senate five members of the community life problems class of Woodrow Wilson Junior High School of Des Moines who were present in the Senate chamber.

Senator Van Patten asked and received unanimous consent to present to the Senate the members of the Squaw Valley Rural School, Warren County, who were present in the balcony with their instructor, Mrs. Allen Gillett.

Senator Whitehead asked and received unanimous consent to present to the Senate fifteen members of the government class of the Bagley High School who were present in the balcony with their superintendent, D. H. Hatfield.

Senator Knudson asked and received unanimous consent to present to the Senate twelve members of the senior class in government of the Britt High School who were present in the balcony with their instructor, Mr. Christenson.

#### 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 103, a bill for an act to legalize and validate proceedings taken by the town of Ellsworth, Iowa:

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 the posting of by-laws and statements of capital stock and indebtedness of corporations.

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



House File 157, a bill for an act relating to affidavits attached to petitions in actions to quiet title.

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 appointment of a guardian for a minor owning property.

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 the termination of exhausted guardianships.

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 the legalizing of certain orders, judgments and decrees.

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

House File 229, a bill for an act legalizing and validating the proceedings of the board of directors of Consolidated School District of Lloyd Township in Dickinson County.

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

House File 245, a bill for an act to legalize and validate the proceedings of the board of directors of the Consolidated School District of Hansell, Iowa.

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

House File 320, a bill for an act to make permanent a certain temporary transfer of funds of Monroe County.

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

House File 334, a bill for an act authorizing a patent to issue to lot 29, Henry County, Iowa.

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

House File 349, a bill for an act to legalize and validate proceedings taken by the city council of Pella, Iowa.

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

House File 355, a bill for an act relating to the legalization of acts concerning corporations.

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 legalizing action of board of supervisors of Polk County.

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

House File 378, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance of bonds by the Consolidated School District of Union Township, Plymouth County.

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 to legalize and authorize operation of a public park in Wright County.

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

House File 401, a bill for an act relating to payment of small legacies to minors or incompetents.

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

House File 425, a bill for an act to legalize the proceedings for issuance of school building bonds for Lake Park, Iowa.

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 to legalize and validate the proceedings of the town of Keosauqua, Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File 157, a bill for an act to amend section six hundred forty-nine point two (649.2), Code 1950, relating to affidavits attached to petitions in actions to quiet title.

Read first and second times, and passed on file.

House File 199, a bill for an act to amend section six hundred sixty-eight point three (668.3), Code 1950, relating to the appointment of a guardian for a minor owning property.

Read first and second times, and passed on file.

House File 200, a bill for an act to amend section six hundred sixty-eight point thirty-three (668.33), Code 1950, relating to the termination of exhausted guardianships.

Read first and second times, and passed on file.

House File 228, a bill for an act to legalize and validate orders, judgments and decrees entered prior to July 4, 1951, where acceptance of service of notice, delivery of copy thereof or posting or proof of posting was done by an attorney or his agent.

Read first and second times, and passed on file.

House File 229, a bill for an act to legalize and validate the proceedings of the board of directors of consolidated school district of Lloyd Township, in the county of Dickinson, State of Iowa, authorizing and providing for the issuance, sale and delivery of school bonds and for the levy of taxes for the payment of said bonds and

interest thereon, and declaring bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

Read first and second times, and passed on file.

House File 245, a bill for an act to legalize and validate the proceedings of the board of directors of the Consolidated School District of Hansell, in the county of Franklin, State of Iowa, authorizing and providing for the issuance and delivery of school building bonds and for the levy of taxes for the payment of said bonds, and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

Read first and second times, and passed on file.

House File 320, a bill for an act to make permanent a certain temporary transfer of funds of Monroe County, Iowa, made by authority of the state comptroller.

Read first and second times, and passed on file.

House File 334, a bill for an act authorizing a patent to issue to lot twenty-nine (29), being the southwest quarter (SW $\frac{1}{4}$ ) of the southeast quarter (SE $\frac{1}{4}$ ) of section sixteen (16), township seventy-three (73) north, range seven (7) west, of the 5th P.M., Henry County, Iowa.

Read first and second times, and passed on file.

House File 349, a bill for an act to legalize and validate proceedings taken by the city council of the city of Pella, Iowa, authorizing and providing for the construction of extensions and improvements to its municipal electric light and power plant.

Read first and second times, and passed on file.

House File 355, a bill for an act to amend, revise and codify chapter five hundred ninety-one (591), Code 1950, relating to the legalization of acts concerning corporations.

Read first and second times, and passed on file.

House File 362, a bill for an act to legalize the action of the board of supervisors of Polk County, Iowa, in making certain expenditures at the Polk County home from the county poor fund.

Read first and second times, and passed on file.

House File 378, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance of bonds by the Consolidated School District of Union Township, in the county of Plymouth, State of Iowa, for the purpose of building an addition to and making alterations in the existing school building of said school district.

Read first and second times, and passed on file.

House File 379, a bill for an act to legalize and authorize operation of a public park in Wright County, Iowa, in accordance with the terms set forth in the deed conveying said premises to Boone Township, Wright County, Iowa; Vernon Township, Humboldt County, Iowa; and the incorporated town of Renwick, Humboldt County, Iowa.

Read first and second times, and passed on file.

House File 401, a bill for an act to amend section six hundred thirty-eight point forty-one (638.41), Code 1950, relating to payment of small legacies to minors or incompetents.

Read first and second times, and passed on file.

House File 425, a bill for an act to legalize and validate the proceedings of the board of directors of the Consolidated School District of Lake Park, in the county of Dickinson, State of Iowa, authorizing and providing for the issuance and delivery of school building bonds and for the levy of taxes for the payment of said bonds, and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

Read first and second times, and passed on file.

House File 465, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of \$22,000 of revenue waterworks bonds of the town of Keosauqua, Iowa, and declaring said bonds issued pursuant to said proceedings to be enforceable obligations against the net revenue of the water plant and system of said town of Keosauqua, Iowa.

Read first and second times, and passed on file.

Senator Van Eaton asked and received unanimous consent to take up for consideration Senate Files 343 and 344.

## THIRD READING OF BILLS

On motion of Senator Van Eaton, Senate File 343, a bill for an act to provide for the appointment of a board of auditorium trustees in municipal corporations and to prescribe the organization, powers, and duties of such boards, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Van Eaton asked and received unanimous consent to withdraw the amendment to Senate File 343 filed by him and found on page 424 of the Senate Journal.

Senator Van Eaton moved that the bill be read a third 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:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

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.

On motion of Senator Van Eaton, Senate File 344, a bill for an act to amend section four hundred four point five (404.5), Code 1950, and to authorize an auditorium fund and an auditorium building fund for municipal corporations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Van Eaton offered the following amendment and moved its adoption:

Amend Senate File 344 by adding the following section thereto: "This Act shall be in full force and effect from and after its publication in The

Coggon Monitor, a newspaper published at Coggon, Iowa, and The Anthon Herald, a newspaper published at Anthon, Iowa."

The amendment was adopted.

Senator Van Eaton moved that the bill be read a third 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:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

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 Van Eaton moved that the 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

The hour of 10:30 a.m. having arrived, the Chair announced the special order for the consideration of Senate File 329.

On motion of Senator Oltman, Senate File 329, a bill for an act to amend sections thirty-five A point four (35A.4) and thirty-five A point eight (35A.8), Code 1950, relating to service compensation board, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Sharp offered the following amendment:

Amend Senate File 329 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Section thirty-five A point four (35A.4), Code 1950, is hereby amended as follows:

"The surviving unremarried widow or widower, child or children, step-child or stepchildren, mother, father, or person standing in loco parentis,

in the order named and none other, of any deceased person, shall be paid the compensation that such deceased person would be entitled to under this chapter, if living, except in case the parents of such deceased person have been divorced prior to the entry of such deceased person into the armed forces of the United States, and custody of such deceased person has been granted to one or the other of such parents, the parent to whom custody of such person has been granted by court order or decree shall be considered the eligible beneficiary for such compensation as may be payable according to the terms of this act, and the parent not so awarded custody shall be ineligible. In case a natural parent has abandoned or deserted his or her child or children prior to the time of their entry into the armed forces of the United States, such abandoning or deserting parent shall not be considered to be an eligible beneficiary to whom compensation may be paid under the provisions of this act and the beneficiary next in line as hereinabove provided shall be recognized as the eligible beneficiary; but, if any person has heretofore died or shall hereafter die, from service connected causes incurred between September 16, 1940, and December 31, 1946, the first of survivors as hereinbefore designated and in the order named, shall be paid five hundred dollars, regardless of the length of such service. The World War II Service Compensation Board is hereby authorized and empowered to hold hearings and make findings of fact and determine the order of eligibility of beneficiaries in cases involving, or wherein desertion or abandonment of such child or children has been charged and the findings and determination of the board in such cases shall be final."

Sec. 2. Section thirty-five A point eight (35A.8), Code 1950, is hereby amended by striking from line seven (7) the following: "December 31, 1950", and substituting in lieu thereof the following: "July 1, 1951".

Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Clayton County Register, a newspaper published at Elkader, Iowa, and in The Mediapolis New Era, a newspaper published at Mediapolis, Iowa.

Senator Sharp offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking lines 3 and 4 and substituting in lieu thereof the following:

"Section 1. Section thirty-five A point four (35A.4), Code 1950, is hereby amended by striking all after the period in line 38 and substituting in lieu thereof the following:"

The amendment to the amendment was adopted.

On motion of Senator Sharp, the amendment as amended was adopted.

Senator Oltman moved that the bill be read a third 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:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

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 Oltman moved that the 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 Doud called up for further consideration Senate File 108, a bill for an act to amend section two hundred twenty-nine point nine (229.9), Code 1950, relating to the findings and orders of the county commission of insanity.

Senator Bateson offered the following amendment and moved its adoption:

Amend Senate File 108 by adding to section 2 the following: "Further amend section two hundred twenty-nine point nine (229.9), Code 1950, by adding at the end thereof a paragraph as follows: 'A person ordered to screening center for observation and treatment shall have the same right to appeal from the order as from the order of commitment finding him insane as provided in sections two hundred twenty-seven point seventeen (227.17), two hundred twenty-seven point eighteen (227.18) and two hundred twenty-seven point nineteen (227.19), Code 1950.'"

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:

Anderson	Bateson	Berg	Colburn
Augustine	Bekman	Byers	Dailey



Doud	Humbert	O'Malley	Van Patten
Dykhouse	Jacobson	Parker	Vest
Elthon	Knudson	Prentis	Walter
Fishbaugh	Linnevold	Ridout	Watson of
Fletcher	Lord	Risk	O'Brien
Gillespie	Lynes	Roberts	Watson of
Hart	McCarville	Sharp	Pottawattamie
Hattery	Mercer	Tudor	Weichman
Hedin	Molison	Utzig	West
Henningsen	Myrland	Van Eaton	Whitehead
Hultman	Oltman		

Nays, 1:

Zastrow

Absent or not voting, 1:

Nesmith

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

On motion of Senator Hattery, Senate File 93, a bill for an act relating to municipal corporations, including their incorporation, discontinuance, annexation or severance of territory and the changing of names thereof and to repeal various sections of chapter three hundred sixty-two (362), Code 1950, relating thereto and to enact substitutes therefor, was taken up for further consideration.

Senator Hattery offered the following amendment by Senators Hattery and Dykhouse and moved its adoption:

Amend Senate File 93 by adding the following section: "Sec. 10. When ten per cent of the owners of territory adjoining any city or town petition the council of such city or town for annexation such territory may be annexed by the same procedure as is provided by law for annexation proceedings initiated by the council, except that the petitioners shall be plaintiffs and the city or town and all owners of property in the territory other than petitioners shall be defendants."

The amendment was adopted.

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

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

Ayes, 46:

Anderson	Elthon	Humbert	Molison
Augustine	Fishbaugh	Jacobson	Myrland
Bateson	Fletcher	Knudson	Nesmith
Bekman	Gillespie	Linnevold	Oltman
Berg	Hart	Lord	O'Malley
Colburn	Hattery	Lynes	Parker
Dailey	Henningsen	McCarville	Prentis
Dykhouse	Hultman	Mercer	Ridout

Risk	Utzig	Watson of	Weichman
Roberts	Van Eaton	O'Brien	West
Sharp	Vest	Watson of	Whitehead
Tudor	Walter	Pottawattamie	Zastrow

Nays, none.

Absent or not voting, 4:

Byers	Doud	Hedin	Van Patten
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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 Anderson, Senate File 79, a bill for an act to amend sections one hundred seventy-nine point two (179.2), one hundred seventy-nine point five (179.5) and one hundred seventy-nine point six (179.6), Code 1950, relating to the compensation of appointive members of the Iowa Dairy Industry Commission and to the extension of the annual butterfat tax period, with report of committee recommending amendment and passage, was taken up, considered, and the report to the committee adopted.

The following committee amendment was considered:

Amend Senate File 79 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Section one hundred seventy-nine point two (179.2), Code 1950, is amended by striking from last line of said section the words "three and one-half" and inserting in lieu thereof the word "five".

Sec. 2. Section one hundred seventy-nine point five (179.5), Code 1950, is hereby amended by striking from lines four (4) and five (5) the following words: "June 1 and terminating June 15" and inserting in lieu thereof the following: "May 1 and terminating June 30".

Sec. 3. Section one hundred seventy-nine point six (179.6), Code 1950, is hereby amended by striking from line twelve (12) the following words: "June 1 to June 15" and inserting in lieu thereof the words: "May 1 to June 30".

Sec. 4. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Mt. Pleasant News, a newspaper published at Mt. Pleasant, Iowa, and the Kalona News, a newspaper published at Kalona, Iowa.

The amendment was adopted.

Senator Watson of Pottawattamie took the chair at 11:40 a.m.

Senator Anderson asked and received unanimous consent to withdraw the amendment to Senate File 79 filed by him and found on page 107 of the Senate Journal.

Senator Dykhouse offered the following amendment and moved its adoption :

Amend Senate File 79 by adding at the end of section 2 the following paragraph :

Further amend section one hundred seventy-nine point five (179.5) by inserting after the word "thereto" in the last line the words ", provided that four-fifths of all money derived under the provisions of this section shall be used by said commission for the purpose of advertising butterfat and products made primarily from butterfat."

The amendment was lost.

Senator Fishbaugh offered the following amendment and moved its adoption :

Amend Senate File 79 by adding a new section following section 3 as follows: "Sec. 4. Any person from whom the excise tax provided in this chapter is collected may, by application filed with this commission within sixty (60) days after the collection from him of said tax, have said tax remitted to him by the commission."

Further amend by renumbering the remaining section.

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

#### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

#### BILL RE-REFERRED

Senator Watson of O'Brien asked and received unanimous consent that Senate File 196 be re-referred to the committee on highways.

#### THIRD READING OF BILLS

Senator Walter asked and received unanimous consent to take up for consideration Senate File 337, a bill for an act to legalize and validate the proceedings of the council of the town of LeGrand, Marshall County, Iowa, for the issuance, sale and delivery of waterworks revenue bonds for the purpose of paying part of the construction cost of a waterworks in said town, and to legalize and validate said bonds and the provisions for payment of the same, with report of committee recommending passage.

On motion of Senator Fishbaugh, the report of the committee was adopted.

Senator Walter moved that the bill be read a third 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:**

Anderson	Hart	Nesmith	Vest
Augustine	Hattery	Oltman	Walter
Bateson	Hedin	O'Malley	Watson of
Bekman	Henningsen	Risk	O'Brien
Berg	Hultman	Roberts	Watson of
Byers	Jacobson	Sharp	Pottawattamie
Colburn	Knudson	Tudor	Weichman
Doud	Lynes	Utzig	West
Elthon	McCarville	Van Eaton	Whitehead
Fishbaugh	Mercer	Van Patten	Zastrow
Gillespie	Myrland		

**Nays, none.**

**Absent or not voting, 10:**

Dailey	Humbert	Molison	Prentiss
Dykhouse	Linnevold	Parker	Ridout
Fletcher	Lord		

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

Senator Walter asked and received unanimous consent to take up for consideration Senate File 338, a bill for an act to legalize and validate the proceedings of the council of the town of Albion, Marshall County, Iowa, in calling and holding an election on the proposition to establish a waterworks system in said town and on the proposition to incur an indebtedness for the construction of said waterworks system and for the issuance of waterworks bonds in payment of such indebtedness and proceedings for the levy and collection of annual taxes to pay the same, and to legalize and validate the proceedings for the issuance, sale and delivery of such bonds and waterworks revenue bonds issued in payment for the construction of such waterworks system, and the provisions for payment thereof, with report of committee recommending passage.

On motion of Senator Fishbaugh, the report of the committee was adopted.

Senator Walter moved that the bill be read a third 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:**

Anderson	Byers	Hart	Jacobson
Augustine	Colburn	Hattery	Knudson
Bateson	Doud	Hedin	Lord
Bekman	Elthon	Henningsen	Lynes
Berg	Fishbaugh	Hultman	McCarville

Mercer	Ridout	Van Eaton	Watson of
Myrland	Risk	Van Patten	Pottawattamie
Nesmith	Roberts	Vest	Weichman
Oltman	Sharp	Walter	Whitehead
O'Malley	Tudor	Watson of	Zastrow
Prentis	Utzig	O'Brien	

Nays, none.

Absent or not voting, 9:

Dailey	Gillespie	Linnevold	Parker
Dykhouse	Humbert	Molison	West
Fletcher			

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

Senator Doud asked and received unanimous consent to take up Senate File 371, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of twenty-two thousand dollars (\$22,000) of revenue waterworks bonds of the town of Keosauqua, Iowa, and declaring said bonds issued pursuant to said proceedings to be enforceable obligations against the net revenue, of the water plant and system of said town of Keosauqua, Iowa, with report of committee recommending passage.

On motion of Senator Fishbaugh, the report of the committee was adopted.

Senator Doud asked and received unanimous consent that House File 465 be substituted for Senate File 371.

Senator Doud asked and received unanimous consent to take up for consideration House File 465, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of \$22,000 of revenue waterworks bonds of the town of Keosauqua, Iowa, and declaring said bonds issued pursuant to said proceedings to be enforceable obligations against the net revenue of the water plant and system of said town of Keosauqua, Iowa.

Senator Doud asked and received unanimous consent that Senate Rule 17 be suspended and moved that House File 465 be read a third 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:**

Anderson	Hedin	Myrland	Tudor
Bateson	Henningsen	Nesmith	Utzig
Bekman	Humbert	Oltman	Van Eaton
Berg	Jacobson	O'Malley	Vest
Byers	Knudson	Parker	Walter
Colburn	Linnevoold	Prentis	Watson of
Doud	Lord	Ridout	O'Brien
Elthon	Lynes	Risk	Watson of
Fletcher	McCarville	Roberts	Pottawattamie
Hart	Mercer	Sharp	Weichman
Hattery			

**Nays, none.****Absent or not voting, 11:**

Augustine	Fishbaugh	Molison	Whitehead
Dailey	Gillespie	Van Patten	Zastrow
Dykhouse	Hultman	West	

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

**BILL WITHDRAWN**

Senator Doud asked and received unanimous consent that Senate File 371 be withdrawn from further consideration of the Senate.

Senator Bekman asked and received unanimous consent to take up Senate File 204, a bill for an act relating to the preservation of the report of amendments to Rules of Civil Procedure and to amend section six hundred eighty-four point nineteen (684.19), Code 1950, with report of committee recommending passage.

On motion of Senator Byers, the report of the committee was adopted.

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

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

**Ayes, 48:**

Anderson	Hart	Myrland	Van Eaton
Bateson	Hattery	Nesmith	Van Patten
Bekman	Hedin	Oltman	Vest
Berg	Henningsen	O'Malley	Walter
Byers	Hultman	Parker	Watson of
Colburn	Humbert	Prentis	O'Brien
Dailey	Jacobson	Ridout	Watson of
Doud	Knudson	Risk	Pottawattamie
Dykhouse	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	West
Fishbaugh	McCarville	Tudor	Whitehead
Fletcher	Mercer	Utzig	Zastrow
Gillespie	Molison		

Nays, none.

Absent or not voting, 2:

Augustine            Linnevoold

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

#### SPECIAL ANNOUNCEMENT

Senator Fishbaugh arose on a point of personal privilege and stated:

We have been fortunate in having the service of a fine group of pages. They have been courteous, efficient, and most willing to assist us. One of these pages who has served us so faithfully, John Funaro of Des Moines, is shortly to leave his employment here and embark on a new adventure. For on Thursday, March 8, 1951, John will report for induction into the Army of the United States.

I know that, as a member of the armed forces, he will take pride and satisfaction in the service of our country, and I believe he will find that one of the proudest moments of his life will be when he takes the oath of a soldier to protect and defend this nation.

Mr. President, I believe we should let this young man know of our respect and admiration for him and for all men who are entering the armed services and I now move that a committee of three, exclusive of this speaker, be appointed by the President of the Senate to escort John to the President's station, and that we pay him the tribute of appreciation which we know is due him.'

The motion unanimously prevailed and President Nicholas appointed Senators Berg, Oltman and Dailey to escort "John" to the rostrum.

The committee performed its duty and Senator Berg offered the following tribute:

Today we are advised that John Funaro of Des Moines is reporting to duty in the military service on Thursday of this week, this being the last day that he will be with us as a page in the Senate until he returns, and I hope that it is our good fortune, and his, that he may return here healthy and uninjured.

Many of us have trod a like or similar path in the past years. The days you are about to spend in the service of your country are not necessarily of your choice. We, many of us, had the obligation, we have come through and we know that you will do likewise. My advice to you, and I know many will advise you, is that you apply yourself well and diligently, that you be trained well, that you conduct yourself accordingly because knowing these things and abiding by these things you will be a better soldier and be able to come through like a good soldier well preserved.

John: "I don't have too much to say except that it has been so nice working with everybody here and I thank you very much."

Senator Elthon moved that the foregoing remarks be printed in the Senate Journal, which motion prevailed.

### THIRD READING OF BILLS

The Senate resumed consideration of Senate File 79, and consideration of the amendment filed by Senator Fishbaugh.

Senator West offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking the word and figures "sixty (60)" in line 4 and substituting the word and figures "ten (10)".

Senator Jacobson moved the previous question on all pending amendments and the main bill, which motion prevailed.

The amendment to the amendment was lost.

The amendment by Senator Fishbaugh was lost.

Senator Anderson offered the following amendment to the title and moved its adoption:

Amend the title by striking all after the word "act" and inserting in lieu thereof the following: "to amend sections one hundred seventy-nine point two (179.2), one hundred seventy-nine point five (179.5) and one hundred seventy-nine point six (179.6), Code 1950, relating to the compensation of appointive members of the Iowa Dairy Industry Commission and to the extension of the annual butterfat tax period."

The amendment was adopted.

Senator Anderson moved that the bill be read a third 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:

Anderson	Hedin	Myrland	Van Eaton
Augustine	Henningsen	Nesmith	Van Patten
Bekman	Hultman	Oltman	Vest
Berg	Jacobson	O'Malley	Walter
Byers	Knudson	Parker	Watson of
Colburn	Linnevold	Ridout	O'Brien
Dailey	Lord	Risk	Watson of
Elthon	Lynes	Roberts	Pottawattamie
Fletcher	McCarville	Sharp	Weichman
Gillespie	Mercer	Tudor	Whitehead
Hart	Molison	Utzig	Zastrow
Hattery			



Nays, 6:

Doud	Fishbaugh	Prentis	West
Dykhouse	Humbert		

Absent or not voting, 1:

Bateson

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

#### EXPLANATION OF VOTE ON SENATE FILE 79

I have voted against this bill because the tax imposed is not a voluntary one as represented and in my opinion Chapter 179 is unconstitutional.

ALDEN L. DOUD.

#### THIRD READING OF BILLS

On motion of Senator Lynes, Senate File 177, a bill for an act relating to appeals from orders made by local school boards and county boards of education respecting school transportation and bus routes and repealing sections two hundred eighty-five point twelve (285.12) and two hundred eighty-five point thirteen (285.13), Code 1950, and enacting substitutes therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Weichman offered the following amendment:

Amend Senate File 177 as follows:

1. Amend section 1 by striking all after the word "board" in line 18 and substituting in lieu thereof the following:

"to the state superintendent of public instruction by notifying the opposite party and the county superintendent of schools in writing within five days after receipt of notice of the decision of the county board of education and shall file with the state superintendent of public instruction an affidavit of appeal, reasons for appeal, and the facts involved in the disagreement. The county superintendent of schools shall, within ten days of said notice, file with the state superintendent of public instruction all records and papers pertaining to the case, including action of the county board of education. The state superintendent of public instruction shall hear the appeal within fifteen days of the filing of the records in his office, notifying all parties and the county superintendent of schools of the time of hearing. The state superintendent of public instruction shall forthwith decide the same and notify all parties of his decision and return all papers with a copy of the decision to the county superintendent of schools. The decision of the state superintendent of public instruction shall be subject to appeal to the district court. Any order of the district court shall be subject to appeal to the supreme court in accord with the statutes respecting appeals to that court."

2. Amend section 2 by striking all after the word "appeal" in line 6 and inserting in lieu thereof the following:

"to the state superintendent of public instruction and the procedure and times provided for in section two hundred eighty-five point twelve (285.12), Code 1950, shall prevail in any such case. The decision of the state superintendent of public instruction shall be subject to appeal to the courts as provided for in section two hundred eighty-five point twelve (285.12), Code 1950."

Senator Lynes offered the following amendment to the amendment filed by Senators Lynes, West, Zastrow, Doud and Watson of Pottawattamie and moved its adoption:

Amend the amendment as follows: In section 1, line 25, following the period after the word "court" by adding the following:

"Pending final order made by the state superintendent of public instruction, or the district court, or the supreme court, as the case may be, upon any appeal prosecuted to such superintendent or to such courts, the order of the county board of education from which the appeal is taken shall be operative and be in full force and effect."

The amendment to the amendment was adopted.

On motion of Senator Weichman, the amendment as amended was adopted.

Senator Lynes asked and received unanimous consent to withdraw the amendment to Senate File 177 filed by him, and found on pages 405, 406 and 407 of the Senate Journal.

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

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

**Ayes, 47:**

Anderson	Hart	Molison	Van Eaton
Augustine	Hattery	Myrland	Van Patten
Bateson	Hedin	Nesmith	Vest
Bekman	Henningsen	Oltman	Walter
Berg	Hultman	O'Malley	Watson of
Byers	Jacobson	Parker	O'Brien
Colburn	Knudson	Prentis	Watson of
Dailey	LinnevoId	Ridout	Pottawattamie
Doud	Lord	Risk	Weichman
Elthon	Lynes	Roberts	West
Fishbaugh	McCarville	Sharp	Whitehead
Fletcher	Mercer	Utzig	Zastrow
Gillespie			

**Nays, none.**

**Absent or not voting, 3:**

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

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

#### RESIGNATION OF PAGE

John Funaro of Polk County tendered his resignation as a page of the Fifty-fourth General Assembly of Iowa, which resignation was accepted by the President of the Senate.

#### REPORTS OF COMMITTEES

Senator Lord submitted the following report:

**MR. PRESIDENT:** Your committee on social security to which was referred **Senate File 12**, a bill for an act to amend section eighty-five point thirty-one (85.31), Code 1950, relating to payment of injury compensation to dependents, begs leave to report it has had the same under consideration and recommends that the same **be amended as follows; and when so amended the bill do pass:**

By striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section eighty-five point thirty-one (85.31), Code 1950, is hereby amended by inserting after the word 'shall' and before the word 'cease' in line six (6) of subsection five (5) the following: 'be made to the dependents who were wholly dependent on earnings of the employee for support at the time of his injury, and if there are no such dependents, then payments of the unpaid balance'."

**HERMAN B. LORD, Chairman.**

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on social security to which was referred **Senate File 289**, a bill for an act to amend section ninety-seven point thirteen (97.13), Code 1950, relating to benefits under the Iowa old age and survivors' insurance system for individuals with a record of fifty years or more of employment for the State of Iowa or its political subdivisions, and providing for funds for the payment thereof, begs leave to report it has had the same under consideration and recommends the same **do pass.**

**HERMAN B. LORD, Chairman.**

Ordered passed on file.

Senator Bateson submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred **House File 101**, a bill for an act relating to termination of farm tenancy, begs leave to report it has had the same under consideration and recommends the same **be indefinitely postponed**.

*J. R. R. BATESON, Chairman.*

Ordered passed on file.

Senator Hultman submitted the following report:

MR. PRESIDENT: Your committee on conservation to which was referred **Senate File 37**, a bill for an act to provide for the care and control of trees, etc., in cities under the manager plan, and to amend chapter four hundred nineteen (419), Code 1950, 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.

Also:

MR. PRESIDENT: Your committee on conservation to which was referred **Senate File 201**, a bill for an act relating to the use of live pigeons in training hunting dogs and to amend section one hundred nine point twenty-one (109.21), Code 1950, 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.

Also:

MR. PRESIDENT: Your committee on conservation to which was referred **Senate File 255**, a bill for an act to amend section one hundred nine point one hundred eleven (109.111), Code 1950, section one hundred nine point one hundred twelve (109.112), Code 1950, and section one hundred nine point one hundred thirteen (109.113), Code 1950, relating to permissive catch of fish in the Mississippi and Missouri Rivers with licensed nets and seines, 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.

Also:

MR. PRESIDENT: Your committee on conservation to which was referred **Senate File 261**, a bill for an act to amend section one hundred nine point forty-eight (109.48) and section one hundred nine point thirty-nine (109.39), Code 1950, to provide for an open season on deer and to authorize the conservation commission to regulate the method by which they may be taken, begs leave to report it has had the same under consideration and recommends the same **be indefinitely postponed**.

*O. N. HULTMAN, Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on conservation to which was referred **Senate File 271**, a bill for an act relating to election of commissioners in soil conservation districts, 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.

Also:

MR. PRESIDENT: Your committee on conservation to which was referred **Senate File 316**, a bill for an act amending section four hundred fifty-five A point eighteen (455A.18), Code 1950, and granting to the Natural Resources Council authority for permitting diversion of water from any natural watercourse for the purpose of replenishing or maintaining the waters of any state owned lake, 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 Knudson submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred **Senate File 220**, a bill for an act to amend and revise section three hundred seventeen point nineteen (317.19), Code 1950, relating to the road clearing fund, begs leave to report it has had the same under consideration and recommends the same **be indefinitely postponed**.

HERMAN M. KNUDSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred **Senate File 287**, a bill for an act to amend section four hundred twenty-two point forty-five (422.45), Code 1950, relating to retail sales tax exemptions, begs leave to report it has had the same under consideration and recommends the same **be indefinitely postponed**.

HERMAN M. KNUDSON, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

Amend the House amendment to Senate File 2 as found on pages 513 and 514 of the Senate Journal as follows:

1. Insert in line 22 after the word "education" as it appears in lines 21 and 22 the following: "and in any other state department, board, commission, institution, or association receiving or expending state funds if deemed necessary by the budget and financial control committee".

2. Insert in line 25 after the word "education" the following: "and any of the other above named divisions of the state government".

3. Insert in line 42 after the word "Governor" the words "and executive council".

4. Insert a period in line 44 after the word "effective" and strike the remainder of said line and strike all of lines 45, 46, 47, 48, 49 and 50.

5. Insert in line 51 after the word "general" the following: ", employees in the departments of the supreme court,".

6. Add as section 7 the following:

Sec. 7. Section one hundred seven point twenty-four (107.24), Code 1950, is amended by inserting in line one (1) of subsection one (1) after the word "Expend" the following: ", subject to a preaudit by the state comptroller,".

7. Add as section 8 the following:

Sec. 8. Section eight point three (8.3), Code 1950, is amended by inserting in line one (1) of subsection three (3) after the word "preparation" the following: "in conjunction with the comptroller and budget and financial control committee".

8. Add as section 9 the following:

Sec. 9. Section eleven point two (11.2), Code 1950, is amended by inserting in line eight (8) after the word "state" the following: "and make a public report of any illegal or improper practices to the governor and the budget and financial control committee".

9. Add as section 10 the following:

Sec. 10. Section eight point six (8.6), Code 1950, is amended by inserting in line one (1) of subsection four (4) after the word "prescribe" the following: "and make uniform".

10. Add as section 11 the following:

Sec. 11. Section eight point six (8.6), Code 1950, is amended by adding a new subsection as follows:

"To investigate, as directed by the budget and financial control committee, proposals or requests for capital additions to the plant of any department or institution of the state and make findings as to the cost and need for such additions and to compare the cost of materials purchased by various departments and report his findings and recommendations."

X. T. PRENTIS.

Amend the House amendment to Senate File 2 as follows:

Amend line 51 of subsection 3, section 3, by inserting the words ", employees of the conservation commission" after the word "general".

E. K. BEKMAN.

Amend Senate File 144 by inserting in line 7 after the second word "the" the following: "county organization of".

W. ELDON WALTER.

Amend Senate File 198 by striking section 3.

E. K. BEKMAN.

Amend Senate File 210 by striking all of section 2.

R. R. BATESON.

Amend Senate File 212 as follows:

1. Insert at the end of section 17 the following:

"The council may cause bonds to be issued for purposes of cemetery purchase, dump ground purchase, grading, street improvement, sewer and purifying plant construction, flood protection, equipping fire departments, airports, and parking lots, providing that the maximum amount of such outstanding bonds at any one time shall be no more than can be retired within twenty years, both as to principal and interest, by a levy not to exceed five mills, and provided further that the maximum millage levy authorized by section two (2) shall be reduced by whatever such amount is required to be levied in the debt service fund for financing such bonds."

2. Strike all of sections 101 to 109, inclusive.

3. Strike all of sections 115 and 116.

4. Insert the following new section: "Sections four hundred sixteen point one hundred thirty-four (416.134) and four hundred sixteen point one hundred thirty-five (416.135), Code 1950, are hereby repealed."

5. Further amend said Senate File by renumbering the remaining sections.

JOHN R. HATTERY.

J. T. DYKHOUSE.

Amend Senate File 245 by striking from line 7 the word "will,".

E. K. BEKMAN.

Amend Senate File 245 by striking all after the word "or" in line 9 and all of line 10 and inserting in lieu thereof the following:

"by its terms specifically exempts the fiduciary from reporting any such investments for approval."

E. K. BEKMAN.

Amend Senate File 314 as follows:

1. Insert after the word "pay" in line 4 of section 22 the words "not to exceed".

2. Strike from section 33 all of lines 2 to 14, inclusive, and insert in lieu thereof the following:

"1. Issuance. After certification of the final assessment schedule the municipality shall, by resolution of the council, authorize and issue bonds in anticipation of the collection of unpaid special assessments, provided that the total principal amount of bonds issued for account of any public improvement shall not exceed the total amount of unpaid special assessments less the amount assessed for the default fund."

3. Strike from lines 1 to 4 of section 39 all of the words after the word "Interpretation." in line 1.

4. Strike all of sections 40 to 42, inclusive.

5. Strike all of sections 44 to 63, inclusive.

6. Renumber the remaining sections.

7. Strike from the title all that follows the word "corporations" in line 2 and insert in lieu thereof the following: "and to repeal chapter three hundred ninety-one A (391A), Code 1950, and enact in lieu thereof a new alternate method for financing public improvements."

8. Strike from line 1 of the subenacting clause the words and figures "chapters three hundred ninety-one (391) and" and insert in lieu thereof the word "chapter".

Further amend the subenacting clause by striking from line 2 the word "are" and inserting in lieu thereof the word "is" and by striking from line 3 the word and figures "forty (40)" and inserting in lieu thereof the word and figures "thirty-nine (39)".

JOHN R. HATTERY.  
J. T. DYKHOUSE.

Amend Senate File 389 by striking from line 7 the words "and to the", and by striking all of lines 8, 9, and 10 and inserting in lieu thereof a period (.)

E. K. BEKMAN.

Amend section 1, subsection 1, of Senate File 398 by inserting at the end thereof the following:

"This section shall not apply to persons of fourteen (14) and fifteen (15) years who are enrolled in part-time schools established as provided in section 289.1, Code 1950, nor to persons under sixteen (16) years who were legally out of school and employed prior to July 1, 1951."

Amend section 3, line 21, by striking the comma (,) after the word "sold".

E. K. BEKMAN.



Amend House File 318 by adding thereto the following:  
"Nothing herein contained shall be construed to extend the time within which claims may be filed as provided in section six hundred thirty-five point sixty-eight (635.68), Code 1950, nor to extend the time prescribed in any other statute of limitation or other statute relating to claims or other demands against an estate, guardianship, or trust, or against the legal representatives or fiduciaries thereof."

EARL C. FISHBAUGH, JR.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 7, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Mr. G. M. Ottsen, Vicar, Grace Episcopal Church, Charles City, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Berg, from eight hundred fifty residents of Black Hawk County favoring the establishment of a Legislative Council.

By Senator Lynes, from residents of Bremer County favoring legislation relating to headlights for rail employees when using track power cars at night; also, in opposition to any change in registration of nurses; also, favoring Senate File 40, House Files 7, 513 and 514.

By Senator Van Eaton, from members of the Anthon Unit 389, American Legion Auxiliary, favoring legislation relating to the Soldiers' Home at Marshalltown.

By Senator Walter, from residents of Marshall County favoring the repeal of rent control.

## INTRODUCTION OF BILLS

Senate File 464, by committee on social security, a bill for an act to make available to residents of the State of Iowa, federal funds to be used for aid to permanently and totally disabled; to appropriate county and state funds for said appropriation; to provide for the uniform administration throughout the State of Iowa of said fund for the benefit of the permanently and totally disabled under the supervision of the State Board of Social Welfare of the State of Iowa.

Read first and second times, and placed on the calendar.

Senate File 465, by committee on social security, a bill for an act to amend chapter two hundred forty-nine (249), Code 1950, relat-

ing to elimination of statutory income restrictions and United States citizenship for eligibility for old age assistance; and increasing the efficiency of the administration of old age assistance by the State Board of Social Welfare.

Read first and second times, and placed on the calendar.

Senate File 466, by committee on social security, a bill for an act to amend chapter two hundred forty-one (241), Code 1950, relating to aid to the blind.

Read first and second times, and placed on the calendar.

Senate File 467, by committee on social security, a bill for an act to amend chapter two hundred thirty-nine (239), Code 1950, relating to aid to dependent children.

Read first and second times, and placed on the calendar.

#### PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate the members of the junior class of St. Joseph's Academy who were present in the balcony with their instructors, Sister Mary Aloysuis and Sister Mary Harrietta.

Senator Dailey asked and received unanimous consent to present to the Senate Arthur Weldon Walsh of Burlington, Des Moines County, representative of the Burlington Junior College to the American Association of Junior Colleges meeting in Des Moines.

Senator Vest asked and received unanimous consent to present to the Senate thirty members of the American government class of the Coon Rapids High School who were present in the balcony with their instructor, George Hart, and superintendent, L. E. Smith.

Senator McCarville asked and received unanimous consent to present to the Senate H. C. Kirkberg, president of the Fort Dodge Betterment Foundation; M. M. Salmon, president, Twin Lakes Restoration Association; Henry B. Hasbrook, director of Recreation of Fort Dodge, who were present in the Senate chamber.

Senator Colburn asked and received unanimous consent to present to the Senate Gae Richter, Pat Templeton, Don Albertson and Roy Voggesser, juniors and seniors of the Atlantic High School, representatives of the Junior Chamber of Commerce, who were present in the Senate chamber accompanied by Tom Gaffney.

Senator O'Malley asked and received unanimous consent to present to the Senate members of the state government class of Grandview College who were present in the Senate chamber.

Senator O'Malley asked and received unanimous consent to present to the Senate twenty-five members of the American government class of the Urbandale High School who were present in the balcony with their superintendent, Mr. Roseman.

### THIRD READING OF BILLS

On motion of Senator Byers, Senate File 245, a bill for an act to amend section six hundred eighty-two point twenty-three (682.23), Code 1950, relating to the investment of funds by fiduciaries, was taken up, and considered.

Senator Bekman offered the following amendment and moved its adoption:

Amend Senate File 245 by striking from line 7 the word "will,".

The amendment was adopted.

Senator Bekman offered the following amendment and moved its adoption:

Amend Senate File 245 by striking all after the word "or" in line 9 and all of line 10 and inserting in lieu thereof the following:

"by its terms specifically exempts the fiduciary from reporting any such investments for approval."

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:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Dykhouse	Knudson	Ridout	Pottawattamie
Elthon	Linnevold	Risk	West
Fishbaugh	Lynes	Roberts	Whitehead
Fletcher	McCarville	Sharp	Zastrow

Nays, none.

**Absent or not voting, 4:**

Doud	Lord	Tudor	Weichman
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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 Bekman, House File 227, a bill for an act to legalize and validate orders, judgments and decrees entered prior to July 4, 1951, upon service of notice by publication or posting, and to limit the time within which actions may be brought to question such orders, judgments and decrees or rights or status arising thereunder, was taken up, and considered.

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

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

**Ayes, 47:**

Anderson	Hart	Molison	Van Eaton
Augustine	Hattery	Myrland	Van Patten
Bateson	Hedin	Nesmith	Vest
Bekman	Henningsen	Oltman	Walter
Berg	Hultman	O'Malley	Watson of
Byers	Humbert	Parker	O'Brien
Colburn	Jacobson	Prentis	Watson of
Dalley	Linnevoid	Ridout	Pottawattamie
Dykhouse	Lord	Risk	Weichman
Elthon	Lynes	Roberts	West
Fishbaugh	McCarville	Sharp	Whitehead
Fletcher	Mercer	Utzig	Zastrow
Gillespie			

**Nays, none.****Absent or not voting, 8:**

Doud	Knudson	Tudor
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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 Bekman, Senate File 247, a bill for an act to legalize and validate orders, judgments and decrees entered prior to July 4, 1951, where acceptance of service of notice, delivery of copy thereof or posting or proof of posting was done by an attorney or his agent, was taken up, and considered.

Senator Bekman asked and received unanimous consent that House File 228 be substituted for Senate File 247.

On motion of Senator Bekman, House File 228, a bill for an act to legalize and validate orders, judgments and decrees entered

prior to July 4, 1951, where acceptance of service of notice, delivery of copy thereof or posting or proof of posting was done by an attorney or his agent, was taken up, and considered.

President pro tempore Hart took the chair at 10:40 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, 46:**

Anderson	Gillespie	Molison	Van Eaton
Augustine	Hart	Myrland	Van Patten
Bateson	Hattery	Nesmith	Vest
Bekman	Hedin	Oltman	Walter
Berg	Henningsen	O'Malley	Watson of
Byers	Hultman	Parker	O'Brien
Colburn	Humbert	Prentis	Watson of
Dailey	Jacobson	Ridout	Pottawattamie
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lynes	Roberts	West
Fishbaugh	McCarville	Sharp	Whitehead
Fletcher	Mercer	Utzig	Zastrow

**Nays, none.**

**Absent or not voting, 4:**

Doud	Knudson	Lord	Tudor
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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 Bekman, Senate File 248, a bill for an act to amend section six hundred point three (600.3), Code 1950, relating to consent, when necessary, for adoption, was taken up, and considered.

Senator Watson of Pottawattamie offered the following amendment and moved its adoption:

Amend Senate File 248 by striking from line 5 the words "judicial procedure" and inserting in lieu thereof the following: "a final order of court which has not been appealed, reversed or remanded, and which is not then appealable".

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, 49:**

Anderson	Gillespie	Molison	Van Eaton
Augustine	Hart	Myrland	Van Patten
Bateson	Hattery	Nesmith	Vest
Bekman	Hedin	Oltman	Walter
Berg	Henningsen	O'Malley	Watson of
Byers	Hultman	Parker	O'Brien
Colburn	Humbert	Prentis	Watson of
Dailey	Jacobson	Ridout	Pottawattamie
Doud	Knudson	Risk	Weichman
Dykhouse	Linnevold	Roberts	West
Elthon	Lynes	Sharp	Whitehead
Fishbaugh	McCarville	Tudor	Zastrow
Fletcher	Mercer	Utzig	

**Nays, none.****Absent or not voting, 1:**

Lord

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

On motion of Senator Dykhouse, Senate File 15, a bill for an act to amend section three hundred twenty-one point four hundred seventy-three (321.473), Code 1950, relating to the powers of municipal corporations to regulate the use of streets, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Dailey offered the following amendment and moved its adoption:

Amend Senate File 15 by adding after the word "limitations" in line 4 of section one the following: "as to the weight thereof".

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, 39:**

Bateson	Fletcher	McCarville	Sharp
Bekman	Gillespie	Mercer	Tudor
Berg	Hattery	Myrland	Utzig
Byers	Henningsen	Nesmith	Van Eaton
Colburn	Hultman	Oltman	Vest
Dailey	Humbert	O'Malley	Watson of
Doud	Jacobson	Parker	O'Brien
Dykhouse	Knudson	Prentis	Weichman
Elthon	Linnevold	Ridout	West
Fishbaugh	Lynes	Roberts	Whitehead

**Nays, 3:**

Hedin	Watson of Pottawattamie	Zastrow
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**Absent or not voting, 8:**

Anderson Augustine	Hart Lord	Molison Risk	Van Patten Walter
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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 Dykhouse, Senate File 27, a bill for an act to amend section three hundred ninety-seven point twenty-six (397.26), Code 1950, relating to protection of municipal water supplies, 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, 46:**

Anderson	Hart	Myrland	Van Eaton
Augustine	Hattery	Nesmith	Van Patten
Bateson	Hedin	Oltman	Vest
Bekman	Henningsen	O'Malley	Walter
Berg	Hultman	Parker	Watson of
Byers	Humbert	Prentis	O'Brien
Colburn	Jacobson	Ridout	Watson of
Dailey	Linnevold	Risk	Pottawattamie
Dykhouse	Lynes	Roberts	Weichman
Elthon	McCarville	Sharp	West
Fishbaugh	Mercer	Tudor	Whitehead
Gillespie	Molison	Utzig	Zastrow

**Nays, 1:**

Fletcher

**Absent or not voting, 3:**

Doud	Knudson	Lord
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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 McCarville, Senate File 110, a bill for an act to amend section six hundred eighteen point two (618.2), Code 1950, relating to the publication of notices, reports of proceedings and similar matter, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.



Senator McCarville offered the following amendment and moved its adoption:

Amend Senate File 110 by adding the following new section:

"Sec. 2. Further amend section six hundred eighteen point two (618.2), Code 1950, by striking the period in line three (3) thereof and adding the following:

"and upon conviction thereof shall be punished by a fine of not more than \$100 or by imprisonment in the county jail for not more than 30 days or both."

The amendment was adopted.

Senator McCarville moved that the bill be read a third 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:**

Anderson	Hattery	Nesmith	Van Eaton
Bekman	Hedin	O'Malley	Van Patten
Berg	Hultman	Parker	Vest
Colburn	Knudson	Prentis	Walter
Dailey	Linnevold	Ridout	Watson of
Dykhouse	Lynes	Risk	Pottawattamie
Fletcher	McCarville	Roberts	West
Hart	Mercer	Utzig	Whitehead

**Nays, 12:**

Bateson	Gillespie	Myrland	Weichman
Byers	Humbert	Tudor	Zastrow
Doud	Molison	Watson of	
Fishbaugh		O'Brien	

**Absent or not voting, 7:**

Augustine	Henningesen	Lord	Sharp
Elthon	Jacobson	Oltman	

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

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

**MESSAGE FROM THE HOUSE**

The following message was received from the House:

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

House File 421, an act relating to fees to be charged by county officers.

A. C. GUSTAFSON, *Chief Clerk.*

## BILLS WITHDRAWN

Senator Byers asked and received unanimous consent that Senate Files 246 and 247 be withdrawn from further consideration of the Senate.

On motion of Senator Byers, the Senate recessed until 1:00 p.m.

## AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

## REPORT OF COMMITTEE

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **House File 245**, a bill for an act to legalize and validate the proceedings of the board of directors of the Consolidated School District of Hansell, in the County of Franklin, State of Iowa, authorizing and providing for the issuance and delivery of school building bonds, 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.

## HOUSE MESSAGE CONSIDERED

House File 421, a bill for an act to amend sections three hundred thirty-five point fourteen (335.14), five hundred forty-seven point three (547.3) and five hundred fifty-six point twenty (556.20), relating to fees to be charged by the county recorder; sections three hundred thirty-three point fifteen (333.15), five hundred fifty-eight point fifty-seven (558.57) and five hundred fifty-eight point sixty-six (558.66), Code 1950, relating to fees to be charged by the county auditor; section three hundred thirty-seven point eleven (337.11), Code 1950, relating to fees to be charged by the county sheriff; sections three hundred twenty-one point one hundred fifty-two (321.152), four hundred forty-five point twenty-three (445.23), four hundred forty-five point twenty-six (445.26) and four hundred forty-six point twenty-nine (446.29), Code 1950, relating to fees to be charged by the county treasurer; section six hundred six point fifteen (606.15), Code 1950, relating to fees to be charged by the clerk of the district court; and to amend section one hundred ten point five (110.5), Code 1950, to provide that the counties

shall be reimbursed for their expense incident to the issuance of hunting and fishing licenses for the state, by retaining a portion of the hunting and fishing license fees collected by the county.

Read first and second times, and passed on file.

### THIRD READING OF BILLS

Senator Knudson asked and received unanimous consent to take up House File 163, a bill for an act to authorize and legalize proceedings of the Independent School District of Mason City, in the county of Cerro Gordo, State of Iowa, for the issuance and delivery of school bonds and for the levy of taxes for the payment of said bonds, and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district, with report of committee recommending passage.

On motion of Senator Fishbaugh, the report of the committee was adopted.

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, 47:

Anderson	Hart	Molison	Van Eaton
Augustine	Hattery	Nesmith	Van Patten
Bateson	Hedin	Oltman	Vcst
Bekman	Henningsen	O'Malley	Walter
Berg	Hultman	Parker	Watson of
Byers	Humbert	Prentis	O'Brien
Colburn	Jacobson	Ridout	Watson of
Dailey	Knudson	Risk	Pottawattamie
Doud	Linnevold	Roberts	Weichman
Elthon	Lynes	Sharp	West
Fishbaugh	McCarville	Tudor	Whitehead
Fletcher	Mercer	Utzig	Zastrow
Gillespie			

Nays, none.

Absent or not voting, 8:

Dykhouse	Lord	Myrland
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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 asked and received unanimous consent to take up Senate File 198, a bill for an act authorizing the governor and secretary of state to issue a patent to William Ware to the north-west fractional one-fourth ( $\frac{1}{4}$ ) of the southwest quarter ( $\frac{1}{4}$ ) of

section nineteen (19), township seventy-two (72) north, range fourteen (14) west of the fifth principal meridian, Wapello County, Iowa, with report of committee recommending passage.

On motion of Senator Sharp, the report of the committee was adopted.

Senator Bekman offered the following amendment and moved its adoption:

**Amend Senate File 198 by striking section 3.**

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, 50:**

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevoold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

**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 Zastrow asked and received unanimous consent to take up Senate File 318, a bill for an act to amend chapter six hundred thirty-six (636), Code 1950, relating to descent and distribution and providing that aliens may inherit to the extent that citizens of the United States may inherit in such foreign country, with report of committee recommending passage.

On motion of Senator Fishbaugh, the report of the committee was 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, 39:**

Augustine	Hattery	Myrland	Van Eaton
Bekman	Hedin	Nesmith	Van Patten
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Jacobson	Parker	O'Brien
Dailey	Knudson	Ridout	Watson of
Dykhouse	Lynes	Risk	Pottawattamie
Elthon	McCarville	Sharp	West
Fletcher	Mercer	Tudor	Whitehead
Gillespie	Molison	Utzig	Zastrow
Hart			

**Nays, none.**

**Absent or not voting, 11:**

Anderson	Fishbaugh	Lord	Vest
Bateson	Humbert	Prentis	Weichman
Doud	Linnevold	Roberts	

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

Senator Knudson asked and received unanimous consent to take up House File 245, a bill for an act to legalize and validate the proceedings of the board of directors of the Consolidated School District of Hansell, in the county of Franklin, State of Iowa, authorizing and providing for the issuance and delivery of school building bonds and for the levy of taxes for the payment of said bonds, and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district, with report of committee recommending passage.

On motion of Senator Byers, the report of the committee was adopted.

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, 48:**

Anderson	Gillespie	Molison	Van Eaton
Augustine	Hart	Myrland	Van Patten
Bateson	Hattery	Nesmith	Vest
Bekman	Hedin	Oltman	Walter
Berg	Henningsen	O'Malley	Watson of
Byers	Hultman	Parker	O'Brien
Colburn	Jacobson	Prentis	Watson of
Dailey	Knudson	Ridout	Pottawattamie
Doud	Linnevold	Risk	Weichman
Dykhouse	Lord	Sharp	West
Elthon	Lynes	Tudor	Whitehead
Fishbaugh	McCarville	Utzig	Zastrow
Fletcher	Mercer		

Nays, none.

Absent or not voting, 2:

Humbert                      Roberts

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

#### SENATE FILE 287 RE-REFERRED

Senator Walter asked and received unanimous consent that Senate File 287 together with the report of the committee on ways and means recommending indefinite postponement be re-referred to the committee on ways and means.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 103 and 224.

JAMES H. NESMITH, *Chairman Senate Committee.*  
ELMER A. BASS, *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 103 and 224.

#### BILLS SENT TO THE GOVERNOR

Senator Nesmith, 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, 1951, sent to the Governor for his approval: Senate Files 103 and 224.

JAMES H. NESMITH, *Chairman.*

Passed on file.

#### BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following bills assigned to committee:

H. F. 157	Judiciary 1
H. F. 229	Judiciary 2
H. F. 245	Judiciary 2
H. F. 320	Judiciary 1
H. F. 334	Judiciary 2
H. F. 355	Judiciary 1
H. F. 362	Judiciary 2
H. F. 378	Judiciary 1
H. F. 379	Judiciary 2
H. F. 401	Judiciary 1
H. F. 425	Judiciary 2

#### PROOFS OF PUBLICATION

Published copy of Senate File 241 and verified proof of publication of said bill in the Council Bluffs Nonpareil on March 1, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

Published copy of Senate File 402 and verified proof of publication of said bill in the Jefferson Herald on February 22, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

Published copy of House File 229 and verified proof of publication of said bill in the Terril Record on February 21, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

Published copy of House File 245 and verified proof of publication of said bill in the Hampton Chronicle on January 18, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

Published copy of House File 362 and verified proof of publication of said bill in the Messenger-News, Des Moines, on February 8, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

Published copy of House File 378 and verified proof of publication of said bill in the LeMars Sentinel on February 6, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

Published copy of House File 379 and verified proof of publication of said bill in the Renwick Times on February 21, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

Published copy of House File 425 and verified proof of publication of said bill in the Lake Park News on February 15, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE, *Secretary of Senate.*

## REPORTS OF COMMITTEES

Senator Lord submitted the following report:

MR. PRESIDENT: Your committee on social security to which was referred **Senate File 184**, a bill for an act to amend sections ninety-six point three (96.3) and ninety-six point seven (96.7), Code 1950, relating to unemployment compensation, so as to increase weekly benefit amounts, and to reduce certain contribution rates to be paid by employers, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HERMAN B. LORD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on social security to which was referred **Senate File 185**, a bill for an act to amend sections eighty-five point thirty-four (85.34), eighty-five point thirty-five (85.35) and eighty-five point thirty-seven (85.37), Code 1950, relating to workmen's compensation so as to increase benefit payments for permanent total disability, for permanent partial disabilities, and so as to increase the weekly compensation amount, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HERMAN B. LORD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on social security to which was referred **Senate File 208**, a bill for an act to amend chapter two hundred fifty-two (252), Code 1950, relating to the administration of the poor laws, begs leave to report it has had the same under consideration and **returns the bill without recommendation**.

HERMAN B. LORD, *Chairman*.

Ordered passed on file.

Senator Colburn submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 447**, a bill for an act to appropriate funds from the primary road fund to the industrial commissioner for 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**.

JAY C. COLBURN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 490**, a bill for an act authorizing expenditures by the



state highway commission from the primary road fund for the biennium beginning July 1, 1951, and ending June 30, 1953, begs leave to report it has had the same under consideration and recommends the same *do pass*.

JAY C. COLBURN, *Chairman*.

Ordered passed on file.

Senator Tudor submitted the following report:

MR. PRESIDENT: Your committee on tax revision to which was referred *Senate File 44*, a bill for an act to amend section four hundred twenty-five point two (425.2), Code 1950, relating to the filing of claim for homestead exemption with the county assessor or auditor, and to place such filing with county assessor, begs leave to report it has had the same under consideration and recommends the same *do pass*.

J. M. TUDOR, *Chairman*.

Ordered passed on file.

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred *Senate File 367*, a bill for an act relating to the deposit of fees collected from practitioners of cosmetology and the use of said fees and to amend sections one hundred fifty-seven point eight (157.8) and one hundred fifty-seven point fourteen (157.14), Code 1950, 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 *House File 86*, a bill for an act to legalize the action of the board of supervisors of Polk County in contracting for and making expenditures for the erection of a maintenance shed and storage yard for housing and maintenance of secondary road equipment and materials for said county, 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 229*, a bill for an act to legalize and validate the proceedings of the board of directors of the Consolidated School District of Lloyd Township, in county of Dickinson, 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 334**, a bill for an act authorizing a patent to issue to lot 29, Henry County, 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.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **House File 379**, a bill for an act to legalize and authorize operation of a public park in Wright County, Iowa, in accordance with the terms set forth in the deed conveying said premises to Boone Township, Wright County, Iowa; Vernon Township, Humboldt County, Iowa; and the incorporated town of Renwick, Humboldt County, 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.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **House File 425**, a bill for an act to legalize the proceedings for issuance of school building bonds of the Consolidated School District of Lake Park, in the county of Dickinson, 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 Fishbaugh submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 334**, a bill for an act relating to the rule making power conferred upon the Iowa liquor control commission and for amending sections one hundred twenty-three point five (123.5) and one hundred twenty-three point seventeen (123.17), Code 1950, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **House File 5**, a bill for an act to amend section seven hundred eighty-nine point eleven (789.11), Code 1950, relating to the entry of criminal judgments, 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 5 by striking all of section 2.

EARL C. FISHBAUGH, JR., *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred House File 155, a bill for an act to amend section five hundred ninety-five point seventeen (595.17), Code 1950, relating to the requiring of blood test by persons exempted from the licensing provisions on religious grounds, begs leave to report it has had the same under consideration and recommends the same do pass.

EARL C. FISHBAUGH, JR., *Chairman.*

Ordered passed on file.

#### AMENDMENT FILED

Amend Senate File 114 by adding the following:

Sec. 2. Section fourteen point ten (14.10), Code 1950, is hereby amended by striking from lines two (2) and three (3) of section one (1) the words "published acts of the Forty-ninth General Assembly" and inserting in lieu thereof the words "1950, Code of Iowa".

ALAN VEST.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 8, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Carl G. Sinning, pastor of the Westminster Presbyterian Church, Ida Grove, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file :

By Senator Anderson, from one hundred eighty-nine residents of Henry County favoring legislation relating to old age and survivors' insurance.

By Senator Doud, from one hundred eighty-nine residents of Henry County favoring legislation relating to old age and survivors' insurance.

By Senator Parker, from one hundred thirty-nine residents of Ida County favoring passage of the subversive activities act of 1951 ; also, favoring proposed school legislation.

By Senator Risk, from residents of Buchanan County in opposition to Senate Files 14, 15 and 16 ; also, favoring Senatc File 158.

By Senator Tudor, from members of the O'Connor Regenwether Veterans of Foreign Wars Auxiliary 3633, of Jackson County, favoring legislation relating to the Soldiers' Home at Marshalltown.

## PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate the members of Cub Scout Pack No. 36 consisting of six dens, together with the den mothers and den chiefs from Boy Scout Troop 36, of St. Augustin's School, who were present in the balcony accompanied by Lyman B. Hughes, the cub master.

Senator Gillespie asked and received unanimous consent to present to the Senate the members of the sixth grade class of the Earlham Consolidated School who were present in the balcony with Mesdames Stanley Williams, Wallace Jackson and Leonard Welch.

Senator O'Malley asked and received unanimous consent to present to the Senate the members of the eighth grade class of the Center School, Webster Township, Polk County, who were present in the balcony with their superintendent, Mrs. Marie Morse.

Senator O'Malley asked and received unanimous consent to present to the Senate the members of the ninth grade class of Callanan School who were present in the balcony with their principal, J. A. Sheldon, and instructor, Mr. Folkerts.

Senator O'Malley asked and received unanimous consent to present to the Senate twenty-five members of the 6B and 6A classes of Brooks School who were present in the balcony with their teacher, Paul Purinton.

Senator Whitehead asked and received unanimous consent to present to the Senate the members of the American government class of the Exira High School who were present in the balcony with their teacher, John Poulson.

#### INTRODUCTION OF BILLS

Senate File 468, by committee on judiciary 2, a bill for an act to legalize and validate the proceedings authorizing and providing for the repair of the existing municipally owned toll bridge extending across the Mississippi River from the city of Burlington, Iowa, and for the issuance, sale and delivery by said city of "Bridge Revenue Bonds" to pay the cost of such repairs, 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 placed on the calendar.

Senate File 469, by committee on board of control, a bill for an act to change the name of the Cherokee State Hospital, Clarinda State Hospital, Independence State Hospital and Mount Pleasant State Hospital.

Read first and second times, and placed on the calendar.

Senate File 470, by committee on appropriations, a bill for an act to appropriate from the general fund of the State of Iowa to the department of public instruction for specified school aid.

Read first and second times, and placed on the calendar.

Senate File 471, by committee on appropriations, a bill for an act to appropriate from the general fund of the State of Iowa six million dollars (\$6,000,000) to the department of public instruction for state aid for transportation as provided by chapter two hundred eighty-five (285), Code 1950.

Read first and second times, and placed on the calendar.

Senate File 472, by committee on appropriations, a bill for an act to appropriate from the general fund of the State of Iowa four million dollars (\$4,000,000) to the department of public instruction for supplemental aid to certain school districts of the state, as provided by chapter two hundred eighty-six (286), Code 1950.

Read first and second times, and placed on the calendar.

Senate File 473, by committee on appropriations, a bill for an act to appropriate twenty-four million dollars (\$24,000,000) from the general fund of the State of Iowa to the department of public instruction to general state aid for school districts as provided by chapter two hundred eighty-six A (286A), Code 1950.

Read first and second times, and placed on the calendar.

Senate File 474, by committee on appropriations, a bill for an act to appropriate from the general fund to the department of public instruction for use as a revolving fund for the veterans administration and for the school lunch program.

Read first and second times, and placed on the calendar.

#### SENATE CONCURRENT RESOLUTION 10

Senator Elthon called up the following resolution:

#### SENATE CONCURRENT RESOLUTION 10

By Elthon and Watson of Pottawattamie

*Whereas*, the number and gravity of motor vehicle accidents on the Iowa highways gives cause for alarm, and

*Whereas*, the large number of our citizens permanently injured and killed annually in such accidents is to a great extent inexcusable and results directly from negligence and reckless driving, and

*Whereas*, the percentage of such accidents causing permanent injuries and death resulting from operation of motor vehicles by the teen-age group is extremely out of proportion to the number of drivers in such group, and

*Whereas*, it appears that the reason that such a large percentage of the group of teen-age drivers are careless and reckless in their operation of motor vehicles is because of a lack of safety education and parental supervision and discipline, and

*Whereas*, there are many drivers in the teen-age group who operate motor vehicles with a high degree of skill and caution, and

*Whereas*, it is unfair to the skillful and cautious teen-age driver to deny him the privilege of operating a motor vehicle on the highways because of the acts of the irresponsible members of his group, and

*Whereas*, it is deemed desirable, if possible, to avoid denying driving privileges to the entire group thereby punishing the prudent teen-age driver, and

*Whereas*, it is believed that by proper parental supervision, instruction and discipline the driving evils of the teen-age group can be effectively corrected, and

*Whereas*, it appears necessary to declare and emphasize the responsibility of the parent or person standing in the position of a parent of a teen-age driver,

*Now, Therefore, Be It Resolved by the Senate, the House Concurring*, that the Fifty-fourth General Assembly of Iowa disapproves of the irresponsibility of parents and persons standing in the position of parents of teen-age drivers, who permit their children or wards to operate motor vehicles without being assured that such teen-agers have been thoroughly educated in the safe operation of a motor vehicle, and that said teen-agers are impressed with the necessity of such operation without declaring and emphasizing that parental consent will be withheld unless safe driving practices are followed, and who fail to appropriately discipline their children or wards when infractions of safe driving practices occur; and that this Assembly most emphatically urges that parents and persons standing in the position of a parent discharge their aforesaid responsibilities; and further most emphatically urges the courts of this state to make no disposition of any case in which a teen-age driver is charged with a violation of the traffic laws of this state or any of its political subdivisions without first requiring that the parent or person standing in the position of a parent of such teen-age violator appear in court with such violator, and that upon final disposition such parent or person standing in the position of a parent be made to realize and accept with fitting dignity his responsibilities, and that clear and positive admonition of these responsibilities be administered by the court.

*Be It Further Resolved*, that those who hold important executive, legislative and judicial positions in the State of Iowa should do all within their power to further public interest and cooperation in helping to solve this problem of motor vehicle accidents on Iowa highways.

On motion of Senator Elthon, the resolution was adopted.

Senator O'Malley asked and received unanimous consent that a copy of Senate Concurrent Resolution 10 be sent to the Secretary and members of the Iowa State Fair Board.

## HOUSE AMENDMENTS CONSIDERED

Senator Prentis called up for consideration Senate File 2, a bill for an act relating to the administration of state budget and finances and to assign or transfer certain duties relating thereto to the auditor of state, state comptroller, or treasurer of state, and the House amendments to Senate File 2, found on pages 513 and 514 of the Senate Journal.

Senator Prentis called up the amendments to the House amendments filed by him, and found on pages 555 and 556 of the Senate Journal.

Senator Prentis asked and received unanimous consent that action on House amendments to Senate File 2 be deferred.

## THIRD READING OF BILLS

On motion of Senator Vest, Senate File 114, a bill for an act relating to the form of publication of the Acts of the General Assembly, with report of committee recommending amendment in accordance with the following amendment filed by Senator Vest and passage, was taken up, considered and the report of the committee adopted.

Senator Vest offered the following amendment and moved its adoption:

Amend Senate File 114 by striking all after the enacting clause and inserting the following in lieu thereof:

Section 1. Section fourteen point ten (14.10), Code 1950, is hereby amended by adding the following new subsection: "Where a previous enactment is amended by a session law, the same may be referred to in the following manner: 'Section ..... is hereby amended to read as follows:,' after which the entire section, or such parts thereof as are pertinent, as amended, shall be printed, with any newly added words indicated by italic."

Senator Bekman took the chair at 11:25 a.m.

Senator Elthon moved the previous question on all amendments and the main bill, which motion prevailed.

The amendment was adopted.

Senator Vest offered the following amendment and moved its adoption:

Amend Senate File 114 by adding the following:

Sec. 2. Section fourteen point ten (14.10), Code 1950, is hereby



amended by striking from lines two (2) and three (3) of section one (1) the words "published acts of the Forty-ninth General Assembly" and inserting in lieu thereof the words "1950, Code of Iowa".

The amendment was adopted.

Senator Vest moved that the bill be read a third 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:**

Anderson	Hultman	Oltman	Utzig
Augustine	Linnevold	O'Malley	Van Eaton
Bateson	Lord	Parker	Vest
Berg	Lynes	Prentis	Watson of
Dailey	McCarville	Ridout	Pottawattamie
Doud	Mercer	Risk	Weichman
Dykhousé	Molison	Roberts	West
Fishbaugh	Nesmith	Sharp	Whitehead

**Nays, 14:**

Bekman	Fletcher	Myrland	Watson of
Byers	Henningsen	Tudor	O'Brien
Colburn	Humbert	Van Patten	Zastrow
Elthon	Jacobson	Walter	

**Absent or not voting, 5:**

Gillespie	Hattery	Hedin	Knudson
Hart			

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

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

On motion of Senator Whitehead, Senate File 124, a bill for an act repealing section two hundred eight A point four (208A.4) and section two hundred eight A point five (208A.5) and enacting substitutes therefor, and repealing sentence number two (2) of section two hundred eight A point three (208A.3) and enacting a substitute therefor, and repealing section two hundred eight A point six (208A.6), Code 1950, relating to the issuing of a written permit authorizing the sale of antifreeze, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

Amend Senate File 124, section 1, by striking all after the period fol-

lowing the word "provided" in line 11 and inserting in lieu thereof the following:

"If the antifreeze is not altered or misbranded, and is not in violation of this act, the department shall give the applicant a written permit authorizing the sale of such antifreeze in this state, with calendar year beginning on the first day of May and ending on the thirtieth day of April next following, for which the inspection fee is paid."

Amend line 1 of section 3 by striking the following: "(3)" and inserting in lieu thereof the figures "(208A.3)".

The amendment was adopted.

Senator Whitehead moved that the bill be read a third 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:

Anderson	Hart	Mercer	Van Eaton
Augustine	Hattery	Molison	Van Patten
Bateson	Hedin	Myrland	Vest
Bekman	Henningsen	Nesmith	Walter
Berg	Hultman	Oltman	Watson of
Byers	Humbert	O'Malley	O'Brien
Colburn	Jacobson	Parker	Watson of
Dailey	Knudson	Prentis	Pottawattamie
Doud	Linnevoid	Ridout	Weichman
Dykhouse	Lord	Risk	West
Elthon	Lynes	Roberts	Whitehead
Fishbaugh	McCarville	Sharp	Zastrow
Gillespie			

Nays, none.

Absent or not voting, 3:

Fletcher	Tudor	Utzig
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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 Mercer, Senate File 128, a bill for an act to amend chapter forty-three (43), Code 1950, relating to nominations by primary election, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mercer asked and received unanimous consent that action on Senate File 128 be deferred and that the bill retain its place on the calendar.

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

## AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

## PRESENTATION OF VISITOR

Senator Prentis asked and received unanimous consent to present to the Senate his son, Raymond Edison, seaman recruit, in charge of the draft of fifteen men, who is leaving this afternoon for the Naval Training Station at San Diego, California.

## THIRD READING OF BILLS

The Senate resumed consideration of Senate File 128.

Senator Mercer offered the following amendment and moved its adoption:

Amend Senate File 128 by striking from subsection 2, line 22, all after the word "said" and inserting in lieu thereof the words "ballots published".

The amendment was 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, 43:

Augustine	Hedin	Molison	Van Patten
Bateson	Henningsen	Myrland	Vest
Bekman	Hultman	Nesmith	Walter
Berg	Humbert	O'Malley	Watson of
Dailey	Jacobson	Prentis	O'Brien
Dykhouse	Knudson	Ridout	Watson of
Elthon	LinnevoId	Risk	Pottawattamie
Fishbaugh	Lord	Roberts	Weichman
Fletcher	Lynes	Sharp	West
Gillespie	McCarville	Utzig	Whitehead
Hart	Mercer	Van Eaton	Zastrow
Hattery			

## Nays, none.

## Absent or not voting, 7:

Anderson	Colburn	Oltman	Tudor
Byers	Doud	Parker	

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

Senator Mercer moved that the vote by which the bill passed the

Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Mercer, Senate File 105, a bill for an act to amend section forty-nine point fifty-four (49.54), Code 1950, relating to the publication of official ballots, 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, 50:**

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

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

On motion of Senator Dykhouse, House File 39, a bill for an act to amend section four hundred twelve point five (412.5), Code 1950, relating to municipal utilities retirement systems, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bekman asked and received unanimous consent to withdraw the amendment to House File 39, filed by him, and found on pages 287 and 288 of the Senate Journal.

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, 50:**

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

**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.

On motion of Senator Bateson, Senate File 115, a bill for an act to amend section one hundred forty-seven point three (147.3), Code 1950, relating to qualifications to practice a profession, and providing that men, as well as women, may be licensed as practitioners of cosmetology upon reaching eighteen years of age, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bateson asked and received unanimous consent that House File 130 be substituted for Senate File 115.

On motion of Senator Bateson, House File 130, a bill for an act to amend section one hundred forty-seven point three (147.3), Code 1950, relating to qualifications to practice a profession, and providing that men as well as women may be licensed as practitioners of cosmetology upon reaching eighteen years of age, was taken up, and considered.

Senator Bateson moved that the bill be read a third 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:**

Anderson	Hart	Molison	Van Eaton
Augustine	Hattery	Myrland	Van Patten
Bateson	Hedin	Nesmith	Vest
Bekman	Henningsen	Oltman	Walter
Berg	Hultman	O'Malley	Watson of
Byers	Humbert	Parker	O'Brien
Colburn	Jacobson	Prentis	Watson of
Dailey	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevoid	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow
Gillespie	Mercer	Utzig	

**Nays, none.**

**Absent or not voting, 1:**

Doud

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

Senator Bateson moved that the 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

Senator Bateson asked and received unanimous consent that Senate File 115 be withdrawn from further consideration of the Senate.

On motion of Senator Walter, Senate File 122, a bill for an act to amend chapter one hundred thirty-five B (135B), Code 1950, relating to licensure and regulation of hospitals, and chapter one hundred thirty-five C (135C), Code 1950, relating to the regulation of nursing homes, and to provide that county homes shall be exempt from the provisions thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Jacobson offered the following amendment and moved its adoption:

Amend Senate File 122 by adding the following section:

Sec. 2. Amend chapter one hundred thirty-five C (135C), Code 1950, by adding the following section:

"The state department of health shall issue a special license to an applicant to care for not to exceed five persons providing that the application for license referred to in this chapter is accompanied by a certificate

of the local board of health of the applicant recommending that such special license be issued."

The amendment was adopted.

Senator Walter moved that the bill be read a third 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:**

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

**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.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 163, 227, 228, 245 and 465.

JAMES H. NESMITH, *Chairman Senate Committee.*

ELMER A. BASS, *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 163, 227, 228, 245 and 465.

#### PROOFS OF PUBLICATION

Published copy of Senate File 468 and verified proof of publication of said bill in the Burlington Hawkeye Gazette on March 5, 1951, was filed

with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

Published copy of House File 320 and verified proof of publication of said bill in the Monroe County News, Albia, on February 26, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE, *Secretary of Senate.*

#### BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following bills assigned to committee:

S. F. 366 Appropriations

H. F. 421 Compensation of public officers

#### REPORTS OF COMMITTEES

Senator Weichman submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 399**, a bill for an act to amend section five hundred seven point four (507.4), Code 1950, relating to salaries of insurance examiners, begs leave to report it has had the same under consideration and recommends the same **do pass**.

H. E. WEICHMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 357**, a bill for an act to amend section seventy-nine point one (79.1), Code 1950, relating to paid vacations, begs leave to report it has had the same under consideration and recommends the same **be indefinitely postponed**.

H. E. WEICHMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 437**, a bill for an act to amend section seventy-nine point two (79.2), Code 1950, relating to compensation and mileage of appraisers, begs leave to report it has had the same under consideration and recommends the same **do pass**.

H. E. WEICHMAN, *Chairman.*

Ordered passed on file.

Senator Whitehead submitted the following report:

MR. PRESIDENT: Your committee on printing to which was referred **Senate File 394**, a bill for an act to amend section three hundred forty-



nine point seventeen (349.17), Code 1950, relating to official newspapers, begs leave to report it has had the same under consideration and recommends the same **do pass**.

G. E. WHITEHEAD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on printing to which was referred **Senate File 395**, a bill for an act to amend section six hundred eighteen point eleven (618.11), Code 1950, relating to fees for publication, begs leave to report it has had the same under consideration and recommends the same **do pass**.

G. E. WHITEHEAD, *Chairman*.

Ordered passed on file.

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **Senate File 402**, a bill for an act to legalize and validate the proceedings taken by the city council of the city of Jefferson, Iowa, authorizing and providing for the construction of extensions and improvements to the municipal waterworks of said city by the drilling and casing of a new well, 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 Lynes submitted the following report:

MR. PRESIDENT: Your committee on railroads to which was referred **Senate File 440**, a bill for an act relating to viaducts, underpasses and railroad grade separations in certain cities and to amend sections three hundred eighty-seven point one (387.1) and three hundred eighty-seven point two (387.2), Code 1950, begs leave to report it has had the same under consideration and recommends the same **do pass**.

J. KENDALL LYNES, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on railroads to which was referred **Senate File 441**, a bill for an act relating to the incurring of indebtedness by cities and towns for the elimination or separating of railroad grade crossings and to amend section four hundred seven point three (407.3), Code 1950, begs leave to report it has had the same under consideration and recommends the same **do pass**.

J. KENDALL LYNES, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on railroads to which was referred **Senate File 442**, a bill for an act to create an alternate plan for elimination of the need for viaducts and underpasses through relocating, depressing, elevating or consolidating main line and belt line railroad trackage in certain cities, begs leave to report it has had the same under consideration and recommends the same **do pass**.

J. KENDALL LYNES, *Chairman*.

Ordered passed on file.

Senator Van Eaton submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles to which was referred **House File 170**, a bill for an act relating to certain vehicles pulling or towing four-wheel trailers and to amend section three hundred twenty-one point three hundred ten (321.310), Code 1950, begs leave to report it has had the same under consideration and recommends the same **do pass**.

CHARLES S. VAN EATON, *Chairman*.

Ordered passed on file.

Senator Dykhouse submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred **Senate File 212**, a bill for an act relating to taxation and other sources of municipal revenue, and to repeal chapter four hundred four (404), Code 1950, relating thereto and enact a substitute therefor, and to repeal certain other sections of the Code relating thereto, and to amend certain sections of the Code relating thereto, 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 cities and towns to which was referred **Senate File 272**, a bill for an act relating to the form and issuance of municipal bonds; to amend certain sections of the Code relating thereto; to repeal certain sections of the Code relating thereto, and to enact a substitute 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.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred **Senate File 314**, a bill for an act relating to special assessment of public improvements in municipal corporations, and to repeal chapters three hundred ninety-one (391), three hundred ninety-one A (391A) and

four hundred seventeen (417), Code 1950, relating thereto, and to enact a substitute in lieu thereof, begs leave to report it has had the same under consideration and recommends the same *de pass*.

J. T. DYKHOUSE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred **House File 49**, a bill for an act relating to the payment of sales and use tax by tax certifying or levying bodies and to repeal certain sections of chapter four hundred twenty-two (422), Code 1950, relating thereto and enact substitutes therefor, begs leave to report it has had the same under consideration and recommends the same *de pass*.

J. T. DYKHOUSE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred **House File 150**, a bill for an act to amend section three hundred ninety point eight (390.8), Code 1950, relating to funds derived from parking meters, begs leave to report it has had the same under consideration and **returns the bill without recommendation**.

J. T. DYKHOUSE, *Chairman*.

Order passed on file.

#### AMENDMENTS FILED

Amend House amendment to Senate File 2, section 3,  
as follows:

1. By striking the word "and" after the word "general" in line 51 and inserting in lieu thereof a comma (,).
2. In line 52 after the word "education" insert the following: ", and the employees of the state board of public instruction".

RAYMOND R. GILLESPIE.

Amend Senate File 44 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section four hundred twenty-five point two (425.2), Code 1950, is amended as follows:

"1. Strike from lines three (3) and four (4) thereof the words 'commencing January 1, 1938' and insert in lieu thereof the words 'on or before July 1'.

"2. Strike from line nine (9) the words 'with the assessment roll' and insert the words 'on July 2 of each year'.

"3. Strike from line eleven (11) the semicolon (;) and

the words 'provided that' and insert in lieu thereof a period (.).

"4. Strike all of lines twelve (12) to eighteen (18), inclusive.

"5. Strike from line nineteen (19) the words 'claimed homestead is located'.

"Sec. 2. Section four hundred twenty-five point three (425.3), Code 1950, is amended as follows:

"1. Strike from line three (3) the word 'whether'.

"2. Strike from line four (4) the words 'or filed with the county'.

"3. Strike from line five (5) the word 'auditor'."

Amend the title to Senate File 44 by striking all after the word "Act" and inserting in lieu thereof the following:

"to amend sections four hundred twenty-five point two (425.2) and four hundred twenty-five point three (425.3), Code 1950, relating to the filing of claim for homestead credit with the assessor or the county auditor, and to place such filing exclusively in the office of the assessor on or before July 1 of each year."

R. R. BATESON.

Amend Senate File 112 by adding the following:

"Further amend section four hundred forty-one point three (441.3), Code 1950, by striking the comma (,) after the word "be" in line seventy-one (71) and inserting in lieu thereof a period (.)"

R. R. BATESON.

Amend Senate File 339 by striking section 3 and inserting in lieu thereof the following: "Sec. 3. This act being deemed of immediate importance shall be in full force and effect upon its publication in the Neola Gazette-Reporter, a newspaper published at Neola, Iowa, and in Perry Daily Chief, a newspaper published at Perry, Iowa."

DEVERE WATSON of Pottawattamie.

Amend Senate File 372 as follows:

1. By adding after section 47 the following as section 48:

Section 98.28, Code 1950, is amended by striking from lines three (3), seven (7), eight (8) and from line thirteen (13) the word "commission" and inserting in lieu thereof in each place the word "treasurer".

2. Renumber the following sections.

3. Further amend Senate File 372 as follows:

By adding after section 54 the following as section 55:

Chapter two hundred twenty-six (226) of the laws of the Fifty-third General Assembly is amended as follows:

Strike from line four (4) of the title the words "Iowa State Tax Commission" and insert in lieu thereof the word "treasurer".

Strike from line one (1) in section ten (10) the words

"State Tax Commission" and insert in lieu thereof the word "treasurer".

Strike from lines one (1) and two (2) of section eleven (11) the words "State Tax Commission" and insert in each place in lieu thereof the word "treasurer".

Strike from lines three (3) and five (5) of section eleven (11) the word "it" and insert in each place in lieu thereof the word "he".

Strike from lines eight (8), ten (10), eighteen (18) and nineteen (19), of section eleven (11), the word "Commission" and insert in each place in lieu thereof the word "treasurer".

4. Renumber the following sections.

JOHN BERG and CHARLES S. VAN EATON.

1. Amend Senate File 380, section 25, line 6, by adding a comma after the word "persons".

2. Further amend section 25, line 16, by adding a comma after the word "of".

3. Further amend section 25, line 24, by striking the word "ben" and inserting in lieu thereof the word "be".

4. Amend Senate File 380, section 33, line 9, by adding a comma after the word "hearing".

5. Amend Senate File 380, section 41, line 4, by adding a comma after the word "court"; further amend said line by adding a comma after the word "appeal"; further amend said section, line 9, by adding a comma after the word "appeal".

6. Amend Senate File 380, section 43, line 13, by striking the word "lawful" and inserting in lieu thereof the word "unlawful".

7. Amend Senate File 380, section 46, line 5, by striking the word "and" after the word and comma "party," and inserting in lieu thereof the words "to the"; further amend said section, line 17, by adding a comma after the word "direct".

8. Amend Senate File 380, section 52, line 9, by striking the word "voting".

9. Amend Senate File 380, section 64, line 19, by striking the period at the end thereof and adding thereto the following: ", to be paid to the state treasurer."; further amend said section, line 21, by adding after the word "dollars" the following: "to be paid to the state treasurer".

10. Amend Senate File 380, section 72, line 7, by striking the word "an" and inserting in lieu thereof the word "any"; further amend said section, line 9, by adding after the word and comma "investigation," the following: "appraisal or service. The commission shall ascertain such expense,"; further amend said section, line 61, by adding a comma after the word "rendered"; further amend said section, lines 116 and 117, by striking the following:

"present a claim to the next legislative session" and insert in lieu thereof the following: "sue the state in an action at law".

11. Amend Senate File 380, section 73, line 20, by adding a comma after the word "require"; further amend said section, line 26, by adding a comma after the word "cost".

A. E. AUGUSTINE.

Amend Senate File 381, section 2, subsection 1, line 5 thereof, by striking therefrom the period and adding the following: "and in that name may sue or be sued."

A. E. AUGUSTINE.

Amend Senate File 383 by adding thereto section 2 as follows:

Sec. 2. Section four hundred forty-four point twelve (444.12), Code 1950, is amended by inserting after the comma (,) in line twenty-two (22) the following: "and the amount necessary to provide mental health examination and treatment, under psychiatric supervision, for such persons as the district or juvenile court of the county shall designate at any mental health clinic approved by said district or juvenile court, which said approval shall constitute authority for said board of supervisors to pay all expenses of such clinic for services utilized by or through the court".

GEORGE E. O'MALLEY.

Amend House File 49 by striking all of section 2.

R. R. BATESON.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 9, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Gene S. Siekman, pastor of the Presbyterian Church, Aplington, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Augustine, from members of the faculty of the Lacey Consolidated School, Mahaska County, favoring legislation relating to old age and survivors' insurance.

By Senator McCarville, from members of the faculty of the Waukonsa School, Fort Dodge, Webster County, favoring proposed school legislation.

By Senator Oltman, from members of the Otto Field Post of the American Legion Auxiliary, of Livermore, Humboldt County, favoring legislation relating to the Soldiers' Home at Marshalltown.

By Senator Ridout, from residents of Emmet, Palo Alto and Winnebago Counties favoring legislation relating to the termination of farm tenancy.

By Senator Walter, from the faculty of Albion, Marshall County, Consolidated School, favoring legislation relating to old age and survivors' insurance.

## PRESENTATION OF VISITORS

Senator Berg asked and received unanimous consent to present to the Senate thirty-eight members of the junior and senior classes of the Hudson High School who were present in the balcony accompanied by Mrs. Guy Brown and Virgil Newlin.

Senator Berg asked and received unanimous consent to present to the Senate the members of the American government class of the LaPorte City High School who were present in the balcony with their instructor, Miss Larry, and their principal, G. R. Donovan.

Senator McCarville asked and received unanimous consent to present to the Senate nine members of the class in government of the seventh and eighth grades of the Coalville School who were present in the balcony accompanied by their principal, Mr. Sampson, and Frank Benson.

Senator Whitehead asked and received unanimous consent to present to the Senate one hundred members of the citizenship class of the Perry High School who were present in the balcony with their instructor, B. K. Andrews.

Senator McCarville asked and received unanimous consent to present to the Senate forty members of the junior and senior classes of the Dayton High School who were present in the balcony, accompanied by Rosemary Hall and Lloyd Moore.

Senator Van Patten asked and received unanimous consent to present to the Senate the members of the senior class of the Martensdale High School who were present in the balcony with their instructor, Mary Opperman.

Senator Molison asked and received unanimous consent to present to the Senate eighteen members of the Sheridan School, Township No. 4, Poweshiek County, who were present in the balcony with their instructor, Mrs. Kelly Brandenburg.

#### INTRODUCTION OF BILLS

Senate File 475, by committee on motor vehicles, a bill for an act to amend section three hundred twenty-one point two hundred thirty-six (321.236), Code 1950, relating to powers of local authorities, and to amend section three hundred eighty-nine point thirty-nine (389.39), Code 1950, relating to the powers of local authorities to regulate the use of streets and highways.

Read first and second times, and placed on the calendar.

#### BILL RE-REFERRED

Senator Bateson asked and received unanimous consent that Senate Rule 36 be suspended and that House File 101 be re-referred to the committee on agriculture.

#### APPOINTMENT OF COMMITTEE

Senator Elthon moved that a committee of one be appointed by the President of the Senate to make arrangements with the



state printing board for the material to be used in the Iowa Official Register.

The motion prevailed and the President appointed as such committee Senator Mercer.

### THIRD READING OF BILLS

Senator Colburn asked and received unanimous consent to take up for consideration House File 447, a bill for an act to appropriate funds from the primary road fund to the industrial commissioner for payment of workmen's compensation claims of employees of the state highway commission, with report of committee recommending passage.

On motion of Senator Colburn, the report of the committee was adopted.

Senator Van Patten moved that the bill be read a third 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:**

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

**Nays, none.**

**Absent or not voting, none.**

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

Senator Colburn asked and received unanimous consent to take up for consideration House File 490, a bill for an act authorizing expenditures by the state highway commission from the primary road fund for the biennium beginning July 1, 1951, and ending June 30, 1953, with report of committee recommending passage.

Senator Jacobson took the chair at 11:08 a.m.

On motion of Senator Colburn, the report of the committee was adopted.

Senator Van Patten moved that the bill be read a third 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:**

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottafattamie
Dykhousé	LinnevoId	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

**Nays, none.**

**Absent or not voting, none.**

The bill 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 all appropriation bills and bills carrying appropriations and all claim bills, as they appear on the calendar, appear on a special calendar following immediately after "Unfinished Business" on the calendar; and that they be subject to action by the call of the person who is in charge of such bills.

Roll call was demanded.

On the question "Shall the motion be adopted?" the vote was:

**Ayes, 50:**

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhousé	LinnevoId	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

**Nays, none.**

Absent or not voting, none. •

The motion having received a constitutional and two-thirds majority was declared to have been adopted.

On motion of Senator Whitehead, Senate File 123, a bill for an act providing for supplemental returns and listings by owners of property subject to taxation in the State of Iowa; providing for the manner of use of such supplemental returns by assessors in the preparation of assessment rolls; and providing that such supplemental returns may be in lieu of certain procedures provided by law in the assessment of property, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Elthon moved that when the Senate adjourn it be to reconvene at 11:00 a.m., Monday, March 12, 1951, which motion prevailed.

#### ADDITIONAL COPIES

Senator Doud asked and received unanimous consent to have printed 300 additional copies of Senate File 384.

#### 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 573, a bill for an act making an appropriation to the board of control for the scientific observation of mentally ill persons.

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

House File 574, a bill for an act appropriating funds for the institutions under the state board of control.

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

House Concurrent Resolution 17, expressing good wishes and congratulations from the Fifty-fourth General Assembly to the Honorable Samuel H. Bauman.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION 17

*Whereas*, the Honorable Samuel H. Bauman served as a representative from Van Buren County, Iowa, in the Thirty-second, Thirty-second Extra, Thirty-third, Thirty-fourth, Thirty-fifth and Thirty-sixth General Assembly, and

*Whereas*, he has attained the age of 95 years and will celebrate his 96th birthday on August 14, 1951, and

*Whereas*, it is believed that he is the oldest living former member of the General Assembly of Iowa, and

*Whereas*, it is the desire of the Fifty-fourth General Assembly to pay proper tribute to his long life and distinguished career.

*Be It Resolved by the House, the Senate Concurring*: That the greetings and good wishes of the Fifty-fourth General Assembly are conveyed to the Honorable Samuel H. Bauman on the occasion of his approaching 96th birthday and sincere congratulations extended upon his distinguished record as a former member; that the Fifty-fourth General Assembly wishes for him many years of happiness and good health; and

*Be It Further Resolved*: That a copy of the foregoing resolution be presented to the Honorable Samuel H. Bauman at his residence in Birmingham, Iowa.

#### HOUSE MESSAGES CONSIDERED

House File 573, a bill for an act to appropriate five hundred thousand dollars (\$500,000) from the general fund of the State of Iowa to the state board of control for the scientific observation, rechecking and treatment of mentally ill persons.

Read first and second times, and passed on file.

House File 574, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1951, and ending June 30, 1953, to the board of control for support, maintenance, repairs, replacements or alterations of institutions under said board of control.

Read first and second times, and passed on file.

#### SENATE CONCURRENT RESOLUTION 12

##### By Committee on Appropriations

*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 section two point twenty (2.20), Code 1950: Addressograph-Multigraph Corp., typewriter ribbons and sup-

plies (Senate) .....	\$ 83.20
American Institute of Business, stenograph paper (Senate).....	1.50
Burroughs Adding Machine Co., repairs (Senate).....	4.00
Commercial Office Supply Co., hand punches, brief case, blotters and stencils (Senate).....	64.60
Des Moines Rubber Stamp Works, matrons' badges and rubber stamp (Senate) .....	9.20
Executive Council, supplies, postage and telephones (Senate).....	212.61

Edna Gillespie, pre-session postage (Senate).....	4.80
Koch Brothers, chair, Sheaffer desk set, gavel, lamp and supplies (Senate) .....	308.29
International Business Machines Corp., service on electric type- writer (Senate) .....	4.25
Langan Paper Co., 20 reams bond (Senate).....	38.00
Frank Sacco, mileage (Senate).....	32.50
L. C. Smith & Corona Typewriters, Inc., repairs to typewriters (Senate) .....	9.75
Storey-Kenworthy Co., 6 chairs and miscellaneous supplies (Sen- ate) .....	1,753.21
A. C. Gustafson, postage and miscellaneous supplies (House)....	50.13
Commercial Office Supply Co., office supplies (House).....	65.90
Des Moines Rubber Stamp Works, rubber stamps (House).....	1.00
Industrial Towel Service, rags for multilith (House).....	5.15
International Business Machines Corp., typewriter ribbons (House) .....	21.00
Miller-Bryant-Pierce, carbon and typewriter ribbons (House)....	153.45
Storey-Kenworthy, office chairs, desks and miscellaneous office supplies (House) .....	2,378.39
Northwestern Bell Telephone Co., miscellaneous telephone calls (House) .....	14.25
Edith Wasson McElroy, reporting and transcribing hearings under House Resolution 3 (Joint) .....	50.00
<b>Total</b> .....	<b>\$5,260.18</b>

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

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, from the joint committee on enrolled bills, sub-  
mitted the following report, and moved its adoption:

**MR. PRESIDENT:** Your joint committee on enrolled bills respectfully re-  
ports that it has examined and finds correctly enrolled: House Files 39  
and 130.

JAMES H. NESMITH, *Chairman Senate Committee.*

ELMER A. BASS, *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  
39 and 130.

## BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 8, 1951, the Governor had approved the following bills:

**Senate File 108, relating to proceedings by the town council of Ellsworth, Iowa.**

**Senate File 224, relating to the posting of notices.**

## PRESENTATION OF VISITORS

Senator Hart asked and received unanimous consent to present to the Senate Miss Betty Droe, a junior attending the Keokuk Senior High School, first prize winner of the state essay contest on "Equal Opportunity in Employment for the Physically Handicapped" sponsored by the Iowa Committee for the Rehabilitation and Employment of the Handicapped in cooperation with the State Department of Public Instruction. Betty was presented an award by Governor Beardsley in the Governor's office this morning.

Miss Droe was accompanied in the Senate chamber by members of her family.

Senator Hart also announced that the Honorable Senator De Vere Watson of Pottawattamie, representing the Fraternal Order of Eagles, served on the judging committee of the contest.

## BILLS INDEFINITELY POSTPONED

The Secretary of the Senate announced the following bills indefinitely postponed under Senate Rule 36:

**Senate File 220, relating to road clearing fund.**

**Senate File 261, to provide an open season on deer.**

## APPOINTMENT OF PAGE

The President of the Senate announced the appointment of Lloyd Smith of Winnebago County as page of the Senate.

## APPOINTMENT OF EMPLOYEE

Senator Henningsen announced the appointment of Mrs. Jane Battershell of Polk County as postmistress.

## REPORTS OF COMMITTEES

Senator Van Eaton submitted the following report:

**MR. PRESIDENT:** Your committee on motor vehicles to which was referred **Senate File 227**, a bill for an act to amend chapter three hundred

twenty-one (321), Code 1950, relating to motor vehicles and the law of the road, begs leave to report it has had the same under consideration and recommends the same **be indefinitely postponed.**

CHARLES S. VAN EATON, *Chairman.*

Ordered passed on file.

Senator Doud submitted the following report:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **Senate File 428**, a bill for an act to authorize the state board of education to erect, maintain and operate an addition to the Memorial Union Building at Iowa City on a self-liquidating basis and to borrow money and pledge the rents and profits and assess the students for said purpose, begs leave to report it has had the same under consideration and recommends the same **do pass.**

ALDEN L. DOUD, *Chairman.*

Ordered passed on file.

Senator Dykhouse submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred **Senate File 26**, a bill for an act to amend section four hundred twenty-seven point one (427.1), Code 1950, relating to exemptions from taxation, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

Amend the title to Senate File 26 by inserting after the word "amend" the words and figure "subsection 11 of".

J. T. DYKHOUSE, *Chairman.*

Ordered passed on file.

Senator Humbert submitted the following report:

MR. PRESIDENT: Your committee on public libraries to which was referred **Senate File 382**, a bill for an act to amend chapter three hundred three (303), Code 1950, to establish a state engineering and architectural library and relating to state libraries, begs leave to report it has had the same under consideration and recommends the same **do pass.**

ERNEST L. HUMBERT, *Chairman.*

Ordered passed on file.

Senator Weichman submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **House File 421**, a bill for an act relating to fees to be charged by county officers, begs leave to report it has had the same under consideration and recommends the same **do pass.**

H. E. WEICHMAN, *Chairman.*

Ordered passed on file.

## AMENDMENTS FILED

Amend Senate File 123 by striking from line 16 the words "it shall be the duty of"; further amend by capitalizing the word "every" in line 16; further amend by striking the word "to" in line 18 and substituting the word "shall".

HERMAN M. KNUDSON.

Amend Senate File 123 by striking "February 15" in line 65 and inserting in lieu thereof "March 15".

E. K. BEKMAN.

Amend Senate File 202 by striking sections 3 and 4.

Further amend Senate File 202 by renumbering the remaining section.

GEORGE E. O'MALLEY.

Amend Senate File 304 by adding the following sections:

Sec. 4. Section three hundred twenty-one point thirty-nine (321.39), Code 1950, is hereby amended by adding thereto the following:

"The provisions of this section shall not apply to any vehicle which is registered without the payment of fees as provided in section 321.19, but the registration plate or plates issued for such vehicle shall remain valid until suspended or revoked or cancelled by the department, or until the title or ownership of such vehicle has been transferred."

Sec. 5. Section three hundred twenty-one point one hundred sixty-six (321.166), Code 1950, is hereby amended by adding thereto the following new paragraph:

"Number plates issued for use on a vehicle in accordance with the provisions of section 321.19 need not indicate the year for which issued nor be of a distinctively different color each year."

Amend the title to Senate File 304 by inserting immediately before the word "and" in line 3 the following:

", section three hundred twenty-one point thirty-nine (321.39)".

Further amend the title to Senate File 304 by inserting after the word "to" in line 5 the following:

"registrations, registration cards and".

JOHN R. HATTERY.

Amend Senate File 308, section 1, line 6, by inserting after the word "registered" the following: "or for which a certificate of title has been issued".

Further amend Senate File 308, section 2, line 6, by



inserting after the word "registered" the following: "or for which a certificate of title has been issued".

CHARLES S. VAN EATON.

Amend section 3 of Senate File 398 by striking lines 19 to 21, inclusive, and inserting in lieu thereof the following:

"In any establishment or place where alcoholic liquors are manufactured or sold, except where the sale thereof is only incidental to the business and is less than 50 per cent of the gross business transacted therein."

E. K. BEKMAN.

On motion of Senator Watson of Pottawattamie, the Senate adjourned.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 12, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend R. Romans Eisenlauer, Bible student at Drake University and pastor of the Jamaica Union Church, Jamaica, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nesmith for the day on request of Senator Hart.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Byers, from members of the Hanford Post 5, American Legion Auxiliary, Cedar Rapids, favoring legislation relating to the Soldiers' Home at Marshalltown; relating to soldiers' relief; and favoring adoption of recommendations by the American Legion for civil defense.

By Senator Colburn, from members of the board of education of the Stanley, Buchanan County, Consolidated School, favoring the enactment of proposed school legislation.

By Senator Gillespie, from members of the Madison County women's committee of the Farm Bureau favoring legislation relating to increased appropriation of county funds for extension work.

By Senator Lord, from state employees at Ames, favoring legislation relating to old age and survivors' insurance.

By Senator Lynes, from members of the American Legion Auxiliary, Greene, Butler County, favoring legislation relating to the Soldiers' Home at Marshalltown.

By Senator Molison, from residents of Poweshiek County favoring legislation relating to the confinement of dangerous criminal psychopaths; also, from members of the faculty at Gibson Consolidated School favoring legislation relating to old age and survivors' insurance.

By Senator Myrland, from residents of Harrison County favoring legislation relating to old age and survivors' insurance.

By Senator Oltman, from members of the American Legion Auxiliary of Loe-Thomas-Peterson Unit 367 of Linn Grove, Buena Vista County, favoring legislation relating to the Soldiers' Home at Marshalltown.

By Senator O'Malley, from members of the American Legion Auxiliary, Fort Des Moines Unit 669, favoring legislation relating to the issuance of permits for the operation of electric trolley buses on certain rural highways.

By Senator Parker, from members of the faculty of Aurelia, Cherokee County, Consolidated School favoring legislation relating to old age and survivors' insurance; from members of the faculty of Webster Building, Cherokee, favoring legislation relating to old age and survivors' insurance; and, from members of the LeMars Board of Education in opposition to legislation to any increased supplemental aid at the expense of general aid.

By Senator Ridout, from members of the American Legion Auxiliary of Bancroft, Kossuth County, favoring legislation relating to the Soldiers' Home at Marshalltown.

By Senator Utzig, from members of the faculty at Washington Junior High School, Dubuque, favoring legislation relating to old age and survivors' insurance.

By Senator Van Eaton, from residents of Cherokee County in opposition to proposed legislation relating to the teaching of Christianity in Iowa public schools.

#### ANNOUNCEMENT

Senator Elthon asked and received unanimous consent that the Senate proceed with the consideration of legalizing act now on the Senate calendar.

#### BILL WITHDRAWN

Senator Dykhouse asked and received unanimous consent that Senate File 21 be withdrawn from further consideration of the Senate.

#### THIRD READING OF BILLS

On motion of Senator Dykhouse, House File 76, a bill for an act to legalize the action of the board of supervisors of Osceola

County in contracting and paying for the construction of a concrete floor in the new highway maintenance building of said county, 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, 35:**

Byers	Henningsen	Oltman	Van Eaton
Colburn	Humbert	O'Malley	Van Patten
Dailey	Jacobson	Parker	Walter
Doud	Linnevold	Prentis	Watson of
Dykhouse	Lord	Ridout	O'Brien
Elthon	Lynes	Roberts	Watson of
Gillespie	McCarville	Sharp	Pottawattamie
Hart	Molison	Tudor	Weichman
Hattery	Myrland	Utzig	West
Hedin			

**Nays, none.**

**Absent or not voting, 15:**

Anderson	Berg	Knudson	Vest
Augustine	Fishbaugh	Mercer	Whitehead
Bateson	Fletcher	Nesmith	Zastrow
Bekman	Hultman	Risk	

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

On motion of Senator Watson of Pottawattamie, Senate File 241, a bill for an act to legalize the action of the board of supervisors of Pottawattamie County in authorizing a payment to the city assessor's fund for Council Bluffs, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Watson of Pottawattamie moved that the bill be read a third 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:**

Byers	Elthon	Henningsen	Lynes
Colburn	Gillespie	Humbert	McCarville
Dailey	Hart	Jacobson	Molison
Doud	Hattery	Linnevold	Myrland
Dykhouse	Hedin	Lord	Oltman

O'Malley	Sharp	Van Patten	Watson of
Parker	Tudor	Walter	Pottawattamie
Prentis	Utzig	Watson of	Weichman
Ridout	Van Eaton	O'Brien	West
Roberts			

Nays, none.

Absent or not voting, 15:

Anderson	Berg	Knudson	Vest
Augustine	Fishbaugh	Mercer	Whitehead
Bateson	Fletcher	Nesmith	Zastrow
Bekman	Hultman	Risk	

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

On motion of Senator Oltman, House File 379, a bill for an act to legalize and authorize operation of a public park in Wright County, Iowa, in accordance with the terms set forth in the deed conveying said premises to Boone Township, Wright County, Iowa; Vernon Township, Humboldt County, Iowa; and the incorporated town of Renwick, Humboldt County, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Oltman moved that the bill be read a third 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:

Byers	Henningsen	Oltman	Van Eaton
Colburn	Humbert	O'Malley	Van Patten
Dailey	Jacobson	Parker	Walter
Doud	Linnevold	Prentis	Watson of
Dykhouse	Lord	Ridout	O'Brien
Elthon	Lynes	Roberts	Watson of
Gillespie	McCarville	Sharp	Pottawattamie
Hart	Molison	Tudor	Weichman
Hattery	Myrland	Utzig	West
Hedin			

Nays, none.

Absent or not voting, 15:

Augustine	Anderson	Knudson	Vest
Bateson	Fishbaugh	Mercer	Whitehead
Bekman	Fletcher	Nesmith	Zastrow
Berg	Hultman	Risk	

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

On motion of Senator O'Malley, House File 86, a bill for an act to legalize the action of the board of supervisors of Polk County

in contracting for and making expenditures for the erection of a maintenance shed and storage yard for the housing and maintenance of secondary road equipment and materials for said county, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator O'Malley moved that the bill be read a third 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:**

Byers	Henningsen	Oltman	Van Eaton
Colburn	Humbert	O'Malley	Van Patten
Dailey	Jacobson	Parker	Walter
Doud	Linnevoid	Prentis	Watson of
Dykhouse	Lord	Ridout	O'Brien
Elthon	Lynes	Roberts	Watson of
Gillespie	McCarville	Sharp	Pottawattamie
Hart	Molison	Tudor	Weichman
Hattery	Myrland	Utzig	West
Hedin			

**Nays, none.**

**Absent or not voting, 15:**

Anderson	Berg	Knudson	Vest
Augustine	Fishbaugh	Mercer	Whitehead
Bateson	Fletcher	Nesmith	Zastrow
Bekman	Hultman	Risk	

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

On motion of Senator Byers, Senate File 359, a bill for an act to amend chapter five hundred eighty-seven (587), Code 1950, relating to legalizing judgments and decrees, was taken up, and considered.

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

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

**Ayes, 35:**

Byers	Henningsen	Oltman	Van Eaton
Colburn	Humbert	O'Malley	Van Patten
Dailey	Jacobson	Parker	Walter
Doud	Linnevoid	Prentis	Watson of
Dykhouse	Lord	Ridout	O'Brien
Elthon	Lynes	Roberts	Watson of
Gillespie	McCarville	Sharp	Pottawattamie
Hart	Molison	Tudor	Weichman
Hattery	Myrland	Utzig	West
Hedin			

**Nays, none.**

**Absent or not voting, 15:**

Anderson	Berg	Knudson	Vest
Augustine	Fishbaugh	Mercer	Whitehead
Bateson	Fletcher	Nesmith	Zastrow
Bekman	Hultman	Risk	

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

On motion of Senator Byers, Senate File 402, a bill for an act to legalize and validate the proceedings taken by the city council of the city of Jefferson, Iowa, authorizing and providing for the construction of extensions and improvements to the municipal waterworks of said city by the drilling and casing of a new well, 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 402 by striking all of section 2 and inserting in lieu thereof the following:**

**"Sec. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in The Jefferson Herald, a newspaper published at Jefferson, Iowa, and in The Sac Sun, a newspaper published at Sac City, Iowa, said publication to be without expense to the state."**

The amendment was adopted.

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

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

**Ayes, 35:**

Byers	Henningsen	Oltman	Van Eaton
Colburn	Humbert	O'Malley	Van Patten
Dailey	Jacobson	Parker	Walter
Doud	Linnevold	Prentis	Watson of
Dykhouse	Lord	Ridout	O'Brien
Elthon	Lynes	Roberts	Watson of
Gillespie	McCarville	Sharp	Pottawattamie
Hart	Molison	Tudor	Weichman
Hattery	Myrland	Utzig	West
Hedin			

**Nays, none.**

**Absent or not voting, 15:**

Anderson	Bateson	Berg	Fletcher
Augustine	Bekman	Fishbaugh	Hultman

Knudson  
Mercer

Nesmith  
Risk

Vest  
Whitehead

Zastrow

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

On motion of Senator Watson of O'Brien, House File 425, a bill for an act to legalize and validate the proceedings of the board of directors of the Consolidated School District of Lake Park, in the county of Dickinson, State of Iowa, authorizing and providing for the issuance and delivery of school building bonds and for the levy of taxes for the payment of said bonds, and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Watson of O'Brien moved that the bill be read a third 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:**

Byers  
Colburn  
Dailey  
Doud  
Dykhouse  
Elthon  
Gillespie  
Hart  
Hattery  
Hedin

Henningsen  
Humbert  
Jacobson  
Linnevoold  
Lord  
McCarville  
Lynes  
Molison  
Myrland

Oltman  
O'Malley  
Parker  
Prentis  
Ridout  
Roberts  
Sharp  
Tudor  
Utzig

Van Eaton  
Van Patten  
Walter  
Watson of  
O'Brien  
Watson of  
Pottawattamie  
Weichman  
West

**Nays, none.**

**Absent or not voting, 15:**

Anderson  
Augustine  
Bateson  
Bekman

Berg  
Fishbaugh  
Fletcher  
Hultman

Knudson  
Mercer  
Nesmith  
Risk

Vest  
Whitehead  
Zastrow

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

**HOUSE CONCURRENT RESOLUTION 17**

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



## HOUSE CONCURRENT RESOLUTION 17

*Whereas*, the Honorable Samuel H. Bauman served as a representative from Van Buren County, Iowa, in the Thirty-second, Thirty-second Extra, Thirty-third, Thirty-fourth, Thirty-fifth and Thirty-sixth General Assembly, and

*Whereas*, he has attained the age of 95 years and will celebrate his 96th birthday on August 14, 1951, and

*Whereas*, it is believed that he is the oldest living former member of the General Assembly of Iowa, and

*Whereas*, it is the desire of the Fifty-fourth General Assembly to pay proper tribute to his long life and distinguished career.

*Be It Resolved by the House, the Senate Concurring*: That the greetings and good wishes of the Fifty-fourth General Assembly are conveyed to the Honorable Samuel H. Bauman on the occasion of his approaching 96th birthday and sincere congratulations extended upon his distinguished record as a former member; that the Fifty-fourth General Assembly wishes for him many years of happiness and good health; and

*Be It Further Resolved*: That a copy of the foregoing resolution be presented to the Honorable Samuel H. Bauman at his residence in Birmingham, Iowa.

The motion prevailed, and the resolution was adopted.

## MESSAGE FROM THE HOUSE

The following message was received from the House:

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

House File 422, a bill for an act relating to the compensation of county officers.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE MESSAGE CONSIDERED

House File 422, a bill for an act to amend chapter three hundred forty (340) and sections three hundred thirty-one point twenty-two (331.22), three hundred thirty-one point twenty-three (331.23) and four hundred forty-one point six (441.6), Code 1950, all relating to the compensation of county officers and deputies, assistants and clerks, county attorneys and assistant county attorneys and county assessors, and providing for annual adjustment of such compensation.

Read first and second times, and passed on file.

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

## AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

Senator Elthon asked and received unanimous consent that the Senate proceed with the consideration of non-controversial bills on the calendar.

## THIRD READING OF BILLS

On motion of Senator Watson of O'Brien, House File 229, a bill for an act to legalize and validate the proceedings of the board of directors of consolidated school district of Lloyd Township, in the county of Dickinson, State of Iowa, authorizing and providing for the issuance, sale and delivery of school bonds and for the levy of taxes for the payment of said bonds and interest thereon, and declaring bonds issued pursuant to said proceedings to be enforceable obligations of said school district, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Watson of O'Brien moved that the bill be read a third 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:

Bateson	Hattery	Molison	Van Eaton
Bekman	Hedin	Myrland	Van Patten
Berg	Henningsen	Oltman	Vest
Byers	Hultman	O'Malley	Walter
Colburn	Humbert	Parker	Watson of
Dailey	Jacobson	Prentis	O'Brien
Doud	Linnevoid	Ridout	Watson of
Dykhouse	Lord	Roberts	Pottawattamie
Elthon	Lynes	Sharp	Weichman
Gillespie	McCarville	Tudor	West
Hart	Mercer	Utzig	

## Nays, none.

## Absent or not voting, 9:

Anderson	Fletcher	Nesmith	Whitehead
Augustine	Knudson	Risk	Zastrow
Fishbaugh			

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

On motion of Senator Mercer, Senate File 5, a bill for an act relating to the issuance of stock and the payment thereof of certain

corporations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mercer asked and received unanimous consent that House File 20 be substituted for Senate File 5.

On motion of Senator Mercer, House File 20, a bill for an act relating to the issuance of stock by certain corporations and the payment therefor, 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:**

Bateson	Hattery	Molison	Utzig
Bekman	Hedin	Myrland	Van Eaton
Berg	Henningsen	Oltman	Van Patten
Byers	Hultman	O'Malley	Walter
Colburn	Humbert	Parker	Watson of
Dailey	Jacobson	Prentis	O'Brien
Doud	Linnevold	Ridout	Watson of
Dykhouse	Lord	Roberts	Pottawattamie
Elthon	Lynes	Sharp	Weichman
Gillespie	McCarville	Tudor	West
Hart	Mercer		

**Nays, none.**

**Absent or not voting, 10:**

Anderson	Fletcher	Risk	Whitehead
Augustine	Knudson	Vest	Zastrow
Fishbaugh	Nesmith		

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.

**BILL WITHDRAWN**

Senator Mercer asked and received unanimous consent that Senate File 5 be withdrawn from further consideration of the Senate.

On motion of Senator Molison, House File 334, a bill for an act authorizing a patent to issue to lot twenty-nine (29), being the southwest quarter (SW $\frac{1}{4}$ ) of the southeast quarter (SE $\frac{1}{4}$ ) of section sixteen (16), township seventy-three (73) north, range seven (7) west, of the 5th P.M., Henry County, Iowa, with report

of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Molison moved that the bill be read a third 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:**

Bateson	Hattery	Molison	Van Eaton
Bekman	Hedin	Myrland	Van Patten
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Linnevoid	Ridout	Pottawattamie
Dykhouse	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	West
Gillespie	McCarville	Tudor	Zastrow
Hart	Mercer	Utzig	

**Nays, none.**

**Absent or not voting, 9:**

Anderson	Fletcher	Nesmith	Vest
Augustine	Knudson	Risk	Whitehead
Fishbaugh			

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

On motion of Senator Van Eaton, House File 156, a bill for an act to amend section four hundred sixty-two point seven (462.7), Code 1950, relating to eligibility of trustees in drainage districts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Van Eaton asked and received unanimous consent that action on House File 156 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Byers, Senate File 321, a bill for an act to amend chapter five hundred ninety (590), Code 1950, relating to wills, was taken up, and considered.

Senator Byers asked and received unanimous consent that House File 237 be substituted for Senate File 321.

On motion of Senator Byers, House File 237, a bill for an act to amend chapter five hundred ninety (590), Code 1950, relating to wills, was taken up, and considered.

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

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

**Ayes, 40:**

Bateson	Hattery	Molison	Van Eaton
Bekman	Hedin	Myrland	Van Patten
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Linnevoid	Ridout	Pottawattamie
Dykhouse	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	West
Gillespie	McCarville	Utzig	Zastrow
Hart	Mercer		

**Nays, none.**

**Absent or not voting, 10:**

Anderson	Fletcher	Risk	Vest
Augustine	Knudson	Tudor	Whitehead
Fishbaugh	Nesmith		

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

**BILL WITHDRAWN**

Senator Byers asked and received unanimous consent that Senate File 321 be withdrawn from further consideration of the Senate.

On motion of Senator Hattery, House File 214, a bill for an act to amend section five hundred twenty-six point thirty-two (526.32), Code 1950, to include the surplus funds of state banks and trust companies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

**Ayes, 42:**

Bateson	Hattery	Molison	Van Patten
Bekman	Hedin	Myrland	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Linnevoid	Ridout	Pottawattamie
Dykhouse	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	West
Gillespie	McCarville	Utzig	Whitehead
Hart	Mercer	Van Eaton	Zastrow

**Nays, none.**

**Absent or not voting, 8:**

Anderson	Fishbaugh	Knudson	Risk
Augustine	Fletcher	Nesmith	Tudor

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

On motion of Senator Linnevold, Senate File 239, a bill for an act to amend section five hundred eighteen point eighteen (518.18), Code 1950, relating to the time permitted for filing annual reports with the commissioner of insurance, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Linnevold moved that the bill be read a third 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:**

Bateson	Hattery	Molison	Van Eaton
Bekman	Hedin	Myrland	Van Patten
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Linnevold	Ridout	Pottawattamie
Dykhouse	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	West
Gillespie	McCarville	Tudor	Zastrow
Hart	Mercer	Utzig	

**Nays, none.**

**Absent or not voting, 9:**

Anderson	Fletcher	Nesmith	Vest
Augustine	Knudson	Risk	Whitehead
Fishbaugh			

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

On motion of Senator Doud, Senate File 229, a bill for an act to amend section five hundred thirty-four point ninety-seven (534.97), Code 1950, relating to compensation of building and loan examiners, with report of committee recommending passage, was taken up, considered, and the report of the committee 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, 41:**

Bateson	Hattery	Molison	Van Eaton
Bekman	Hedin	Myrland	Van Patten
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Linnevold	Ridout	Pottawattamie
Dykhousé	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	West
Gillespie	McCarville	Tudor	Zastrow
Hart	Mercer	Utzig	

**Nays, none.**

**Absent or not voting, 9:**

Anderson	Fletcher	Nesmith	Vest
Augustine	Knudson	Risk	Whitehead
Fishbaugh			

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

On motion of Senator Doud, Senate File 230, a bill for an act relating to the per diem salary of county, municipal and school examiners and their assistants and to amend section eleven point nine (11.9), Code 1950, with report of committee recommending passage, was taken up, considered, and the report of the committee 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, 40:**

Bateson	Hattery	Molison	Utzig
Bekman	Hedin	Myrland	Van Eaton
Berg	Henningsen	Oltman	Van Patten
Byers	Hultman	O'Malley	Walter
Colburn	Humbert	Parker	Watson of
Dailey	Jacobson	Prentis	O'Brien
Doud	Linnevold	Ridout	Watson of
Dykhousé	Lord	Roberts	Pottawattamie
Elthon	Lynes	Sharp	Weichman
Gillespie	McCarville	Tudor	West
Hart	Mercer		

**Nays, none.**

**Absent or not voting, 10:**

Anderson	Fletcher	Risk	Whitehead
Augustine	Knudson	Vest	Zastrow
Fishbaugh	Nesmith		

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

On motion of Senator Sharp, Senate File 350, a bill for an act relating to the power of the executive council to assign rooms in the capitol or capitol building to the several departments of the state and for amending section nineteen point fifteen (19.15), Code 1950, 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, 41:**

Bateson	Hattery	Molison	Van Eaton
Bekman	Hedin	Myrland	Van Patten
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Linnevold	Ridout	Pottawattamie
Dykhousé	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	West
Gillespie	McCarville	Tudor	Zastrow
Hart	Mercer	Utzig	

**Nays, none.**

**Absent or not voting, 9:**

Anderson	Fletcher	Nesmith	Vest
Augustine	Knudson	Risk	Whitehead
Fishbaugh			

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

On motion of Senator Berg, Senate File 310, a bill for an act to amend the military code, chapter twenty-nine (29), Code 1950, to provide for the payment of expenses of the Iowa State Guard, was taken up, and considered.

Senator Oltman moved that the bill be read a third 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:**

Bateson	Hattery	Molison	Van Eaton
Bekman	Hedin	Myrland	Van Patten
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Linnevold	Ridout	Pottawattamie
Dykhousé	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	West
Gillespie	McCarville	Tudor	Zastrow
Hart	Mercer	Utzig	



**Nays, none.**

**Absent or not voting, 9:**

Anderson	Fishbaugh	Nesmith	Vest
Augustine	Knudson	Risk	Whitehead
Fletcher			

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

On motion of Senator Roberts, Senate File 256, a bill for an act to legalize and validate proceedings taken by the city council of the city of Pella, Iowa, authorizing and providing for the construction of extensions and improvements to its municipal electric light and power plant, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Roberts asked and received unanimous consent that House File 349 be substituted for Senate File 256.

On motion of Senator Roberts, House File 349, a bill for an act to legalize and validate proceedings taken by the city council of the city of Pella, Iowa, authorizing and providing for the construction of extensions and improvements to its municipal electric light and power plant, was taken up, and considered.

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

**Ayes, 40:**

Bateson	Hedin	Myrland	Van Eaton
Bekman	Henningsen	Oltman	Van Patten
Berg	Hultman	O'Malley	Walter
Byers	Humbert	Parker	Watson of
Colburn	Jacobson	Prentis	O'Brien
Dailey	Linnevold	Ridout	Watson of
Dykhouse	Lord	Roberts	Pottawattamic
Elthon	Lynes	Sharp	Weichman
Gillespie	McCarville	Tudor	West
Hart	Mercer	Utzig	Zastrow
Hattery	Molison		

**Nays, none.**

**Absent or not voting, 10:**

Anderson	Fishbaugh	Nesmith	Vest
Augustine	Fletcher	Risk	Whitehead
Doud	Knudson		

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

## BILL WITHDRAWN

Senator Roberts asked and received unanimous consent that Senate File 256 be withdrawn from further consideration of the Senate.

On motion of Senator Watson of Pottawattamie, House File 92, a bill for an act authorizing the executive council to purchase a strip and certain parcels of land in Jones County from the Chicago and North Western Railway Company and to provide an appropriation therefor, with reports of committees recommending passage, was taken up, considered, and the reports of the committees adopted.

Senator Watson of Pottawattamie moved that the bill be read a third time, which motion prevailed, and the bill was read a third time.

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

**Ayes, 41:**

Bateson	Hattery	Molison	Van Eaton
Bekman	Hedin	Myrland	Van Patten
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of .
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Linnevold	Ridout	Pottawattamie
Dykhouse	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	West
Gillespie	McCarville	Tudor	Zastrow
Hart	Mercer	Utzig	

**Nays, none.****Absent or not voting, 9:**

Anderson	Fletcher	Nesmith	Vest
Augustine	Knudson	Risk	Whitehead
Fishbaugh			

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

On motion of Senator Bateson, House File 125, a bill for an act to amend section one hundred forty-one point nineteen, Code 1950, relating to permits received from other states for dead bodies being shipped into the state, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bateson moved that the bill be read a third 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:**

Bateson	Hattery	Molison	Van Eaton
Bekman	Hedin	Myrland	Van Patten
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Linnevoid	Ridout	Pottawattamie
Dykhous	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	West
Gillespie	McCarville	Tudor	Zastrow
Hart	Mercer	Utzig	

**Nays, none.**

**Absent or not voting, 9:**

Anderson	Fletcher	Nesmith	Vest
Augustine	Knudson	Risk	Whitehead
Fishbaugh			

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

On motion of Senator Hattery, House File 216, a bill for an act to amend chapter four hundred ninety-two (492), Code 1950, relating to payment in property other than cash for capital stock, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator O'Malley moved that the bill be read a third 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:**

Bateson	Hattery	Molison	Van Eaton
Bekman	Hedin	Myrland	Van Patten
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Linnevoid	Ridout	Pottawattamie
Dykhous	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	West
Gillespie	McCarville	Tudor	Zastrow
Hart	Mercer	Utzig	

**Nays, none.**

**Absent or not voting, 9:**

Anderson	Fletcher	Nesmith	Vest
Augustine	Knudson	Risk	Whitehead
Fishbaugh			

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

On motion of Senator Hattery, Senate File 207, a bill for an act to amend chapter three hundred twenty-one (321), Code 1950, relating to motor vehicles and law of road, with report of committee recommending amendment in accordance with the following amendment by Senator Van Patten and passage, was taken up, considered, and the report of the committee adopted.

Senator Van Patten offered the following amendment and moved its adoption :

Amend Senate File 207 by adding the following section:

"Sec. 2. This Act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in The Record-Herald and Indianola Tribune, a newspaper published at Indianola, Iowa, and The Perry Daily Chief, a newspaper published at Perry, Iowa."

The amendment was adopted.

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

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

**Ayes, 41:**

Bateson	Hattery	Molison	Van Eaton
Bekman	Hedin	Myrland	Van Patten
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Linnevold	Ridout	Pottawattamie
Dykhouse	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	West
Gillespie	McCarville	Tudor	Zastrow
Hart	Mercer	Utzig	

**Nays, none.**

**Absent or not voting, 9:**

Anderson	Fletcher	Nesmith.	Vest
Augustine	Knudson	Risk	Whitehead
Fishbaugh			

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

### SENATE CONCURRENT RESOLUTION 13

By Prentis, Doud, Knudson, Colburn, Dykhouse,  
Elthon, Lord, Weichman and Parker

*Whereas*, the Secretary of Agriculture of the United States has by arbitrary abuse of authority forced on the potato growers of northern Iowa unwanted marketing agreements by the use of an illegal if not

fraudulent referendum reminiscent of the methods of dictator governments, and

*Whereas*, Secretary of Agriculture Charles F. Brannan in the administration of the notorious and infamous potato program is seeking to act as a potato czar in 12 Iowa counties and to govern the marketing practices of northern Iowa farmers without their consent or approval, and

*Whereas*, this purpose has been shown specifically in the case of Harold McKinley of St. Ansgar, Iowa, and is threatened in relation to the other potato growers of 12 Iowa counties, and

*Whereas*, Brannan is trying to force these Iowa growers to market only those potatoes which meet his approval under regulations against which the Iowa growers voted overwhelmingly, 24 to 1, and

*Whereas*, Brannan then overcame this overwhelming and disapproving majority by blanketing the Iowa counties into a voting area which contained four other states and part of a fifth, and

*Whereas*, the resulting district was a political sham and a shameful example of gerrymandering which destroyed the right of Iowa farmers to determine how they shall be governed and how they shall market their own produce, and

*Whereas*, they were forced into an area where they were subjected to the domination of the would-be potato czar and must accept his choices as their representatives and must observe his regulations over their business, and

*Whereas*, he has created discrimination between these growers and their neighbors outside the artificial boundaries which he set, and

*Whereas*, he will cause them severe business losses as well as the sacrifice of their liberties unless corrective action is taken, and

*Whereas*, the methods of coercion employed by the United States Secretary of Agriculture in the above instance can be applied to the growers of other agricultural products and can also be used to curb free competition in industry, and

*Whereas*, the practice of government by administrative directives if unchecked can result in loss of opportunity and the basic freedoms on which this country was founded, and

*Whereas*, just government derives its powers from the consent of the governed,

*Now, Therefore, Be It Resolved by the Senate of the Fifty-fourth General Assembly of the State of Iowa, the House Concurring:* That the Congress of the United States give serious consideration to the passage of appropriate legislation specifically limiting the Secretary of Agriculture in the use of directives.

*Be It Further Resolved*, that Congress give earnest consideration to the proposition that the law-making power is constitutionally an exclusive prerogative of legislative bodies and Congress should take immediate steps to thwart every encroachment on that power.

*Be It Further Resolved*, that the Secretary of State is hereby directed to forward copies of this resolution to the President of the United States, to the President of the Senate and the Speaker of the House in Congress, and to each member of the Iowa delegations in the Congress of the United States, under seal of his office.

## COMMUNICATION FROM STATE COMPTROLLER

The following communication was received from the office of the state comptroller :

OFFICE  
STATE COMPTROLLER

March 9, 1951.

To the Secretary of the Senate and  
Chief Clerk of the House of Representatives.

In accordance with the provisions of chapter 25, Code of 1950, there are submitted herewith claims acted upon by the state appeal board on March 8, 1951. Each claim bears the recommendation of the board.

Claims of a general nature are numbers 82, 88, 131, 139, 154, 155, 156, 157, 158, 160, 161, 164, 166, 167, 169, 170, 171, 172, 173, 174, 177, 178, 179 and 180.

R. E. JOHNSON, *Chairman,*  
*State Appeal Board.*

No.	Name of Claimant and Nature of Claim	Amount of Claim
82	Guardian of Glenna Darlene Atkins, Sioux City, Iowa—Father of Glenna Atkins was killed in a fall from a telephone pole at the Men's Reformatory, Anamosa, Iowa. Atkins, an inmate of said institution, was working as a lineman when the pole on which he was working collapsed and crushed him.....	\$18,500.00
88	Johnnie Maas, Pine State Park, Eldora, Iowa—Fire of undetermined origin completely destroyed the residence of the custodian of the Pine Lake State Park. ....	3,815.33
131	Willard Deming, Chariton, Iowa—Damage to property of others due to the condition of fences on state property.....	150.00
139	Estate of Harold Klinkefus, Harlan, Iowa—Patrolman Klinkefus was killed in a highway accident on May 18, 1948, while on duty as a patrolman.....	—
154	County Treasurer, Wright County—Refund agricultural land tax credit, tax years 1947 and 1948 .....	8.67
155	Fred J. Heady, Davenport, Iowa—Injured while working in the furniture factory at the Iowa State Penitentiary, left hand crushed necessitating the amputation of his thumb and three fingers. ....	—
156	Guardian of Robert D. Winn, Muscatine, Iowa—Inmate of Eldora Training School and while unloading coal with a mechanical conveyor his arm was caught in the machinery necessitating the amputation of his arm. ....	7,500.00
157	Kempter Funeral Co., Bellevue, Iowa—Burial services for Josephine Wandersfield, old age recipient. ....	150.00

No.	Name of Claimant and Nature of Claim	Amount of Claim
158	Iowa Farm Mutual Insurance Company— Damage to car owned by Fred H. Goff by vehicle be- longing to the Woodward State Hospital.....	98.16
160	Gladys L. Knutson, Eagle Grove, Iowa— Damage to car and personal injuries by state owned car. ....	1,729.00
161	Earl M. Knutson, Eagle Grove, Iowa— Claim for personal injuries and expense. See Claim No. 160. ....	805.21
164	Geo. Callahan, Brighton, Colorado— Pulmonary infection caused by smut which claimant was forced to breathe while filling a silo for the Iowa State College in 1925. ....	13,416.00
166	Mrs. Ruth Maehne, Maywood, Illinois— Damage to car by conservation commission truck.—	256.25
167	Arnold Funeral Home, Lenox, Iowa— Burial service for Mrs. Floy Short, old age recipient.	150.00
169	Stennett Consolidated School District, Red Oak, Iowa —Claim against state sinking fund.....	408.88
170	Red Oak Township School District, Red Oak, Iowa— Claim against state sinking fund.....	208.69
171	Garfield Township Independent School District No. 7 —Claim against state sinking fund.....	121.25
172	Grant Township Independent School District No. 3, Red Oak, Iowa—Claim against state sinking fund.....	81.43
173	West Riverside Independent School District No. 1, Red Oak, Iowa—Claim against state sinking fund.....	77.55
174	C. R. Funaro, Des Moines, Iowa— Damage to car by vehicle belonging to the Iowa Na- tional Guard. ....	60.09
177	County Treasurer, Mills County— Refund agricultural land tax credit, tax year 1950.....	796.73
178	County Treasurer, Harrison County— Refund agricultural land tax credit, tax year 1950.....	41.31
179	County Treasurer, Clayton County— Refund agricultural land tax credit, tax year 1950.....	32.99
180	County Treasurer, Keokuk County— Refund agricultural land tax credit, tax year 1950.....	411.27

Passed on file.

#### BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following bills assigned to committee:

H. F. 422	Compensation of public officers and employees
H. F. 573	Appropriations
H. F. 574	Appropriations
S.C.R. 11	Judiciary 1

#### REPORT OF COMMITTEE

Senator Sharp submitted the following report:

MR. PRESIDENT: Your committee on public lands and buildings to which was referred **Senate File 368**, a bill for an act to permit and provide for conveying to the United States certain lands in Allamakee and Clayton Counties in 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.

#### ANNOUNCEMENT

The Senate was convened by the Lieutenant Governor at 11:00 a.m., Monday, March 12. Upon roll call it was found that there was a quorum present. The Senate decided to take up legalizing acts and later to take up noncontroversial bills. As the session progressed, more Senators arrived but, at no time, was there a full Senate present because of the difficulty in getting to Des Moines after the severe snow storm. Upon motion, duly adopted, members of the Senate who were not present were excused for the portion of the day during which they were unavoidably absent.

Senator Elthon asked and received unanimous consent that the foregoing statement be printed in the Senate Journal.

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



# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 13, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Nelson Preus, pastor of the St. John's Lutheran Church, Waukon, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Vest for the day on request of Senator Elthon; Senator Anderson for the day on request of Senator Molison.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Byers, from residents of Linn County favoring legislation relating to certain benefits for county employees.

By Senator Doud, from members of the Des Moines branch of the Association for Childhood Education favoring legislation relating to examiners and certification of teachers.

By Senator Hattery, from residents of Story County favoring proposed legislation relating to strip mining; also, in opposition to Senate Files 14, 15 and 19, municipal code study bills.

By Senator O'Malley, from members of the Des Moines branch of the Association for Childhood Education favoring legislation relating to examiners and certification of teachers; also, from the members of the Iowa State Medical Society urging legislation for the expansion of facilities for medical students at the State University of Iowa.

By Senator Parker, from employees of the Cherokee State Hospital favoring legislation relating to old age and survivors' insurance; also, from residents of Plymouth County favoring legislation relating to increased appropriation of county funds for extension work.

By Senator Watson, from residents of Pottawattamie County favoring legislation making possible the leasing of park board property for agricultural fair purposes.

## UNFINISHED BUSINESS

On motion of Senator Van Eaton, House File 156, a bill for an act to amend section four hundred sixty-two point seven (462.7), Code 1950, relating to eligibility of trustees in drainage districts, was taken up for further consideration.

Senator Van Eaton moved that the bill be read a third 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	Hedin	Molison	Utzig
Bateson	Henningsen	Myrland	Van Eaton
Bekman	Hultman	Nesmith	Van Patten
Berg	Humbert	Oltman	Walter
Byers	Jacobson	O'Malley	Watson of
Colburn	Knudson	Parker	O'Brien
Dailey	Linnevold	Prentis	Watson of
Elthon	Lord	Ridout	Pottawattamie
Gillespie	Lynes	Roberts	Weichman
Hart	McCarville	Sharp	West
Hattery	Mercer	Tudor	Zastrow

Nays, none.

Absent or not voting, 8:

Anderson	Dykhousé	Fletcher	Vest
Doud	Fishbaugh	Risk	Whitehead

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

## SENATE CONCURRENT RESOLUTION 12

Senator Colburn called up Senate Concurrent Resolution 12 found on pages 602 and 603 of the Senate Journal and moved its adoption.

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 178, a bill for an act relating to investments of insurance companies other than life.

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

Senate File 243, a bill for an act relating to the release and discharge of investments and liens of fiduciaries.

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

House File 27, a bill for an act relating to exemptions from moneys and credits taxation certain capital stock.

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

House File 173, a bill for an act relating to valuation and assessment for taxation of property for railway companies.

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

House File 176, a bill for an act relating to cities operating under the commission plan of municipal government.

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

House File 232, a bill for an act relating to the color and mounting of lighting devices and reflectors on motor trucks or trailers.

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

House File 249, a bill for an act relating to the deposit of bond or securities by associations selling stock on the installment plan.

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

House File 283, a bill for an act relating to the number of apple trees or other fruit trees per acre in a fruit reservation.

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

House File 344, a bill for an act relating to reciprocal exemptions from inheritance tax upon the passing of property to societies, institutions or organizations.

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

House File 396, a bill for an act relating to motor vehicles and law of road.

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

House File 399, a bill for an act relating to registration plates issued for motor vehicles.

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

House File 400, a bill for an act relating to motor vehicles and law of road.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File 27, a bill for an act to amend subsection twenty (20) of section four hundred twenty-seven point one (427.1), Code 1950,

relating to exemptions from moneys and credits taxation of the capital stock in certain manufacturing corporations.

Read first and second times, and passed on file.

House File 173, a bill for an act to amend section four hundred thirty-four point fifteen (434.15), Code 1950, relating to the valuation and assessment for taxation of property for railway companies; and to provide that property subject to taxation of companies operating a public passenger transit system in cities having a population of one hundred twenty-five thousand (125,000) or over shall be subject to assessment in the same manner as a railway.

Read first and second times, and passed on file.

House File 176, a bill for an act to amend chapter four hundred seventeen (417), Code 1950, relating to cities operating under the commission plan of municipal government and having a population of one hundred twenty-five thousand (125,000) or more by making said chapter four hundred seventeen (417) apply and relate to cities having a population of one hundred twenty-five thousand (125,000) or more even though not operating under the commission plan of government; and to amend section four hundred seventeen point fifty-four (417.54), Code 1950, by further particularizing as to and defining the property which is exempt from other taxes on account of the two and three-fourths per cent ( $2\frac{3}{4}\%$ ) gross revenue tax on bus operations of street railways or passenger carriers in cities having a population of one hundred twenty-five thousand (125,000) or over; and to redefine the carriers which shall be subject to the two and three-fourths per cent ( $2\frac{3}{4}\%$ ) gross revenue tax on bus operations.

Read first and second times, and passed on file.

House File 232, a bill for an act to amend section three hundred twenty-one point three hundred ninety-three (321.393), Code 1950, relating to the color and mounting of lighting devices and reflectors on motor trucks or trailers.

Read first and second times, and passed on file.

House File 249, a bill for an act to amend section five hundred one point five (501.5), Code 1950, relating to the deposit of bond or securities by associations selling stock on the installment plan.

Read first and second times, and passed on file.

House File 283, a bill for an act to amend section one hundred

sixty-one point seven (161.7), Code 1950, 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.

House File 344, a bill for an act to amend section four hundred fifty point four (450.4), Code 1950, by providing for reciprocal exemptions from inheritance tax upon the passing of property to societies, institutions or associations organized or incorporated under the laws of other states for charitable, religious or educational purposes or to trustees for such uses in other states.

Read first and second times, and passed on file.

House File 396, a bill for an act to amend chapter three hundred twenty-one (321), Code 1950, relating to motor vehicles and law of road.

Read first and second times, and passed on file.

House File 399, a bill for an act to amend section three hundred twenty-one point thirty-four (321.34), section three hundred twenty-one point thirty-seven (321.37), and section three hundred twenty-one point one hundred sixty-seven (321.167), Code 1950, relating to registration plates issued for motor vehicles.

Read first and second times, and passed on file.

House File 400, a bill for an act to amend section three hundred twenty-one point four hundred twenty-two (321.422), Code 1950, relating to motor vehicles and law of road.

Read first and second times, and passed on file.

#### PRESENTATION OF VISITORS

President Nicholas announced that there were a number of outstanding young citizens in the Senate chamber and presented Al F. Faber, editor of the Iowa Legionnaire, who presented to the Senate the following district winners of the state oratorical contest on the various phases of the Constitution of the United States, sponsored by the American Legion:

First district, Dorothy Corley, Burlington; second district, Ralph Petersberger, Davenport; third district, Marilyn Sires, Tama; fourth district, Charles Walk, Mason City; fifth district, Marilyn Hull, Oskaloosa; sixth district, Sue Muelhaupt, Des Moines; seventh district, Kenneth Anderson, Harlan; eighth district, Joan Wieder, Ogden; ninth district, Merle Diamond, Sioux City.

Senator O'Malley asked and received unanimous consent to present to the Senate one hundred members of the history class of the Des Moines Technical School who were present in the balcony with their instructors, Miss Smith and Mrs. Bahlman.

### COMMUNICATION

The following communication was received:

DEPARTMENT OF STATE  
Bismarck, North Dakota

March 6, 1951.

President of the Senate,  
Des Moines, Iowa.  
Sir:

In compliance with the instruction of the Legislative Assembly of the State of North Dakota, I am pleased to forward to you an attested copy of Concurrent Resolution "M" relating to certain provisions of the Federal Highway Acts.

Respectfully submitted,  
THOMAS HALL,  
*Secretary of State.*

### STATE OF NORTH DAKOTA

Department of State

To All to Whom These Presents Shall Come:

I, Thomas Hall, Secretary of State of the State of North Dakota, do hereby certify that the attached

### HOUSE CONCURRENT RESOLUTION M

Relating to an amendment of the Federal Highway Act is an official copy of the described document, duly adopted by the House of Representatives of the Legislative Assembly of the State of North Dakota, and on file in my office.

Dated at Bismarck, North Dakota, this the 6th day of March, 1951.

THOMAS HALL,  
*Secretary of State.*

Thirty-second Legislative Assembly, State of North Dakota, begun and held at the Capitol in the city of Bismarck, on Tuesday, the second day of January, one thousand nine hundred fifty-one.

### HOUSE CONCURRENT RESOLUTION "M"

(Bubel, Holand, Jansonius and Leet)

A concurrent resolution memorializing Congress to amend the Federal Highway Act so as to prohibit the diversion of revenue received from federal motor-user taxes, and to provide for an increased federal

matching ratio so that all such revenue be returned to the states and used for road development.

*Whereas*, in 1934, Congress, in effect, said that, since it is unfair to tax the user of the highways unless the revenue from such tax be used for road improvements, any state that diverts highway motor-user taxes will be penalized under the Federal Highway Act, and

*Whereas*, in order to comply with the requirements of such Federal Highway Act, North Dakota adopted, as part of its constitution, Article 56, which required that revenue from gasoline and other motor fuel excise and license taxation, after deduction of cost of administration and collection authorized by legislative appropriation only, and statutory refunds, shall be appropriated and used solely for construction, reconstruction, repair and maintenance of public highways, and payments of obligations incurred in the construction, reconstruction, repair and maintenance of public highways, and

*Whereas*, other states have, in similar manner or by statute, prohibited the diversion of highway motor-user taxes to other than road improvement uses, and

*Whereas*, the Federal Government itself now diverts about two-thirds of the income which it receives from motor-user excise taxes, having in 1949 returned to the states only about four hundred million dollars out of 1.3 billion dollars it so received, this according to an interview with Thomas H. MacDonald, U. S. Commission of Public Roads, in the December 29, 1950, issue of the United States News and World Report, and

*Whereas*, because of increased governmental costs, many states are unable to raise sufficient funds with which to match federal funds allowed for highway construction, even though some states are and have been allotted additional matching aid, by reason of the inability of other states to match their allotments, and

*Whereas*, it appears the states are and have been unable, on a fifty-fifty matching basis, to raise sufficient funds to use more than a third of the federal tax collected from motor users, so that two-thirds of the revenue received from this federal motor-user tax is being and has been diverted by the Federal Government to other uses than road improvement, this directly contrary to the requirements imposed by Congress upon the states by the Federal Highway Act, and

*Whereas*, there is increasingly imperative need for additional highway construction and reconstruction to bring even a small percentage of highways up to standards required by present day traffic, and to insure their military use in time of national emergency, and

*Whereas*, much desperately needed additional highway construction and reconstruction could be made, if the two-thirds of the federal motor-user taxes, now being diverted to other uses, could be used for the purpose for which they were intended and for which Congress has required that similar funds in the states be used,

*Now, Therefore, Be It Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring Therein:*

That the Thirty-second Legislative Assembly of the State of North Dakota respectfully petitions the Congress of the United States to so amend the Federal Highway Act, and such other acts as may be necessary, as to prohibit the diverting of federal motor-user taxes to any other pur-

pose than that of road development, and to provide for an increased ratio of federal funds compared with state funds, so that all federal motor-user taxes be used for the development of roads, that, instead of matching state funds, raised for such purpose, dollar for dollar, the Federal Government match state funds on the basis of three dollars to one dollar.

*Be It Further Resolved*, that a duly attested copy of this concurrent resolution be sent by the Secretary of State to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, to the Senators and Representatives in Congress from the State of North Dakota, to the Secretary of the Interior, to the United States Commissioner of Public Roads, and to the Secretary of the Senate and to the Clerk of the House of Representatives of all other state legislative assemblies now in session.

LEO J. STICKA,  
*Speaker of the House.*  
KENNETH L. MORGAN,  
*Chief Clerk of the House.*  
RAY SCHNELL,  
*President of the Senate.*  
W. J. TROUT,  
*Secretary of the Senate.*

#### ANNOUNCEMENT

Senator Elthon asked and received unanimous consent that due to the absence of a number of Senators as a result of the snow storm, that the Senate proceed with the consideration of the less controversial bills on the calendar or any bill which the sponsor might wish to take up for consideration at this time. The Senators to file their requests with the President of the Senate and the bills to be taken up in the order in which the requests are filed.

#### THIRD READING OF BILLS

On motion of Senator Doud, Senate Joint Resolution 2, a joint resolution creating a special committee to survey the present and future needs and the proposed use of advance education facilities in the State of Iowa, to review the services performed by the state institutions of higher learning and privately operated and endowed colleges and universities, to study the work of junior colleges, and make such recommendations as may bring about the fullest use of such educational facilities in connection with an advanced education program, defining the powers and duties of said committee, and providing for the payment of the expenses of said committee, with reports of committees recommending passage, was taken up, considered, and the reports of the committees adopted.



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

On the question "Shall the resolution be adopted?" the vote was:

**Ayes, 44:**

Augustine	Hart	Mercer	Utzig
Bateson	Hattery	Molison	Van Eaton
Bekman	Hedin	Myrland	Van Patten
Berg	Henningsen	Nesmith	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevold	Roberts	Weichman
Elthon	Lord	Sharp	West
Fletcher	Lynes	Tudor	Zastrow
Gillespie	McCarville		

**Nays, none.**

**Absent or not voting, 8:**

Anderson	Oltman	Vest	Whitehead
Fishbaugh	Risk		

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

On motion of Senator Mercer, Senate File 7, a bill for an act to amend chapter sixteen (16), Code 1950, by increasing the number of copies of the Code, acts of the General Assembly, annotations to the Code and supplements thereto, and reports of the supreme court that are distributed to the law library of the state university, 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, 45:**

Augustine	Hart	Mercer	Utzig
Bateson	Hattery	Molison	Van Eaton
Bekman	Hedin	Myrland	Van Patten
Berg	Henningsen	Nesmith	Walter
Byers	Hultman	Oltman	Watson of
Colburn	Humbert	O'Malley	O'Brien
Dailey	Jacobson	Parker	Watson of
Doud	Knudson	Prentis	Pottawattamie
Dykhouse	Linnevold	Ridout	Weichman
Elthon	Lord	Roberts	West
Fletcher	Lynes	Sharp	Zastrow
Gillespie	McCarville	Tudor	

Nays, none.

Absent or not voting, 5:

Anderson	Risk	Vest	Whitehead
Fishbaugh			

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

On motion of Senator Sharp, Senate File 349, a bill for an act creating a legislative advisory committee to carry out the provisions of chapter three hundred seven (307), Acts of the Fifty-second General Assembly, chapter sixteen (16), Acts of the Forty-ninth General Assembly, chapter ten (10), Acts of the Fifty-first General Assembly, and chapter seventeen (17), Acts of the Fifty-third General Assembly, relating to the construction of the state office building, 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	Hart	Mercer	Utzig
Bateson	Hattery	Molison	Van Eaton
Bekman	Hedin	Myrland	Van Patten
Berg	Henningsen	Nesmith	Walter
Byers	Hultman	Oltman	Watson of
Colburn	Humbert	O'Malley	O'Brien
Dailey	Jacobson	Parker	Watson of
Doud	Knudson	Prentis	Pottawattamie
Dykhousé	Linnevold	Ridout	Weichman
Elthon	Lord	Roberts	West
Fletcher	Lynes	Sharp	Zastrow
Gillespie	McCarville	Tudor	

Nays, none.

Absent or not voting, 5:

Anderson	Risk	Vest	Whitehead
Fishbaugh			

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

On motion of Senator O'Malley, Senate File 254, a bill for an act to amend section three hundred forty-seven point seven (347.7), Code 1950, to raise the limitation on the power to levy annually special taxes for the improvement and maintenance fund of county public hospitals in counties having a population of one hundred thirty-five thousand (135,000) inhabitants or over, with report of

committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator O'Malley asked and received unanimous consent that House File 88 be withdrawn from the committee on tax revision.

Senator O'Malley asked and received unanimous consent that House File 88 be substituted for Senate File 254.

On motion of Senator O'Malley, House File 88, a bill for an act to amend section three hundred forty-seven point seven (347.7), Code 1950, to raise the limitation on the power to levy annually special taxes for the improvement and maintenance fund of county public hospitals in counties having a population of one hundred thirty-five thousand (135,000) inhabitants or over, was taken up, and considered.

Senator Tudor offered the following amendment by the committee on tax revision and moved its adoption :

Amend House File 88 by striking from line 4, section 1, the word and figure "five (5)" and inserting in lieu thereof the words and figures "three and one-half (3½)".

The amendment was adopted.

Senator O'Malley moved that the bill be read a third 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	Mercer	Utzig
Bateson	Hattery	Molison	Van Eaton
Bekman	Hedin	Myrland	Van Patten
Berg	Henningsen	Nesmith	Walter
Byers	Hultman	Oltman	Watson of
Colburn	Humbert	O'Malley	O'Brien
Dailey	Jacobson	Parker	Watson of
Doud	Knudson	Prentis	Pottawattamie
Dykhouse	Linnevold	Ridout	Weichman
Elthon	Lord	Roberts	West
Fletcher	Lynes	Sharp	Zastrow
Gillespie	McCarville	Tudor	

**Nays, none.**

**Absent or not voting, 5:**

Anderson	Risk	Vest	Whitehead
Fishbaugh			

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

## BILL WITHDRAWN

Senator O'Malley asked and received unanimous consent that Senate File 254 be withdrawn from further consideration of the Senate.

On motion of Senator Watson of O'Brien, House File 69, a bill for an act to amend section two hundred thirty-one point eight (231.8), Code 1950, relating to the appointment of probation officers in juvenile court and their salaries and expenses, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Watson of O'Brien moved that the bill be read a third 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	Mercer	Utzig
Bateson	Hattery	Molison	Van Eaton
Bekman	Hedin	Myrland	Van Patten
Berg	Henningsen	Nesmith	Walter
Byers	Hultman	Oltman	Watson of
Colburn	Humbert	O'Malley	O'Brien
Dailey	Jacobson	Parker	Watson of
Doud	Knudson	Prentis	Pottawattamie
Dykhouse	Linnevoold	Ridout	Weichman
Elthon	Lord	Roberts	West
Fletcher	Lynes	Sharp	Zastrow
Gillespie	McCarville	Tudor	

Nays, none.

Absent or not voting, 5:

Anderson	Risk	Vest	Whitehead
Fishbaugh			

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

## BILL WITHDRAWN

Senator Watson of O'Brien asked and received unanimous consent that Senate File 61 be withdrawn from further consideration of the Senate.

On motion of Senator Prentis, Senate File 142, a bill for an act relating to the public archives and authorizing destruction of certain thereof after custody for a fixed period and for amending section three hundred three point ten (303.10), Code 1950, with

report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

Senator Augustine took the chair at 11:25 a.m.

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

**Ayes, 45:**

Augustine	Hart	Mercer	Utzig
Bateson	Hattery	Molison	Van Eaton
Bekman	Hedin	Myrland	Van Patten
Berg	Henningsen	Nesmith	Walter
Byers	Hultman	Oltman	Watson of
Colburn	Humbert	O'Malley	O'Brien
Dailey	Jacobson	Parker	Watson of
Doud	Knudson	Prentis	Pottawattamie
Dykhous	Linnevold	Ridout	Weichman
Elthon	Lord	Roberts	West
Fletcher	Lynes	Sharp	Zastrow
Gillespie	McCarville	Tudor	

**Nays, none.**

**Absent or not voting, 5:**

Anderson	Risk	Vest	Whitehead
Fishbaugh			

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

On motion of Senator Watson of Pottawattamie, Senate File 135, a bill for an act to amend section three hundred ninety-eight point eight (398.8), Code 1950, relating to the compensation of water-works trustees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Watson of Pottawattamie moved that the bill be read a third 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	Dykhous	Hultman	Mercer
Bateson	Elthon	Humbert	Molison
Bekman	Fletcher	Jacobson	Myrland
Berg	Gillespie	Knudson	Nesmith
Byers	Hart	Linnevold	O'Malley
Colburn	Hattery	Lord	Parker
Dailey	Hedin	Lynes	Prentis
Doud	Henningsen	McCarville	Ridout

Roberts	Van Eaton	Watson of	Weichman
Sharp	Van Patten	O'Brien	West
Tudor	Walter	Watson of	Whitehead
Utzig		Pottawattamie	Zastrow

Nays, 1:

Oltman

Absent or not voting, 4:

Anderson	Fishbaugh	Risk	Vest
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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 Watson of Pottawattamie, Senate File 279, a bill for an act to amend section four hundred twenty-two point thirteen (422.13), Code 1950, relating to income taxes to provide for a joint return by a husband and wife, and splitting of income by a husband and wife equally for income tax purposes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Watson of Pottawattamie moved that the bill be read a third time.

Senator Jacobson moved as a substitute that action on Senate File 279 be deferred which motion was lost.

Senator Jacobson moved that Senate File 279 be laid upon the table.

Roll call was demanded.

On the question "Shall Senate File 279 be laid upon the table?" the vote was:

Ayes, 6:

Bateson	Jacobson	O'Malley	Zastrow
Fletcher	Oltman		

Nays, 35:

Augustine	Henningsen	Myrland	Van Eaton
Berg	Hultman	Nesmith	Van Patten
Byers	Humbert	Parker	Walter
Colburn	Knudson	Prentis	Watson of
Doud	Linnevold	Ridout	O'Brien
Dykhouse	Lynes	Roberts	Watson of
Gillespie	McCarville	Sharp	Pottawattamie
Hart	Mercer	Tudor	West
Hattery	Molison	Utzig	Whitehead
Hedin			

Absent or not voting, 9:

Anderson	Elthon	Lord	Vest
Bekman	Fishbaugh	Risk	Weichman
Dailey			

The motion was lost.

Senator Watson of Pottawattamie asked and received unanimous consent that further action on Senate File 279 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Knudson, Senate File 199, a bill for an act to amend section three hundred eight A point three (308A.3), Code 1950, relating to the apportionment of the road use tax fund to cities and towns, which have been incorporated since the taking of the federal census of 1940 and prior to the census of 1950, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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, 46:**

Augustine	Hart	Mercer	Utzig
Bateson	Hattery	Molison	Van Eaton
Bekman	Hedin	Myrland	Van Patten
Berg	Henningsen	Nesmith	Walter
Byers	Hultman	Oltman	Watson of
Colburn	Humbert	O'Malley	O'Brien
Dailey	Jacobson	Parker	Watson of
Doud	Knudson	Prentis	Pottawattamie
Dykhouse	Linnevold	Ridout	Weichman
Elthon	Lord	Roberts	West
Fletcher	Lynes	Sharp	Whitehead
Gillespie	McCarville	Tudor	Zastrow

**Nays, none.**

**Absent or not voting, 4:**

Anderson	Fishbaugh	Risk	Vest
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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 Knudson, Senate File 200, a bill for an act to amend section three hundred eight A point three (308A.3), Code 1950, relating to the apportionment of the road use tax fund to cities and towns whose corporation status has been changed since the latest federal census, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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, 47:

Augustine	Hattery	Molison	Van Eaton
Bateson	Hedin	Myrland	Van Patten
Bekman	Henningsen	Nesmith	Vest
Berg	Hultman	Oltman	Walter
Byers	Humbert	O'Malley	Watson of
Colburn	Jacobson	Parker	O'Brien
Dailey	Knudson	Prentis	Watson of
Doud	Linnevoid	Ridout	Pottawattamie
Dykhouse	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	West
Fletcher	McCarville	Tudor	Whitehead
Gillespie	Mercer	Utzig	Zastrow
Hart			

## Nays, none.

## Absent or not voting, 3:

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

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 490 and 447.

JAMES H. NESMITH, *Chairman Senate Committee.*  
ELMER A. BASS, *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 490 and 447.

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

## AFTERNOON SESSION.

The Senate reconvened, President Nicholas presiding.

## ANNOUNCEMENT

Senator Elthon asked and received unanimous consent to have the President of the Senate in cooperation with the Speaker of the House arrange a date later than March 14, fixed by House Con-



current Resolution 14, for a joint convention to honor the Pioneer Lawmakers Association.

The thirty-first biennial meeting of the association has been postponed due to the difficulty of travel to Des Moines.

#### SENATE CONCURRENT RESOLUTION 14

By McCarville

*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 23, during the hours of twelve to three o'clock, out of reverence to the passion and death of our Lord.

#### BILLS INDEFINITELY POSTPONED

The Secretary of the Senate announced the following bill indefinitely postponed under Senate Rule 36:

Senate File 357, relating to paid vacations.

#### REPORTS OF COMMITTEES

Senator Prentis submitted the following report:

MR. PRESIDENT: Your committee on governmental affairs to which was referred **Senate File 404**, a bill for an act relating to the adoption, amendment, revision, or repeal of rules and regulations adopted by administrative agencies as defined herein and to the publication and distribution of said rules and regulations, begs leave to report it has had the same under consideration and recommends the same **do pass**.

X. T. PRENTIS, *Chairman*.

Ordered passed on file.

Senator Parker submitted the following report:

MR. PRESIDENT: Your committee on public health to which was referred **Senate File 426**, a bill for an act to amend chapter one hundred thirty-five B (135B), Code 1950, relating to licensure and regulation of hospitals by adding a new code section making the act advisory only and not mandatory as to hospitals under the jurisdiction of the state board of education and the board of control, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EDWARD S. PARKER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public health to which was referred **Senate File 427**, a bill for an act to amend chapter one hundred forty-two (142), Code 1950, relating to the use of dead bodies for scientific purposes, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EDWARD S. PARKER, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

Amend the amendment to Senate File 40 by Gillespie dated January 31, 1951, as follows:

1. By inserting following the word "arrest" in line 5 of said amendment the words "for operating a motor vehicle while intoxicated".
2. By inserting following the word "blood" in line 7 of the amendment the words "by or under the supervision of a licensed physician".

RAYMOND R. GILLESPIE.

Amend Senate File 316 as follows:

1. Amend the title by adding after the word "watercourse" in line 4 the following: "drainage ditch or settling basin".
2. Further amend Senate File 316 by adding after the period at the end of line 19 the following: "Any person or public body aggrieved by the granting of such permit may appeal as provided by section four hundred fifty-five A point twenty-three (455A.23)."

DEVERE WATSON.

Amend Senate File 430 by striking from section 1, line 1, the words and figures "Chapter one hundred nine (109)" and inserting in lieu thereof "Section one hundred nine point eighty seven (109.87)".

Further amend Senate File 430, subsection 1, line 6, by striking the comma after the word "taken" and inserting a period, and striking the balance of the subsection.

J. T. DYKHOUSE.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 14, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Robert M. Peters, pastor of the Methodist Church, Bedford, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Anderson for the day on request of Senator Molison; Senator Risk for the day on request of Senator Molison; Senator Vest for the day on request of Senator Elthon.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Bateson, from members of the American Legion Auxiliary, Radcliffe, Hardin County, favoring legislation relating to the Soldiers' Home at Marshalltown.

By Senator Colburn, from employees of the department of public safety, police radio station, Atlantic, Cass County, favoring legislation relating to paid vacations for state employees; also, favoring proposed legislation relating to radio communication division.

By Senator Dailey, from William H. Johnson, secretary of the Izaak Walton League of America, Chapter 44, Burlington, representing five hundred forty-one citizens of Des Moines County in opposition to Senate File 374, and favoring the adoption of the amendment to Senate File 2 excluding employees of the conservation commission from the proposed personnel division in Senate File 2.

By Senator Doud, from members of the Commercial Club of Farmington, Van Buren County, in opposition to an increase in income taxes; also, from members of the Fairfield, Jefferson County, Junior Chamber of Commerce urging legislation providing for compulsory and periodic inspection of motor vehicles.

By Senator Utzig, from members of the Dubuque County Conservation Society in opposition to legislation relating to any change in the administration of the conservation commission.

#### INTRODUCTION OF BILL

Senate File 476, by committee on conservation, a bill for an act to amend section one hundred ten point one (110.1), Code 1950, to prohibit the issuance of either a hunting or fishing license to nonresidents under certain conditions.

Read first and second times, and placed on the calendar.

#### PRESENTATION OF VISITORS

Senator Berg asked and received unanimous consent to present to the Senate Iris Spencer, daughter of Marie Spencer, and Carol Shultz of West Des Moines, who were present in the Senate chamber.

Senator Dailey asked and received unanimous consent to present to the Senate Dorothy Corley who was the top ranking girl of the five girl contestants, and third place winner of the oratorical contest sponsored by the American Legion, who was present in the Senate chamber accompanied by Miss Jonan Haskell, debate coach and public speaking teacher of Burlington High School and Junior College.

#### SENATE CONCURRENT RESOLUTION 13

Senator Prentis called up Senate Concurrent Resolution 13, found on pages 626 and 627 of the Senate Journal.

On motion of Senator Prentis, the resolution was adopted.

#### ANNOUNCEMENT

Senator Watson of O'Brien called to the attention of the members of the Senate a communication from the Secretary of State of the State of North Dakota, including House Concurrent Resolution M found on pages 636, 637 and 638 of the Senate Journal.

Senator Elthon asked and received unanimous consent that the Senate proceed as of Tuesday, March 13, with the consideration of bills on the calendar.

## SPECIAL ORDER

Senator Dykhouse asked and received unanimous consent that Senate Files 212, 314 and 272 be made a special order of business for 10:30 a.m., Wednesday, March 21, 1951.

Senator Lynes took the chair at 11:00 a.m.

## THIRD READING OF BILLS

On motion of Senator McCarville, House File 24, a bill for an act to amend section forty-three point thirty-two (43.32), Code 1950, relating to compensation of judges and clerks of primary elections, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator McCarville moved that the bill be read a third 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	Mercer	Utzig
Bateson	Hattery	Molison	Van Eaton
Bekman	Hedin	Myrland	Van Patten
Berg	Henningsen	Nesmith	Walter
Byers	Hultman	Oltman	Watson of
Colburn	Humbert	O'Malley	O'Brien
Dailey	Jacobson	Parker	Watson of
Doud	Knudson	Prentis	Pottawattamie
Dykhouse	Linnevold	Ridout	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow
Gillespie			

## Nays, none.

## Absent or not-voting, 8:

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

## BILL WITHDRAWN

Senator Dailey asked and received unanimous consent that Senate File 75 be withdrawn from further consideration of the Senate.

On motion of Senator McCarville, Senate File 89, a bill for an act to amend section four hundred seventy-seven point twenty-two (477.22), Code 1950, relating to headlights for rail employees when

using track power cars at night, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator McCarville asked unanimous consent that House File 81 be substituted for Senate File 89.

Objection was raised.

Senator McCarville asked and received unanimous consent that action on Senate File 89 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator McCarville, Senate File 149, a bill for an act to amend section six hundred one point one hundred thirty-one (601.131), Code 1950, relating to salaries for justices of the peace and constables, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator McCarville offered the following amendment and moved its adoption:

Amend Senate File 149 as follows:

1. Section 1, line 9, is amended by striking the word "twenty-two" and inserting in lieu thereof the word "twenty-eight".
2. Section 1, line 13, is amended by striking the word "twenty-two" and inserting in lieu thereof the word "twenty-eight".

The amendment was adopted.

Senator Fishbaugh offered the following amendment:

Amend Senate File 149 by adding thereto the following:

"Sec. 2. Section six hundred one point one hundred thirty-one (601.131), Code 1950, is hereby amended by striking paragraphs (a) and (b) of subsection two (2) thereof and inserting in lieu thereof the following:

"(a) In townships having a population of four thousand and under ten thousand, justices one thousand two hundred dollars plus an amount equal to fifty per cent of fees collected in excess of one thousand two hundred dollars; constables eight hundred dollars.

"(b) In townships having a population of under four thousand, justices one thousand two hundred dollars plus an amount equal to fifty per cent of fees collected in excess of one thousand two hundred dollars; constables six hundred twenty-five dollars."

Senator McCarville asked and received unanimous consent that action on Senate File 149 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Byers, Senate File 232, a bill for an act to amend section seven hundred thirty-two point seventeen (732.17), Code 1950, relating to the definition of "fireworks," 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, 40:**

Augustine	Gillespie	McCarville	Tudor
Bateson	Hart	Mercer	Utzig
Bekman	Hattery	Molison	Van Eaton
Berg	Hedin	Myrland	Van Patten
Byers	Henningsen	Nesmith	Walter
Colburn	Hultman	Oltman	Watson of
Dailey	Humbert	Prentis	O'Brien
Doud	Jacobson	Ridout	Weichman
Dykhouse	Lord	Roberts	West
Elthon	Lynes	Sharp	Whitehead
Fletcher			

**Nays, 4:**

Fishbaugh	Knudson	Linnevoold	Watson of Pottawattamie
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**Absent or not voting, 6:**

Anderson	Parker	Vest	Zastrow
O'Malley	Risk		

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

On motion of Senator Bateson, Senate File 250, a bill for an act to amend section three hundred ninety point nine (390.9), Code 1950, relating to off-street parking and issuance of revenue bonds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bateson moved that the bill be read a third 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	Doud	Hattery	Linnevoold
Bateson	Dykhouse	Hedin	Lord
Bekman	Elthon	Henningsen	Lynes
Berg	Fishbaugh	Hultman	McCarville
Byers	Fletcher	Humbert	Mercer
Colburn	Gillespie	Jacobson	Molison
Dailey	Hart	Knudson	Myrland

Nesmith	Ridout	Van Eaton	Watson of
Oltman	Roberts	Van Patten	Pottawattamie
O'Malley	Sharp	Walter	Weichman
Parker	Tudor	Watson of	West
Prentis	Utzig	O'Brien	Whitehead
			Zastrow

Nays, none.

Absent or not voting, 3:

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

On motion of Senator McCarville, Senate File 104, a bill for an act to amend sections sixty-four point eight (64.8), sixty-four point fifteen (64.15) and three hundred nine point nineteen (309.19), Code 1950, relating to bonds of deputy state officers, county officers, their deputies and county engineers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator McCarville moved that the bill be read a third 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	Fletcher	Lynes	Sharp
Bateson	Gillespie	McCarville	Van Eaton
Bekman	Hattery	Mercer	Van Patten
Berg	Hedin	Molison	Walter
Byers	Henningsen	Myrland	Watson of
Colburn	Hultman	Oltman	O'Brien
Dailey	Humbert	O'Malley	West
Dykhouse	Jacobson	Parker	Whitehead
Elthon	Linnevoid	Roberts	Zastrow
Fishbaugh			

Nays, none.

Absent or not voting, 14:

Anderson	Lord	Risk	Watson of
Doud	Nesmith	Tudor	Pottawattamie
Hart	Prentis	Utzig	Weichman
Knudson	Ridout	Vest	

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

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendments to and passed House File



88, a bill for an act to raise the limitation on the power to levy annual special taxes for county public hospitals in counties having a population over 135,000.

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

House File 140, a bill for an act relating to the minimum wage 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 597, a bill for an act making an appropriation for the veterans administration and for the school lunch program.

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

House File 598, a bill for an act making an appropriation for specified school aid to the department of public instruction.

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

House File 599, a bill for an act making an appropriation for state aid for transportation.

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

House File 600, a bill for an act making an appropriation for the department of public instruction for supplemental aid to certain school districts.

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

House File 601, a bill for an act making an appropriation for general state aid for school districts to the department of public instruction.

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

House File 602, a bill for an act making an appropriation for the payment of the cost of printing for the Fifty-fourth General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File 140, a bill for an act to amend section two hundred ninety-four point six (294.6), Code 1950, relating to the minimum wage of teachers in the public schools.

Read first and second times, and passed on file.

House File 597, a bill for an act to appropriate from the general fund to the department of public instruction for use as a revolving fund for the veterans administration and for the school lunch program.

Read first and second times, and passed on file.

House File 598, a bill for an act to make an appropriation to the department of public instruction for specified school aid.

Read first and second times, and passed on file.

House File 599, a bill for an act to appropriate six million dollars (\$6,000,000) to the department of public instruction for state aid for transportation as provided by chapter two hundred eighty-five (285), Code 1950.

Read first and second times, and passed on file.

House File 600, a bill for an act to appropriate four million dollars (\$4,000,000) to the department of public instruction for supplemental aid to certain school districts of the state, as provided by chapter two hundred eighty-six (286), Code 1950.

Read first and second times, and passed on file.

House File 601, a bill for an act to appropriate twenty-four million dollars (\$24,000,000) from the general fund of the State of Iowa to the department of public instruction to general state aid for school districts as provided by chapter two hundred eighty-six A (286A), Code 1950.

Read first and second times, and passed on file.

House File 602, a bill for an act making an additional appropriation for the payment of the cost of printing for the Fifty-fourth General Assembly.

Read first and second times, and passed on file.

On motion of Senator Elthon, the Senate recessed until 3:00 p.m.

#### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 178 and 243, and House File 20.

JAMES H. NESMITH, *Chairman Senate Committee.*  
ELMER A. BASS, *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 178 and 243, and House File 20.

### BILLS SENT TO THE GOVERNOR

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

**MR. PRESIDENT:** Your committee on enrolled bills respectfully reports that it has, on this 14th day of March, 1951, sent to the Governor for his approval: Senate Files 178 and 243.

JAMES H. NESMITH, *Chairman.*

Passed on file.

### BILL INDEFINITELY POSTPONED

The Secretary of the Senate announced the following bill indefinitely postponed under Senate Rule 36:

**Senate File 227, relating to motor vehicles and the law of the road.**

### BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following bills assigned to committees:

- H. F. 27 Tax revision
- H. F. 173 Ways and means
- H. F. 176 Cities and towns
- H. F. 232 Motor vehicles
- H. F. 249 Banks, building and loan
- H. F. 283 Agriculture
- H. F. 344 Tax revision
- H. F. 400 Motor vehicles
- H. F. 140 Schools and educational institutions
- H. F. 597 Appropriations
- H. F. 598 Appropriations
- H. F. 599 Appropriations
- H. F. 600 Appropriations
- H. F. 601 Appropriations
- H. F. 602 Appropriations

### REPORTS OF COMMITTEES

Senator Lord submitted the following report:

**MR. PRESIDENT:** Your committee on social security to which was referred **Senate File 146**, a bill for an act to amend section three hundred

sixty-eight point thirty-four (368.34), Code 1950, relating to the general powers of cities and towns providing for additional power to purchase and pay for liability and property damage insurance which shall insure against individual personal liability of city employees while in the performance of their duties, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HERMAN B. LORD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on social security to which was referred **Senate File 285**, a bill for an act to amend section four hundred eleven point six (411.6), Code 1950, relating to retirement systems for policemen and firemen and benefits thereunder, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HERMAN B. LORD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on social security to which was referred **Senate File 403**, a bill for an act to amend chapters eighty-five (85) and eighty-six (86), Code 1950, so as to provide a method of obtaining jurisdiction over non-resident employers under the Workmen's Compensation and Occupational Disease Compensation Laws, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HERMAN B. LORD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on social security to which was referred **Senate File 447**, a bill for an act to amend section ninety-six point seven (96.7), Code 1950, relating to payments charged against an employer, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HERMAN B. LORD, *Chairman*.

Ordered passed on file.

Senator Hultman submitted the following report:

MR. PRESIDENT: Your committee on conservation to which was referred **House File 60**, a bill for an act to amend chapter one hundred seven (107), Code 1950, to provide for participation in the Federal Restoration Act, 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 Fishbaugh submitted the following report:

**MR. PRESIDENT:** Your committee on judiciary 1 to which was referred **Senate File 112**, a bill for an act relating to the appointment of a county assessor or deputy county assessor, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

**Also:**

**MR. PRESIDENT:** Your committee on judiciary 1 to which was referred **Senate File 330**, a bill for an act to amend sections three hundred thirty-one point eight (331.8) and three hundred thirty-one point nine (331.9), Code 1950, relating to dividing a county into districts by the board of supervisors, begs leave to report it has had the same under consideration and **returns the bill without recommendation**.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

**Also:**

**MR. PRESIDENT:** Your committee on judiciary 1 to which was referred **Senate File 360**, a bill for an act to amend section seventy-seven point ten (77.10), Code 1950, relating to notaries public, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

**Also:**

**MR. PRESIDENT:** Your committee on judiciary 1 to which was referred **Senate File 384**, a bill for an act to make it a crime to commit acts or advocate acts intended to effect the overthrow of the government of the United States or the State of Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

**Also:**

**MR. PRESIDENT:** Your committee on judiciary 1 to which was referred **Senate File 429**, a bill for an act to amend chapter eighty (80), Code 1950, relating to the department of public safety, and the duties of said department with regard to the enforcement of the beer and liquor laws of the State of Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on judiciary 1 to which was referred **House File 117**, a bill for an act to amend chapter three hundred thirty-one (331) by adding thereto the following new sections relating to establishing districts for members of boards of supervisors elected at large, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

EARL C. FISHBAUGH, JR., *Chairman.*

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 37, section 1, by striking from line 3 the word "twenty-five" and inserting in lieu thereof the word "forty-eight".

Further amend Senate File 37, section 1, line 4, by striking the words "or more" and inserting in lieu thereof the following: "and not more than fifty-three thousand".

ARNOLD UTZIG.

#### SENATE FILE 123

"Supplemental return" and "Supplemental forms" mean, in this chapter, the form or forms prescribed and recommended by the state tax commission which shall be used in lieu of the assessment rolls where such forms are to be mailed or delivered by the county assessor to the person required to list his property when such listings are to be self-made under the provisions of this act. Which forms are to be returned to the assessor and listed on the rolls in the same manner as other assessment roll listings.

G. E. WHITEHEAD.

Amend Senate File 123 by striking from line 4 the words "Supplemental to" and inserting in lieu thereof the words "In lieu of".

G. E. WHITEHEAD.

Amend Senate File 323 by striking from line 3, section 3, the words "Property such as".

Further amend Senate File 323 by capitalizing the "a" in line 4 of section 3.

DEVERE WATSON.

Amend the committee amendment of Senate File 332 of February 23, 1951, by inserting after the word "commissioner" in line 7 the following: ", or park board in cities having a population of one hundred twenty-five thousand (125,000) or more".

GEORGE E. O'MALLEY.

Amend Senate File 404 as follows:

1. Strike from section 2, line 14, the word "giving" and insert in lieu thereof the word "publication".

2. Insert at the end of section 8 the following:

"This volume shall be known as the Iowa Departmental Rules and any rule printed therein may be cited as ..... I.D.R. .... giving the year of publication and the page where the particular rule, by number, may be found."

X. T. PRENTIS.

Amend Senate File 459 by striking the word "Department" in line 1 of section 4 and inserting in lieu thereof the word "Certain".

Further amend Senate File 459 by inserting immediately after the comma (,) following the word "patrol" in line 5 of section 4 the word and punctuation "sheriffs," and by striking the words "of the department of public safety" in lines 5 and 6 of section 4.

Further amend Senate File 459 by striking the words "or any authorized peace officer of the department of public safety" in lines 14 and 15 of section 4 and inserting in lieu thereof the following: "a sheriff or any peace officer so authorized by the commissioner".

Further amend Senate File 459 by striking the comma (,) following the word "state" in line 6 of section 7 and inserting in lieu thereof the following: "as provided by chapter 321".

Further amend Senate File 459 by striking the words "or any authorized peace officer of the department of public safety" in lines 20 and 21 of section 13 and inserting in lieu thereof the following: "a sheriff or any peace officer authorized under the provisions of section 4 of this act".

Further amend Senate File 459 by striking the word "section" in line 14 of section 3 and inserting in lieu thereof the following: "sections 7 and".

PAUL E. MCCARVILLE.

Amend House File 420, section 5, as follows:

1. By striking from lines 35 and 36 the words "election of a member of" and inserting in lieu thereof the words "nomination of candidates for the position of membership on".

2. By inserting the following after the period after the word "ballot" in line 39: "Two candidates shall be elected from those nominated."

3. By adding the letter "s" to the word "candidate" in line 40.

4. By adding the letter "s" to the word "name" in line 41

5. By adding the letter "s" to the word "candidate" in line 42.

6. By striking the period after the word "state" in line 42 and adding the following: "who shall arrange for their inclusion on a separate ballot without party designation to be voted at the general election on the first Tuesday after the first Monday in November."

RAYMOND R. GILLESPIE.

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



# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 15, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Dewey C. Kooy, pastor of the Church of Christ, Webster City, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Byers, from residents of Linn County in opposition to legislation relating to liquor by the drink; also, favoring proposed legislation relating to liquor law enforcement.

By Senator Colburn, from members of the Parent-Teacher Association of Byron Rice School, Des Moines, favoring legislation relating to supplemental aid to schools.

By Senator Dailey, from the Honorable Thomas J. Smith, mayor, city of Burlington, favoring legislation relating to street railways, motor busses and trackless trolley systems.

By Senator Doud, from residents of Clinton County favoring an increase in state aid to schools.

By Senator Dykhouse, from residents of Marshall County favoring legislation relating to speed on the highways.

By Senator Hedin, from residents of Scott County favoring an increase in state aid to schools.

By Senator Henningsen, from residents of Clinton County favoring an increase in state aid to schools.

By Senator Lord, from state employees at Ames favoring legislation relating to old age and survivors' insurance.

By Senator O'Malley, from residents of Polk County favoring an increase in state aid to schools; also, favoring legislation relating to old age and survivors' insurance and providing refunds; also, favoring legislation relating to supplemental aid.

## INTRODUCTION OF BILLS

Senate File 477, 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, 1951, and ending June 30, 1953, to the board of education for the support, maintenance, repairs, replacements or alterations of institutions under said board of education, and to allocate capital improvement appropriations.

Read first and second times, and placed on the calendar.

Senate File 478, by committee on agriculture, a bill for an act to amend chapter one hundred sixty-three (163), Code 1950, by providing for a control of Bang's disease through restricting the sale of cattle within the state unless accompanied by a certificate of health showing a negative test.

Read first and second times, and placed on the calendar.

Senate File 479, by committee on military affairs, a bill for an act to amend the military code of Iowa, chapter twenty-nine (29), Code 1950.

Read first and second times, and placed on the calendar.

Senate File 480, by committee on military affairs, a bill for an act to create a department of military and veterans affairs under the adjutant general and to transfer to that department all matters pertaining to state military or veterans' affairs and to amend certain sections of the code relating thereto and to repeal certain sections of the code relating thereto.

Read first and second times, and placed on the calendar.

Senate File 481, by committee on military affairs, a bill for an act to provide staggered terms for commissioners of memorial buildings and monuments designed to commemorate the service rendered by soldiers, sailors and marines of the United States; and to amend chapter thirty-seven (37), Code 1950, relating thereto.

Read first and second times, and placed on the calendar.

## REPORT OF COMMITTEE ON EQUIPMENT

Senator McCarville, chairman of the committee on equipment, announced that the present PA system being used had been installed on a temporary basis at a cost of approximately \$400.50 and that if

there were no objections, the committee would recommend the purchase of same. No objections were made.

### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Joint Resolution 10, relating to old age and survivors' insurance system.

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

House File 288, a bill for an act providing for termination of contracts for the construction of public improvements in the event of a national emergency.

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

House File 236, a bill for an act to legalize and validate the the proceedings of the board of directors of the Independent School District of Cherokee.

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

Senate Concurrent Resolution 13, memorializing Congress of the United States to give consideration to appropriate legislation limiting the authority of the Secretary of Agriculture in the use of directives in connection with the marketing agreements forced on potato growers.

A. C. GUSTAFSON, *Chief Clerk.*

### HOUSE MESSAGES CONSIDERED

House File 236, a bill for an act to legalize and validate the proceedings of the board of directors of the Independent School District of Cherokee, Iowa, with reference to the conveyance of real estate acquired by virtue of the provisions of section two hundred ninety-seven point three (297.3), Code 1950, and to authorize and direct the issuance of a patent to such real estate by the Governor and the Secretary of State.

Read first and second times, and passed on file.

House File 288, a bill for an act to provide for the termination of contracts for the construction of public improvements when construction or work thereon is stopped because of a national emergency, and to prescribe procedures, and the adjustment and payment of compensation, and to provide a method for settlement of disputes in connection therewith.

Read first and second times, and passed on file.

House Joint Resolution 10, a joint resolution creating a special committee to make a study of the operations of the Iowa old age and survivors' insurance system, to investigate into the proposal of substituting the Iowa old age and survivors' system for the federal social security system, and providing that such committee shall make a report of its findings to the Governor of Iowa and to the Fifty-fifth General Assembly, and appropriating the sum of ten thousand dollars (\$10,000) or so much thereof as may be necessary to carry out the provisions of this joint resolution.

Read first and second times, and passed on file.

Senator Elthon moved that no more requests be filed at the desk of the President until such time that the requests now on file have been considered.

Senator Zastrow moved as a substitute that the Senate proceed with the consideration of the bills on the regular calendar.

Senator Knudson moved the previous question on the motion by Senator Elthon.

The Chair ruled the motion by Senator Knudson out of order.

On the substitute motion by Senator Zastrow, roll call was demanded.

On the question "Shall the substitute motion be adopted?" the vote was:

Ayes, 13:

Fishbaugh	Myrland	Prentis	Weichman
Fletcher	Nesmith	Roberts	West
Gillespie	Parker	Vest	Zastrow
Linnevoid			

Nays, 22:

Bateson	Hart	Molison	Van Patten
Berg	Hattery	Oltman	Walter
Colburn	Hultman	O'Malley	Watson of
Doud	Knudson	Risk	O'Brien
Dykhouse	Lynes	Sharp	Watson of
Elthon	McCarville	Utzig	Pottawattamie

Absent or not voting, 15:

Anderson	Dailey	Jacobson	Tudor
Augustine	Hedin	Lord	Van Eaton
Bekman	Henningsen	Mercer	Whitehead
Byers	Humbert	Ridout	

The substitute motion was lost.

Senator Fishbaugh offered the following amendment to the motion by Senator Elthon and moved its adoption:

Amend the motion by Senator Elthon by striking all after the word "President".

The amendment was adopted.

The motion as amended was adopted.

Senator Jacobson moved that when the Senate convene on Friday, March 16, 1951, that it proceed with the consideration of the bills on the regular calendar, which motion prevailed.

### THIRD READING OF BILLS

Senator Dykhouse asked unanimous consent to take up for consideration Senate File 201, a bill for an act relating to the use of live pigeons in training hunting dogs and to amend section one hundred nine point twenty-one (109.21), Code 1950.

Objection was raised.

Senator Dykhouse moved that the rules be suspended and that the Senate take up for consideration Senate File 201 and asked for a rising vote.

The motion having received a constitutional and two-thirds majority prevailed.

On motion of Senator Hultman, the report of the committee recommending passage 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, 38:

Anderson	Fletcher	Lord	Tudor
Augustine	Gillespie	Lynes	Utzig
Bateson	Hart	McCarville	Van Eaton
Bekman	Hattery	Mercer	Vest
Byers	Hedin	Myrland	Watson of
Colburn	Henningsen	Nesmith	O'Brien
Dailey	Hultman	Oltman	Watson of
Doud	Humbert	O'Malley	Pottawattamie
Dykhouse	Jacobson	Ridout	Weichman
Elthon	Linnevold	Sharp	Whitehead

Nays, 6:

Fishbaugh	Risk	West	Zastrow
Parker	Roberts		

Absent or not voting, 6:

Berg	Molison	Van Patten	Walter
Knudson	Prentis		

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

Senator Oltman asked and received unanimous consent to take up for consideration Senate File 263, a bill for an act to amend section one hundred nine point thirty-nine (109.39), Code 1950, relating to providing the conservation commission power to regulate methods of taking of fish and game.

On motion of Senator Hultman, the report of the committee recommending passage was adopted.

Senator Oltman moved that the bill be read a third 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:

Anderson	Hart	Myrland	Van Eaton
Augustine	Hattery	Nesmith	Van Patten
Bateson	Hedin	Oltman	Vest
Bekman	Henningsen	O'Malley	Walter
Berg	Hultman	Parker	Watson of
Colburn	Humbert	Prentis	O'Brien
Dailey	Jacobson	Ridout	Watson of
Doud	Linnevold	Risk	Pottawattamie
Dykhouse	Lynes	Roberts	Weichman
Elthon	McCarville	Sharp	West
Fishbaugh	Mercer	Tudor	Whitehead
Gillespie	Molison	Utzig	Zastrow

Nays, none.

Absent or not voting, 4:

Byers	Fletcher	Knudson	Lord
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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 of Pottawattamie asked and received unanimous consent to take up for consideration Senate File 323, a bill for an act to amend section four hundred eighty-nine point fourteen (489.14), Code 1950, relating to eminent domain for electric transmission lines, and extending such right to non-profit cooperatives and cooperatives operating for profit, and further providing for an increase in the amount of land that may be condemned.

On motion of Senator Myrland, the report of the committee recommending passage was adopted.

Senator Watson of Pottawattamie offered the following amendment and moved its adoption:

Amend Senate File 323 by striking from line 3, section 3, the words "Property such as".

Further amend Senate File 323 by capitalizing the "a" in line 4 of section 3.

Senator Watson offered the following amendment to the title and moved its adoption:

Amend the title to Senate File 323 by striking all after the word "Act" and inserting in lieu thereof the following:

"to amend section four hundred eighty-nine point fourteen (489.14), Code 1950, relating to eminent domain for electric transmission lines, electric power generating plants and electric substations, and further providing for an increase in the amount of land that may be condemned."

The amendment was adopted.

Senator Watson of Pottawattamie moved that the bill be read a third 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:

Anderson	Hart	Myrland	Van Eaton
Augustine	Hattery	Nesmith	Van Patten
Bateson	Hedin	Oltman	Vest
Bekman	Henningesen	O'Malley	Walter
Berg	Hultman	Parker	Watson of
Byers	Humbert	Prentis	O'Brien
Colburn	Jacobson	Ridout	Watson of
Dailey	Knudson	Risk	Pottawattamie
Doud	Linnevold	Roberts	Weichman
Dykhouse	Lynes	Sharp	West
Elthon	McCarville	Tudor	Whitehead
Fishbaugh	Mercer	Utzig	Zastrow
Gillespie	Molison		

Nays, none.

Absent or not voting, 2:

Fletcher                      Lord

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

Senator Lynes asked and received unanimous consent that the committee meetings scheduled for this afternoon be postponed and that when the Senate reconvene for the afternoon session that the Senate proceed with the consideration of bills.

## APPOINTMENT OF COMMITTEE

President Nicholas announced the appointment of the following Senators as members of the capitol repairs committee in accordance with House Concurrent Resolution 15: Senators Tudor, Nesmith and Hedin.

On motion of Senator Elthon, the Senate recessed until 1:00 p.m.

## AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

## THIRD READING OF BILLS

Senator Augustine asked and received unanimous consent to take up for consideration Senate File 332, a bill for an act to amend sections three hundred seventy-five point one (375.1), and three hundred seventy-five point six (375.6), Code 1950, relating to continuance of musical education of children during vacation periods and to municipal bands.

On motion of Senator Doud, the committee report recommending amendment and passage was adopted.

Senator Elthon took the chair at 1:20 p.m.

The following committee amendment was considered:

Amend Senate File 332 by striking section 2 and substituting in lieu thereof the following:

Sec. 2. Section three hundred seventy-five point six (375.6) is amended by striking the period after the word "commission" in line four (4) thereof and adding the following: "and in cities having a population of over forty thousand (40,000), the said fund shall be administered by the park commissioner as provided for in chapter three hundred seventy (370)."

Senator O'Malley offered the following amendment to the committee amendment and moved its adoption:

Amend the amendment by inserting after the word "commissioner" in line 7 the following: ", or park board in cities having a population of one hundred twenty-five thousand (125,000) or more".

The amendment to the amendment was adopted.

On motion of Senator Doud, the committee amendment as amended was adopted.



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

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

Ayes, 47:

Anderson	Hart	Myrland	Van Eaton
Augustine	Hattery	Nesmith	Van Patten
Bateson	Hedin	Oltman	Vest
Bekman	Henningsen	O'Malley	Walter
Berg	Hultman	Parker	Watson of
Byers	Humbert	Prentis	O'Brien
Colburn	Jacobson	Ridout	Watson of
Dailey	Linnevold	Risk	Pottawattamie
Doud	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	West
Fishbaugh	McCarville	Tudor	Whitehead
Fletcher	Mercer	Utzig	Zastrow
Gillespie			

Nays, none.

Absent or not voting, 3:

Dykhouse	Knudson	Molison
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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 Fishbaugh asked unanimous consent to take up for consideration Senate File 158, a bill for an act relating to open-cut or strip mines for the production of coal and providing that anyone so engaged shall pay a tonnage tax guaranteeing the replacement of surface soil and loss of tax revenue and for the enforcement thereof.

Objection was raised.

Senator Fishbaugh moved that the rules be suspended and that Senate File 158 be taken up for consideration at this time.

Roll call was demanded.

On the question "Shall Senate File 158 be taken up for consideration?" the vote was:

Ayes, 30:

Anderson	Gillespie	Nesmith	Utzig
Augustine	Hedin	O'Malley	Van Eaton
Berg	Henningsen	Parker	Van Patton
Colburn	Humbert	Prentis	Vest
Dailey	Linnevold	Risk	Walter
Doud	Lord	Roberts	West
Fishbaugh	Mercer	Tudor	Zastrow
Fletcher	Myrland		

## Nays, 12:

Bateson	Hart	Oltman	Watson of
Bekman	Hultman	Ridout	O'Brien
Byers	Lynes	Sharp	Whitehead
Elthon			

## Absent or not voting, 8:

Dykhouse	Knudson	Watson of	Weichman
Hattery	McCarville	Pottawattamie	
Jacobson	Molison		

The motion having received a constitutional and two-thirds majority prevailed.

On motion of Senator Hedin, the report of the committee recommending passage was adopted.

President Nicholas took the chair at 2:00 p.m.

Senator Utzig moved the previous question on Senate File 158, which motion prevailed.

Senator McCarville moved that Senate File 158 be laid upon the table.

Senator McCarville asked and received unanimous consent to withdraw the motion to lay Senate File 158 upon the table.

Senator Fishbaugh asked and received unanimous consent that action on Senate File 158 be deferred and that the bill be placed on the calendar under unfinished business.

Senator Watson of Pottawattamie asked unanimous consent to take up for consideration Senate File 316, a bill for an act amending section four hundred fifty-five A point eighteen (455A.18), Code 1950, and granting to the Natural Resources Council authority for permitting diversion of water from any natural watercourse for the purpose of replenishing or maintaining the waters of any state owned lake.

Objection was raised.

Senator Dailey asked and received unanimous consent to take up for consideration Senate File 468, a bill for an act to legalize and validate the proceedings authorizing and providing for the repair of the existing municipally owned toll bridge extending across the Mississippi River from the city of Burlington, Iowa, and for the issuance, sale and delivery by said city of "Bridge Revenue Bonds" to pay the cost of such repairs, 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 Dailey moved that the bill be read a third 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:

Anderson	Gillespie	Nesmith	Van Patten
Augustine	Hart	Oltman	Vest
Bateson	Hedin	O'Malley	Walter
Bekman	Henningesen	Parker	Watson of
Berg	Hultman	Prentis	O'Brien
Byers	Jacobson	Ridout	Watson of
Colburn	Linnevold	Risk	Pottawattamie
Dailey	Lynes	Roberts	Weichman
Doud	McCarville	Sharp	West
Elthon	Mercer	Tudor	Whitehead
Fishbaugh	Molison	Utzig	Zastrow
Fletcher	Myrland	Van Eaton	

Nays, none.

Absent or not voting, 5:

Dykhouse	Humbert	Knudson	Lord
Hattery			

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

Senator Dailey moved that the 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 Dailey asked and received unanimous consent that Senate File 468 be immediately messaged to the House, which request was complied with.

Senator Berg asked and received unanimous consent to explain to the members of the Senate the purpose of Senate Files 440, 441 and 442.

Senator Berg asked and received unanimous consent that Senate Files 440, 441 and 442 be made a special order of business for 10:30 a.m., Thursday, March 22, 1951.

Senator Sharp asked and received unanimous consent to take up for consideration Senate File 368, a bill for an act to permit and provide for conveying to the United States certain lands in Allamakee and Clayton Counties in the State of Iowa.

On motion of Senator Sharp, the report of the committee recommending passage 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:

Anderson	Gillespie	Nesmith	Van Patten
Augustine	Hart	Oltman	Vest
Bateson	Henningsen	O'Malley	Walter
Bekman	Hultman	Parker	Watson of
Berg	Jacobson	Prentis	O'Brien
Byers	Knudson	Ridout	Watson of
Colburn	Linnevoid	Risk	Pottawattamie
Dailey	Lynes	Roberts	Weichman
Doud	McCarville	Sharp	West
Elthon	Mercer	Tudor	Whitehead
Fishbaugh	Molison	Van Eaton	Zastrow
Fletcher	Myrland		

Nays, none.

Absent or not voting, 6:

Dykhouse	Hedin	Lord	Utzig
Hattery	Humbert		

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

Senator Jacobson asked and received unanimous consent to take up for consideration Senate File 55, a bill for an act to amend section seven hundred thirteen point three (713.3), Code 1950, relating to the punishment for false drawing or uttering of checks, drafts, or written orders.

On motion of Senator Byers, the report of the committee recommending passage 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, 42:

Anderson	Fletcher	Molison	Van Eaton
Augustine	Gillespie	Myrland	Vest
Bateson	Hart	Nesmith	Walter
Bekman	Henningsen	Oltman	Watson of
Berg	Hultman	Parker	O'Brien
Byers	Jacobson	Prentis	Watson of
Colburn	Knudson	Ridout	Pottawattamie
Dailey	Linnevoid	Risk	Weichman
Doud	Lynes	Roberts	West
Elthon	McCarville	Sharp	Whitehead
Fishbaugh	Mercer	Tudor	Zastrow

Nays, none.

Absent or not voting, 8:

Dykhouse	Hedin	Lord	Utzig
Hattery	Humbert	O'Malley	Van Patten

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

Senator Doud asked and received unanimous consent to take up for consideration Senate File 34, a bill for an act to amend section forty-four point two (44.2), and section forty-four point thirteen (44.13), Code 1950, relating to nominations by non-party organizations.

On motion of Senator Linnevold, the report of the committee recommending passage 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, 44:

Anderson	Gillespie	Nesmith	Van Patten
Augustine	Hart	Oltman	Vest
Bateson	Henningsen	Parker	Walter
Bekman	Hultman	Prentis	Watson of
Berg	Jacobson	Ridout	O'Brien
Byers	Knudson	Risk	Watson of
Colburn	Linnevold	Roberts	Pottawattamie
Dailey	Lynes	Sharp	Weichman
Doud	McCarville	Tudor	West
Elthon	Mercer	Utzig	Whitehead
Fishbaugh	Molison	Van Eaton	Zastrow
Fletcher	Myrland		

Nays, none.

Absent or not voting, 6:

Dykhouse	Hedin	Lord	O'Malley
Hattery	Humbert		

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

Senator Doud asked and received unanimous consent to take up for consideration Senate File 36, a bill for an act to amend section forty-three point forty-one (43.41), Code 1950, and repeal section forty-three point forty-four (43.44), Code 1950, relating to the change of party affiliation at primary elections.

On motion of Senator Linnevold, the report of the committee recommending passage was adopted.

Senator Augustine offered the following amendment and moved its adoption:

Amend Senate File 36 by adding another section:

"Sec. 3. This act shall not take effect until July 1, 1952."

The amendment was lost.

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, 37:

Anderson	Fletcher	Myrland	Vest
Bateson	Hart	Nesmith	Walter
Bekman	Hattery	Oltman	Watson of
Berg	Henningsen	Parker	O'Brien
Byers	Hultman	Prentis	Watson of
Colburn	Jacobson	Risk	Pottawattamie
Doud	Linnevold	Sharp	Weichman
Dykhouse	Lynes	Tudor	Whitehead
Elthon	McCarville	Van Eaton	Zastrow
Fishbaugh	Molison	Van Patten	

Nays, 9:

Augustine	Mercer	Ridout	Utzig
Dailey	O'Malley	Roberts	West
Gillespie			

Absent or not voting, 4:

Hedin	Humbert	Knudson	Lord
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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 Bateson asked and received unanimous consent to take up for consideration Senate File 12, a bill for an act to amend section eighty-five point thirty-one (85.31), Code 1950, relating to payment of injury compensation to dependents.

On motion of Senator Bateson, the report of the committee recommending amendment and passage was adopted.

Senator Bekman asked and received unanimous consent to withdraw the committee amendment filed to Senate File 12 and found on page 553 of the Senate Journal.

Senator Bateson offered the following amendment and moved its adoption:

Amend Senate File 12 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section eighty-five point thirty-one (85.31), Code 1950, is hereby amended by inserting after the word "shall" and before the word "cease" in line six (6) of subsection five (5) the following: 'be made to the dependents who were wholly dependent on earnings of the employee for support at the time of his injury, and if there are no such dependents, then payments of the unpaid balance shall'."

The amendment was adopted.

Senator Bateson moved that the bill be read a third 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:

Anderson	Fletcher	Myrland	Van Patten
Augustine	Gillespie	Nesmith	Vest
Bateson	Hart	Oltman	Walter
Bekman	Hattery	Parker	Watson of
Berg	Henningsen	Prentis	O'Brien
Byers	Jacobson	Ridout	Watson of
Colburn	Linnevoed	Risk	Pottawattamic
Dailey	Lynes	Roberts	Weichman
Doud	McCarville	Sharp	West
Dykhouse	Mercer	Tudor	Whitehead
Elthon	Molison	Van Eaton	Zastrow
Fishbaugh			

Nays, none.

Absent or not voting, 7:

Hedin	Humbert	Lord	Utzig
Hultman	Knudson	O'Malley	

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

Senator Bateson asked and received unanimous consent to take up for consideration Senate File 44, a bill for an act to amend section four hundred twenty-five point two (425.2), Code 1950, relating to the filing of claim for homestead exemption with the county assessor or the county auditor, and to place such filing exclusively in the office of the county assessor.

On motion of Senator Elthon, the report of the committee recommending passage was adopted.

Senator Bateson offered the following amendment and moved its adoption:

Amend Senate File 44 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section four hundred twenty-five point two (425.2), Code 1950, is amended as follows:

"1. Strike from lines three (3) and four (4) thereof the words 'commencing January 1, 1938' and insert in lieu thereof the words 'on or before July 1'.

"2. Strike from line nine (9) the words 'with the assessment roll' and insert the words 'on July 2 of each year'.

"3. Strike from line eleven (11) the semicolon (;) and the words 'provided that' and insert in lieu thereof a period (.).

"4. Strike all of lines twelve (12) to eighteen (18), inclusive.

"5. Strike from line nineteen (19) the words 'claimed homestead is located'.

"Sec. 2. Section four hundred twenty-five point three (425.3), Code 1950, is amended as follows:

"1. Strike from line three (3) the word 'whether'.

"2. Strike from line four (4) the words 'or filed with the county'.

"3. Strike from line five (5) the word 'auditor'."

Amend the title to Senate File 44 by striking all after the word "Act" and inserting in lieu thereof the following:

"to amend sections four hundred twenty-five point two (425.2) and four hundred twenty-five point three (425.3), Code 1950, relating to the filing of claim for homestead credit with the assessor or the county auditor, and to place such filing exclusively in the office of the assessor on or before July 1 of each year."

The amendment was adopted.

Senator Bateson moved that the bill be read a third 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:

Anderson	Fletcher	Myrland	Van Patten
Augustine	Gillespie	Nesmith	Vest
Bateson	Hart	Oltman	Walter
Bekman	Hattery	Parker	Watson of
Berg	Henningsen	Prentis	O'Brien
Byers	Hultman	Ridout	Watson of
Colburn	Jacobson	Risk	Pottawattamie
Dailey	Linnevold	Roberts	Weichman
Doud	Lynes	Sharp	West
Dykhouse	McCarville	Tudor	Whitehead
Elthon	Mercer	Van Eaton	Zastrow
Fishbaugh	Molison		

Nays, none.

Absent or not voting, 6:

Hedin	Knudson	O'Malley	Utzig
Humbert	Lord		

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



Senator Fletcher asked and received unanimous consent to take up for consideration Senate File 306, a bill for an act to amend section three hundred twenty-one point four hundred twenty-two (321.422), Code 1950, relating to motor vehicles and law of road, and the display of red lights.

Senator Fletcher asked and received unanimous consent that action on Senate File 306 be deferred and that the bill be placed on the calendar under unfinished business.

Senator Dykhouse asked unanimous consent to take up for consideration Senate File 326, a bill for an act to amend section one hundred seven point twelve (107.12), Code 1950, to increase the salary of the state conservation director.

Objection was raised.

Senator McCarville moved that Senate File 326 be made a special order of business for Friday morning, March 16.

Senator Prentis moved that the Senate adjourn until 10:00 a.m., Friday.

The motion was lost.

Senator McCarville moved as a substitute that the rules be suspended and that Senate File 326 be considered at this time.

Senator Walter moved as a substitute motion that Senate File 326 be referred to the committee on appropriations.

The Chair ruled the motion by Senator Walter out of order.

The substitute motion prevailed.

On motion of Senator Hultman, the report of the committee recommending passage was adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 69, 76, 86, 88, 92, 125, 156, 214, 216, 229, 237, 334, 349, 379 and 425.

JAMES H. NESMITH, *Chairman Senate Committee.*

ELMER A. BASS, *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 69, 76, 86, 88, 92, 125, 156, 214, 216, 229, 237, 334, 349, 379 and 425.

## REPORTS OF COMMITTEES

Senator Tudor submitted the following report:

MR. PRESIDENT: Your committee on tax revision to which was referred **Senate File 35**, a bill for an act to amend section four hundred fifty point sixty-three (450.63), Code 1950, relating to the payment of interest on inheritance tax, begs leave to report it has had the same under consideration and recommends the same **do pass**.

J. M. TUDOR, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on tax revision to which was referred **Senate File 391**, a bill for an act relating to cemeteries not owned by the township wherein located and to amend section three hundred fifty-nine point thirty-three (359.33), Code 1950, begs leave to report it has had the same under consideration and recommends the same **do pass**.

J. M. TUDOR, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on tax revision to which was referred **House File 27**, a bill for an act to amend subsection twenty (20) of section four hundred twenty-seven point one (427.1), Code 1950, relating to exemptions from moneys and credits taxation of the capital stock in certain manufacturing corporations, begs leave to report it has had the same under consideration and recommends the same **do pass**.

J. M. TUDOR, *Chairman*.

Ordered passed on file.

Senator Bekman submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred **Senate File 390**, a bill for an act relating to deductions from salaries or wages of governmental employees in fulfillment of any subscription payments to any authorized insurance corporation for group hospital and surgical insurance, group health and accident insurance and group life 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 Hultman submitted the following report:

MR. PRESIDENT: Your committee on conservation to which was referred **Senate File 430**, a bill for an act to amend chapter one hundred nine (109), Code 1950, relating to the trapping of beaver under permit issued by the conservation commission, begs leave to report it has had the same under consideration and recommends the same be amended in accordance with the amendment filed by Senator Dykhouse and found on page 648 of the Senate Journal and when so amended the bill do pass.

O. N. HULTMAN, *Chairman.*

Ordered passed on file.

#### AMENDMENTS FILED

1. Amend the title to Senate File 89 by striking all after the word "Act" and inserting in lieu thereof the following:

"to amend section four hundred seventy-seven point twenty-two (477.22) and four hundred seventy-seven point twenty-five (477.25), Code 1950, relating to headlights for railroad locomotives, power vehicles, power cars and other equivalent equipment."

2. Further amend Senate File 89 by striking all of section 1 and inserting in lieu thereof the following sections:

"Section 1. Section four hundred seventy-seven point twenty-two (477.22), Code 1950, is amended and revised and codified to read as follows: 'Headlights. It shall be the duty of every person, firm, or corporation owning or operating any line of railway within the state, except lines under twenty miles in length operated wholly within this state, to equip all locomotives, power vehicles, power cars, or other equipment used as the equivalent of or in place of a locomotive, when used in the transportation of passengers, employees or freight, with a headlight of sufficient candle power, measured with a reflector, to throw a light in clear weather that will enable the operator of same to plainly discern an object the size of a man lying prone on the track at a distance of eleven hundred feet from the headlight, and thereafter to maintain and use such headlights upon every such locomotive, vehicle, car, or other equipment; provided, however, that track power cars when used during the nighttime by employees in the performance of work, shall be equipped with an electric headlight of sufficient candle power, measured with a reflector to throw a light in clear weather that will enable the operator to see an obstruction on the track for a distance of five hundred (500) feet.'

"Sec. 2. Section four hundred seventy-seven point twenty-five (477.25), Code 1950, is amended by inserting after the word 'locomotive' in line four (4) the words 'or track power work car'.

"Sec. 3. This act shall not be effective until January 1, 1952."

PAUL E. MCCARVILLE.

Amend Senate File 149 by amending the Fishbaugh amendment dated March 14, 1951, by adding thereto the following:

"C. In addition they shall pay into the county treasury all criminal fees collected in proceedings in townships other than that in which they were elected."

DEVERE WATSON.

Amend Senate File 212 as follows:

1. Insert the following after the word "funds" in line 9 of section 4: "The books of the corporation shall clearly reflect each sum received from every source, the source of said sum, and the functional fund or other fund in which said sum is placed. Said books shall further reflect in detail, with a separate set of books or a separate column for each allocation within said functional fund, every expenditure from each functional fund and from each allocation within each functional fund, and the payee and purpose of each expenditure. Said books shall further reflect the amount allocated for each particular function within each functional fund and the unencumbered balance of each such allocation and each functional fund. All financial records of the corporation shall be a public record and open to public inspection during business hours."

2. Insert the following after the word "arises" in line 12 of section 5: ", provided, however, that said amendments may not increase such allocations without a two-thirds ( $\frac{2}{3}$ ) vote of the body which made the original allocation".

Strike the words and figures "seventeen (17)" in line 17 of section 5 and insert in lieu thereof the words and figures "nineteen (19)".

Further amend said section by inserting after the word "chapter" in line 17 the following: ", subject, however, to the approval of the state comptroller. Before such approval is given, the state comptroller shall assure himself that good business practice has been followed and that there is reasonable assurance of prompt, regular payment of the debt in the future."

3. Insert after subsection 11 of section 7 the following new subsection and renumber the remaining subsection:

"12. For the purchase of necessary street equipment and machinery, provided, however, that in no fiscal year more than ten per cent (10%) or twenty thousand dollars (\$20,000), whichever is the greater, of said fund be used for this purpose without the approval of the state comptroller."

4. Strike from line 3 of section 12 the word and figure "three (3)" and insert in lieu thereof the word and figure "five (5)".

5. Insert after section 13 the following new section and renumber the subsequent sections: "Sec. 14. Separate allocations. A separate allocation within each functional fund shall be made for each particular purpose enumerated in the various subsections of sections six (6) to twelve (12), inclusive, and for

each particular purpose within each said subsection when for the construction, purchase, or remodeling of any building, or improvements of any type, for the purchase of real estate, machinery, or major equipment, and for each particular purpose within a particular subsection when they are reasonably separable."

6. Insert after the word "equipment" in line 8 of section 30 the following: ", except as provided in subsection twelve (12) of section seven (7)".

7. Insert after the word "repealed" in line 2 of section 53 the following: ", effective December 31, 1951".

8. Insert after section 116 the following new section and renumber the remaining section: "This act shall have its initial application to taxes certified by municipalities in 1951 for collection in 1952. In preparing its budget for 1952 the council shall estimate unencumbered balances according to functional funds as of December 31, 1951."

JOHN R. HATTERY.  
J. T. DYKHOUSE.

Amend Senate File 383 by adding thereto the following new section: "Sec. 2. Section four hundred forty-four point twelve (444.12), Code 1950, is further amended by inserting after the word and comma "City," in line twenty-two (22) the following: "for psychiatric treatment of patients in such county, expenditure for which is authorized hereby".

GEORGE E. O'MALLEY.

Amend Senate File 433, section 1, line 9, by inserting after the word "population" the following: ", and which township has an unincorporated population of"; further amend said section by striking therefrom lines sixteen (16) to twenty (20), inclusive, and inserting in lieu thereof the following: "said county, an amount equal to two and three-fourths per cent (2¾%) of the total gross revenue derived from the operation of such trackless trolley buses on such roads in such township, divided according to the mileage of roads so used."

GEORGE E. O'MALLEY.

Amend House File 179 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Amend section ninety-two point eleven (92.11), Code 1950, by adding after paragraph one (1), the following: 'Provided, however, boys under 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 ninety-two point six (92.6), Code 1950.'"

EARL C. FISHBAUGH, JR.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 16, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Arnold Thalacher, pastor of the St. Paul's Lutheran Church, Des Moines, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Humbert for the day on request of Senator Tudor.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Byers, from residents of Jones County in opposition to legislation relating to liquor by the drink; also, favoring proposed legislation relating to liquor law enforcement.

By Senator Hedin, from members of the Davenport Y's Men's Club favoring an increase in the number of highway patrolmen, an increase in the driver's license fees and other safety legislation; also, from residents of Scott County favoring an increase in state aid to schools.

By Senator Henningsen, from residents of Clinton County favoring an increase in state aid to schools.

By Senator Mercer, from residents of Johnson County in opposition to legislation relating to liquor by the drink; also, favoring proposed legislation relating to liquor law enforcement.

By Senator Oltman, from residents of Pocahontas County favoring legislation relating to the establishment of county and multi-county health departments.

By Senator Ridout, from residents of Emmet County favoring an increase in state aid to schools.

By Senator Van Eaton, from residents of Woodbury County favoring legislation relating to religious training in school.

## PRESENTATION BY SENATOR DOUD

Senator Doud arose on a point of personal privilege and reminded the Senate that it would not be in session on St. Patrick's Day, that two years ago in observance of the day which is the birthday of his son, Lowell, he had presented the President of the Senate with a gift on behalf of his son and those who come "from the ould sod," his son had planned to be present to personally make the presentation but due to weather conditions a worthy proxy was selected in the person of our page boy, Lloyd "O'Smith" who presented the gift to President Nicholas.

President Nicholas expressed his thanks to Senator Doud and his son, Lowell.

## PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate the members of the fifth grade class of the West Independent School of Des Moines, who were present in the balcony with their teacher, Mrs. Emmert.

Senator Oltman asked and received unanimous consent to present to the Senate fifty members of the 4-H boys and girls clubs of Humboldt County who were present in the balcony with Myrtle Hewitt, county home economist, and Louie Rank, county extension director.

Senator Van Patten asked and received unanimous consent to present to the Senate the members of the public finance class of Simpson College of Indianola, who were present in the balcony with their professor, John Potter.

## MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Concurrent Resolution 20, providing for a joint convention of the Fifty-fourth General Assembly, and extending an invitation to the Pioneer Lawmakers to be present at such joint convention to be held March 28, at 2:00 p.m.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 203, a bill for an act relating to the reorganization of school districts.

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

House File 264, 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 265, a bill for an act relating to unemployment compensation.

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

House File 360, a bill for an act relating to taxation and registration of motor vehicles exclusively engaged in interstate commerce.

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

House File 417, a bill for an act relating to the purchase of land for sewage disposal plant at the Clarinda State Hospital.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION 20

*Whereas*, the Fifty-fourth General Assembly, by concurrent resolution adopted, had invited the Pioneer Lawmakers to meet with the General Assembly in joint convention on March 14, and

*Whereas*, the weather and transportation conditions were such as to make it advisable and necessary to cancel said meeting, and

*Whereas*, it is most desirable upon the part of the members of the Fifty-fourth General Assembly to hold a joint meeting of this kind.

*Now, Therefore, Be It Resolved by the House, the Senate Concurring:* That a joint convention of the Fifty-fourth General Assembly be held on Wednesday, March 28, at 2:00 p.m., and that the Pioneer Lawmakers be invited to attend this joint convention and carry out the program which they had prepared for March 14.

#### HOUSE AMENDMENT TO SENATE FILE 203

Amend Senate File 203 as follows:

1. Amend section 3, line 3, by striking the words "in lieu thereof".

2. Further amend section 3, line 7, by adding the following sentence after the word "instruction": "Within ten (10) days after the county board has approved their tentative plan they shall file such plan with the state department of public instruction."

3. Further amend by adding the following new section:

"Sec. 7. This act being deemed of immediate importance shall be in full force and effect from and after its publication in The Lockridge Times, a newspaper published at Lockridge, Iowa, and the Hudson Herald, a newspaper published at Hudson, Iowa."

#### HOUSE MESSAGES CONSIDERED

House File 264, a bill for an act to amend sections eighty-five point twenty-seven (85.27), eighty-five point thirty-one (85.31),



eighty-five point thirty-four (85.34), eighty-five point thirty-five (85.35), eighty-five point thirty-seven (85.37), and eighty-five point sixty-four (85.64), Code 1950, relating to workmen's compensation so as to increase medical and hospital allowances, to provide for furnishing prosthetic devices, to change method of paying dependent parents in the event of the death of minor employees, to increase benefit payments for permanent total disability and for permanent partial disability, to increase the weekly compensation amount, and to liberalize the provisions of the second injury fund.

Read first and second times, and passed on file.

House File 265, a bill for an act to amend sections ninety-six point three (96.3) and ninety-six point seven (96.7), Code 1950, relating to unemployment compensation, so as to increase weekly benefit amounts, and to reduce certain contribution rates to be paid by employers.

Read first and second times, and passed on file.

House File 360, a bill for an act relating to the taxation and registration of motor vehicles exclusively engaged in interstate commerce and providing for reciprocity agreements; amending sections three hundred twenty-one point fifty-three (321.53), three hundred twenty-one point fifty-six (321.56) and three hundred twenty-six point two (326.2), Code 1950.

Read first and second times, and passed on file.

House File 417, a bill for an act to authorize the purchase of a tract of land to be used as the site for an institutional sewage disposal plant at the Clarinda State Hospital.

Read first and second times, and passed on file.

#### UNFINISHED BUSINESS

Senator Whitehead called up for further consideration Senate File 123, a bill for an act providing for supplemental returns and listings by owners of property subject to taxation in the State of Iowa; providing for the manner of use of such supplemental returns by assessors in the preparation of assessment rolls; and providing that such supplemental returns may be in lieu of certain procedures provided by law in the assessment of property.

Senator Knudson offered the following amendment and moved its adoption:

Amend Senate File 123 by striking from line 16 the words "it shall be the duty of"; further amend by capitalizing the word "every" in line 16; further amend by striking the word "to" in line 18 and substituting the word "shall".

The amendment was adopted.

Senator Bekman offered the following amendment and moved its adoption:

Amend Senate File 123 by striking "February 15" in line 65 and inserting in lieu thereof "March 15".

The amendment was adopted.

Senator Whitehead offered the following amendment and moved its adoption:

Amend Senate File 123 by striking from line 4 the words "Supplemental to" and inserting in lieu thereof the words "In lieu of".

The amendment was lost.

Senator Whitehead offered the following amendment and moved its adoption:

"Supplemental return" and "Supplemental forms" mean, in this chapter, the form or forms prescribed and recommended by the state tax commission which shall be used in lieu of the assessment rolls where such forms are to be mailed or delivered by the county assessor to the person required to list his property when such listings are to be self-made under the provisions of this act. Which forms are to be returned to the assessor and listed on the rolls in the same manner as other assessment roll listings.

Senator Jacobson took the chair at 10:40 a.m.

The amendment was adopted.

Senator Whitehead asked and received unanimous consent to correct the Code reference in the bill.

Senator Whitehead moved that the bill be read a third 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:

Anderson  
Augustine  
Bateson

Bekman  
Berg  
Byers

Colburn  
Dailey  
Doud

Dykhouse  
Elthon  
Fletcher

Gillespie	Lynes	Ridout	Walter
Hart	McCarville	Risk	Watson of
Hattery	Molison	Roberts	O'Brien
Henningsen	Myrland	Sharp	Watson
Hultman	Nesmith	Tudor	Pottawattamie
Jacobson	Oltman	Utzig	Weichman
Knudson	O'Malley	Van Eaton	West
Linnevoold	Parker	Van Patten	Whitehead
Lord	Prentis	Vest	Zastrow

Nays, none.

Absent or not voting, 4:

Fishbaugh	Hedin	Humbert	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.

#### HOUSE AMENDMENTS CONSIDERED

Senator Doud called up for consideration Senate File 203, a bill for an act to amend section two hundred seventy-five point three (275.3), Code 1950, section two hundred seventy-five point ten (275.10), Code 1950, repeal section four (4), chapter one hundred fifty (150), Acts of the Fifty-second (52nd) General Assembly, and amend section two hundred seventy-four point sixteen (274.16), Code 1950, relating to the reorganization of school districts and changing the boundary lines of school corporations, amended by the House, and moved that the Senate concur in the following amendments:

1. Amend section 3, line 3, by striking the words "in lieu thereof".
2. Further amend section 3, line 7, by adding the following sentence after the word "instruction": "Within ten (10) days after the county board has approved their tentative plan they shall file such plan with the state department of public instruction."
3. Further amend by adding the following new section:  
 "Sec. 7. This act being deemed of immediate importance shall be in full force and effect from and after its publication in The Lockridge Times, a newspaper published at Lockridge, Iowa, and the Hudson Herald, a newspaper published at Hudson, Iowa."

The Senate concurred in the House amendments.

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

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

**Ayes, 48:**

Anderson	Gillespie	Myrland	Van Eaton
Augustine	Hart	Nesmith	Van Patten
Bateson	Hattery	Oltman	Vest
Bekman	Hedin	O'Malley	Walter
Berg	Henningsen	Parker	Watson of
Byers	Hultman	Prentis	O'Brien
Colburn	Jacobson	Ridout	Watson of
Dailey	Knudson	Risk	Pottawattamie
Doud	Linnevoid	Roberts	Weichman
Dykhouse	Lord	Sharp	West
Elthon	Lynes	Tudor	Whitehead
Fishbaugh	McCarville	Utzig	Zastrow
Fletcher	Molison		

Nays, none.

**Absent or not voting, 2:**

Humbert                      Mercer

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

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

**THIRD READING OF BILLS**

On motion of Senator Colburn, Senate File 470, a bill for an act to appropriate from the general fund of the State of Iowa to the department of public instruction for specified school aid, was taken up, and considered.

Senator Colburn asked and received unanimous consent that the rules be suspended and that House File 598 be withdrawn from the committee on appropriations.

Senator Colburn asked and received unanimous consent that House File 598 be substituted for Senate File 470.

On motion of Senator Colburn, House File 598, a bill for an act to make appropriation to the department of public instruction for specified school aid, was taken up, and considered.

Senator Colburn offered the following amendment and moved its adoption:

1. Amend the title of House File 598 by inserting after the word "appropriation" in line 1 the following: "from the general fund of the State of Iowa".

2. Further amend House File 598 by inserting after the word "appropriated" in line 1 the following: "from the general fund of the State of Iowa".

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, 49:**

Anderson	Gillespie	Molison	Van Eaton
Augustine	Hart	Myrland	Van Patten
Bateson	Hattery	Nesmith	Vest
Bekman	Hedin	Oltman	Walter
Berg	Henningsen	O'Malley	Watson of
Byers	Hultman	Parker	O'Brien
Colburn	Jacobson	Prentis	Watson of
Dailey	Knudson	Ridout	Pottawattamie
Doud	Linnevold	Risk	Weichman
Dykhouse	Lord	Roberts	West
Elthon	Lynes	Sharp	Whitehead
Fishbaugh	McCarville	Tudor	Zastrow
Fletcher	Mercer	Utzig	

Nays, none.

**Absent or not voting, 1:**

Humbert

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.

On motion of Senator Colburn, Senate File 471, a bill for an act to appropriate from the general fund of the State of Iowa six million dollars (\$6,000,000) to the department of public instruction for state aid for transportation as provided by chapter two hundred eighty-five (285), Code 1950, was taken up, and considered.

Senator Colburn asked and received unanimous consent that the rules be suspended and that House File 599 be withdrawn from the committee on appropriations.

Senator Colburn asked and received unanimous consent that House File 599 be substituted for Senate File 471.

On motion of Senator Colburn, House File 599, a bill for an act to appropriate six million dollars (\$6,000,000) to the department of public instruction for state aid for transportation as provided by chapter two hundred eighty-five (285), Code 1950, was taken up, and considered.

Senator Colburn offered the following amendment and moved its adoption:

1. Amend the title of House File 599 by inserting after the word

“appropriate” in line 1 the following: “from the general fund of the State of Iowa”.

2. Further amend House File 599 by inserting after the word “appropriated” in line 1 the following: “from the general fund of the State of Iowa”.

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, 49:

Anderson	Gillespie	Molison	Van Eaton
Augustine	Hart	Myrland	Van Patten
Bateson	Hattery	Nesmith	Vest
Bekman	Hedin	Oltman	Walter
Berg	Henningsen	O'Malley	Watson of
Byers	Hultman	Parker	O'Brien
Colburn	Jacobson	Prentis	Watson of
Dailey	Knudson	Ridout	Pottawattamie
Doud	Linnevoold	Risk	Weichman
Dykhouse	Lord	Roberts	West
Elthon	Lynes	Sharp	Whitehead
Fishbaugh	McCarville	Tudor	Zastrow
Fletcher	Mercer	Utzig	

Nays, none.

Absent or not voting, 1:

Humbert

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.

On motion of Senator Colburn, Senate File 472, a bill for an act to appropriate from the general fund of the State of Iowa four million dollars (\$4,000,000) to the department of public instruction for supplemental aid to certain school districts of the state, as provided by chapter two hundred eighty-six (286), Code 1950, was taken up, and considered.

Senator Colburn asked and received unanimous consent that the rules be suspended and that House File 600 be withdrawn from the committee on appropriations.

Senator Colburn asked and received unanimous consent that House File 600 be substituted for Senate File 472.

On motion of Senator Colburn, House File 600, a bill for an act to appropriate four million dollars (\$4,000,000) to the department

of public instruction for supplemental aid to certain school districts of the state, as provided by chapter two hundred eighty-six (286), Code 1950, was taken up, and considered.

Senator Colburn offered the following amendment and moved its adoption:

Amend the title of House File 600 by inserting after the word "appropriate" in line 1 the following: "from the general fund of the State of Iowa".

The amendment was adopted.

Senator Gillespie offered the following amendment and moved its adoption:

Amend House File 600 by striking the words and figures "two million dollars (\$2,000,000)" from lines 3 and 4 and substituting in lieu thereof the words and figures "four million dollars (\$4,000,000)".

The amendment was lost.

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

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

Ayes, 49:

Anderson	Gillespie	Molison	Van Eaton
Augustine	Hart	Myrland	Van Patten
Bateson	Hattery	Nesmith	Vest
Bekman	Hedin	Oltman	Walter
Berg	Henningsen	O'Malley	Watson of
Byers	Hultman	Parker	O'Brien
Colburn	Jacobson	Prentis	Watson of
Dalley	Knudson	Ridout	Pottawattamie
Doud	Linnevold	Risk	Weichman
Dykhouse	Lord	Roberts	West
Elthon	Lynes	Sharp	Whitehead
Fishbaugh	McCarville	Tudor	Zastrow
Fletcher	Mercer	Utzig	

Nays, none.

Absent or not voting, 1:

Humbert

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.

On motion of Senator Colburn, Senate File 473, a bill for an act to appropriate twenty-four million dollars (\$24,000,000) from the general fund of the State of Iowa to the department of public

instruction to general state aid for school districts as provided by chapter two hundred eighty-six A (286A), Code 1950, was taken up, and considered.

Senator Colburn asked and received unanimous consent that the rules be suspended and that House File 601 be withdrawn from the committee on appropriations.

Senator Colburn asked and received unanimous consent that House File 601 be substituted for Senate File 473.

On motion of Senator Colburn, House File 601, a bill for an act to appropriate twenty-four million dollars (\$24,000,000) from the general fund of the State of Iowa to the department of public instruction to general state aid for school districts as provided by chapter two hundred eighty-six A (286A), Code 1950, was taken up, and considered.

Senator O'Malley offered the following amendment by Senators O'Malley, Van Eaton, McCarville, Dailey, Bekman, Augustine, Henningsen and Ridout and moved its adoption:

Amend House File 601 in line 1 of the title by striking the words and figures "twenty-four million dollars (\$24,000,000)" and inserting in lieu thereof the following: "thirty million dollars (\$30,000,000)".

Further amend House File 601 in line 4 by striking the words and figures "twelve million dollars (\$12,000,000)" and inserting in lieu thereof the following: "fifteen million dollars (\$15,000,000)".

Senator Elthon 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, 20:**

Augustine	Hedin	O'Malley	Watson of
Bekman	Henningsen	Ridout	Pottawattamie
Byers	Jacobson	Roberts	West
Dailey	McCarville	Sharp	Whitehead
Gillespie	Mercer	Van Eaton	Zastrow
Hart			

**Nays, 26:**

Anderson	Fishbaugh	Myrland	Van Patten
Bateson	Fletcher	Nesmith	Vest
Berg	Hultman	Oltman	Walter
Colburn	Knudson	Parker	Watson of
Doud	Lord	Prentis	O'Brien
Dvkhouse	Lynes	Risk	Weichman
Elthon	Molison	Tudor	



Absent or not voting, 4:

Hattery                      Humbert                      Linnevold                      Utzig

The amendment was lost.

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

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

Ayes, 48:

Anderson	Gillespie	Molison	Van Eaton
Augustine	Hart	Myrland	Van Patten
Bateson	Hattery	Nesmith	Vest
Bekman	Hedin	Oltman	Walter
Berg	Henningsen	O'Malley	Watson of
Byers	Hultman	Parker	O'Brien
Colburn	Jacobson	Prentis	Watson of
Dailey	Knudson	Ridout	Pottawattamie
Doud	Linnevold	Risk	Weichman
Dykhouse	Lord	Roberts	West
Elthon	Lynes	Sharp	Whitehead
Fishbaugh	McCarville	Tudor	Zastrow
Fletcher	Mercer		

Nays, none.

Absent or not voting, 2:

Humbert                      Utzig

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.

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

### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

### THIRD READING OF BILLS

On motion of Senator Colburn, Senate File 474, a bill for an act to appropriate from the general fund to the department of public instruction for use as a revolving fund for the veterans administration and for the school lunch program, was taken up, and considered.

Senator Colburn asked and received unanimous consent that the rules be suspended and that House File 597 be withdrawn from the committee on appropriations.

Senator Colburn asked and received unanimous consent that House File 597 be substituted for Senate File 474.

On motion of Senator Colburn, House File 597, a bill for an act to appropriate from the general fund to the department of public instruction for use as a revolving fund for the veterans administration and for the school lunch program, was taken up, and considered.

Senator Colburn offered the following amendment and moved its adoption:

Amend the title to House File 597 by striking all after the word "act" and inserting in lieu thereof the following: "to appropriate from the general fund of the State of Iowa to the department of public instruction twenty thousand dollars (\$20,000) for use as a revolving fund for the veterans administration, and seven thousand five hundred dollars (\$7,500) for the school lunch program."

The amendment was adopted.

Senator Colburn moved that the bill be read a third 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:**

Anderson	Gillespie	Molison	Van Eaton
Augustine	Hart	Myrland	Van Patten
Bateson	Hattery	Nesmith	Vest
Bekman	Hedin	Oltman	Walter
Berg	Henningsen	O'Malley	Watson of
Byers	Hultman	Parker	O'Brien
Colburn	Jacobson	Prentis	Watson of
Dailey	Knudson	Ridout	Pottawattamie
Doud	Linnevoold	Risk	Weichman
Dykhouse	Lord	Roberts	West
Elthon	Lynes	Sharp	Whitehead
Fishbaugh	McCarville	Tudor	Zastrow
Fletcher	Mercer		

Nays, none.

**Absent or not voting, 2:**

Humbert                      Utzig

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.

**BILLS WITHDRAWN**

Senator Colburn asked and received unanimous consent that Senate Files 470, 471, 472, 473 and 474 be withdrawn from further consideration of the Senate.

## UNFINISHED BUSINESS

On motion of Senator McCarville, Senate File 149, a bill for an act to amend section six hundred one point one hundred thirty-one (601.131), Code 1950, relating to salaries for justices of the peace and constables, was taken up for further consideration.

Senator Fishbaugh offered the following amendment:

Amend Senate File 149 by adding thereto the following:

"Sec. 2. Section six hundred one point one hundred thirty-one (601.131), Code 1950, is hereby amended by striking paragraphs (a) and (b) of subsection two (2) thereof and inserting in lieu thereof the following:

"(a) In townships having a population of four thousand and under ten thousand, justices one thousand two hundred dollars plus an amount equal to fifty per cent of fees collected in excess of one thousand two hundred dollars; constables eight hundred dollars.

"(b) In townships having a population of under four thousand, justices one thousand two hundred dollars plus an amount equal to fifty per cent of fees collected in excess of one thousand two hundred dollars; constables six hundred twenty-five dollars."

Senator Watson of Pottawattamie offered the following amendment to the amendment and moved its adoption:

Amend the amendment by adding thereto the following:

"C. In addition they shall pay into the county treasury all criminal fees collected in proceedings in townships other than that in which they were elected."

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator McCarville moved that the bill be read a third 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:

Anderson	Hart	Myrland	Van Patten
Augustine	Hattery	Nesmith	Vest
Bateson	Hedin	Oltman	Walter
Bekman	Henningsen	O'Malley	Watson of
Berg	Hultman	Parker	O'Brien
Byers	Jacobson	Prentis	Watson of
Colburn	Knudson	Ridout	Pottawattamie
Dailey	Linnevoold	Risk	Weichman
Doud	Lord	Roberts	West
Elthon	Lynes	Sharp	Whitehead
Fishbaugh	McCarville	Tudor	Zastrow
Gillespie	Mercer	Van Eaton	

Nays, none.

**Absent or not voting, 5:**

Dykhouse Fletcher	Humbert	Molison	Utzig
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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 Fletcher, Senate File 306, a bill for an act to amend section three hundred twenty-one point four hundred twenty-two (321.422), Code 1950, relating to motor vehicles and law of road, and the display of red lights, was taken up, and considered.

Senator Fletcher asked and received unanimous consent that the rules be suspended and that House File 400 be withdrawn from the committee on motor vehicles.

Senator Fletcher asked and received unanimous consent that House File 400 be substituted for Senate File 306.

On motion of Senator Fletcher, House File 400, a bill for an act to amend section three hundred twenty-one point four hundred twenty-two (321.422), Code 1950, relating to motor vehicles and law of road, was taken up, and considered.

Senator Fletcher moved that the bill be read a third 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:**

Anderson	Hart	Myrland	Van Patten
Augustine	Hattery	Nesmith	Vest
Bateson	Hedin	Oltman	Walter
Bekman	Henningsen	O'Malley	Watson of
Berg	Hultman	Parker	O'Brien
Colburn	Jacobson	Prentis	Watson of
Dailey	Knudson	Ridout	Pottawattamie
Doud	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow
Gillespie	Mercer	Van Eaton	

Nays, none.

**Absent or not voting, 5:**

Byers Dykhouse	Humbert	Molison	Utzig
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## BILL WITHDRAWN

Senator Fletcher asked and received unanimous consent that Senate File 306 be withdrawn from further consideration of the Senate.

## HOUSE FILE 318

Senator Fishbaugh asked and received unanimous consent that House File 318 be re-referred to the committee on judiciary 1.

## BILL WITHDRAWN

Senator Fishbaugh asked and received unanimous consent that Senate File 237 be withdrawn from further consideration of the Senate.

## THIRD READING OF BILLS

On motion of Senator Bekman, Senate File 202, a bill for an act to amend sections two hundred fifty-four point four (254.4), two hundred fifty-four point five (254.5), two hundred fifty-four point eight (258.8), two hundred seventy-one point fourteen (271.14) and four hundred forty-four point twelve (444.12), Code 1950, relating to cost of care of persons in tuberculous hospitals and inspection of tuberculous hospitals, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator O'Malley offered the following amendment and moved its adoption:

Amend Senate File 202 by striking sections 3 and 4.

Further amend Senate File 202 by renumbering the remaining section.

The amendment was adopted.

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

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

Ayes, 41:

Anderson	Elthon	Hultman	Mercer
Augustine	Fishbaugh	Jacobson	Myrland
Bateson	Gillespie	Knudson	Oltman
Bekman	Hart	Linnevold	O'Malley
Berg	Hattery	Lord	Parker
Colburn	Hedin	Lynes	Prentis
Dailey	Henningsen	McCarville	Ridout

Roberts	Van Patten	Watson of	Weichman
Sharp	Vest	O'Brien	West
Tudor	Walter	Watson of	Whitehead
Van Eaton		Pottawattamie	Zastrow

Nays, none.

Absent or not voting, 9:

Byers	Fletcher	Molison	Risk
Doud	Humbert	Nesmith	Utzig
Dykhouse			

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

### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that, on March 15, the Governor had approved the following bills:

Senate File 178, relating to investments of insurance companies other than life.

Senate File 243, relating to fiduciaries.

### REPORTS OF COMMITTEES

Senator Doud submitted the following report:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **Senate File 284**, a bill for an act relating to the school attendance requirements of children, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

ALDEN L. DOUD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **House File 319**, a bill for an act relating to examinations for school teachers and to amend sections two hundred fifty-seven point four (257.4) and two hundred sixty point four (260.4), Code 1950, begs leave to report it has had the same under consideration and recommends the same **do pass.**

ALDEN L. DOUD, *Chairman.*

Ordered passed on file.

Senator Lynes submitted the following report:

MR. PRESIDENT: Your committee on railroads to which was referred **House File 81**, a bill for an act to amend section four hundred seventy-seven point twenty-two (477.22), Code 1950, relating to headlights for

rail employees when using track power cars at night, begs leave to report it has had the same under consideration and recommends the same do pass.

J. KENDALL LYNES, *Chairman.*

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 158 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. A special committee of six (6) members is hereby created. Said committee shall consist of two (2) members of the 54th General Assembly to be appointed by the President of the Senate, two (2) members of the House of Representatives of the 54th General Assembly to be appointed by the Speaker of the House of Representatives, and two (2) citizens of the State of Iowa, engaged in the strip mining industry, to be appointed by the Governor. Any vacancy in the membership of the committee shall be filled by appointment in the same manner, by the same official, and from the same group as the original appointment. The committee shall choose a chairman from its members and shall adopt rules for the conduct of its proceedings.

"Sec. 2. It shall be the duty of the committee to make a comprehensive study of the strip mining industry in the State of Iowa, determine the number of acres of land in Iowa that have been subjected to strip mining, determine the number of acres of land in Iowa that will be subjected to strip mining within the reasonable future, determine the various industries engaged in that type of operation and the acreage used annually by each, the extent of damage done to lands by strip mining, the effect on the taxability of such lands, the extent to which land that has been stripped is being taxed, the necessity, if any, of regulating strip mining, and, if regulation is found desirable, the aspects and manner of regulation which should be adopted.

"Sec. 3. The committee shall have the cooperation of the attorney general and his staff in the performance of the duties herein imposed, and is authorized to call upon any department of the state government in obtaining information deemed useful to the committee.

"Sec. 4. The committee shall confer with public officials and private individuals to the end that committee members may fully acquaint themselves with the problems of the strip mining industry, and may receive and consider the recommendations of such persons.

"Sec. 5. The committee shall enter into its duties as soon as the membership has been appointed. It shall make a report, including drafts of proposed bills, to the Governor

on or before November 15, 1952. Upon the making of its said report to the Governor, the committee shall stand discharged of its duties hereunder. The Governor shall cause to be printed the necessary number of copies of said report and shall mail copies of said printed report to the elected members of the 55th General Assembly on or before December 15, 1952.

"Sec. 6. The executive council shall provide the committee with a suitable office and with necessary office supplies and equipment for the conduct of its business.

"Sec. 7. Legislative members of the committee shall receive as compensation and for actual and necessary expenses incurred by them in the discharge of their duties such amounts as the 55th General Assembly may allow. Members of the committee appointed by the Governor shall receive no compensation.

"Sec. 8. This act being deemed of immediate importance shall be in full force and effect from and after publication in the Ottumwa Daily Courier, a newspaper published at Ottumwa, Iowa, and the Nevada Evening Journal, a newspaper published at Nevada, Iowa."

E. K. BEKMAN.  
ALDEN L. DOUD.  
PAUL E. MCCARVILLE.  
JOHN R. HATTERY.  
R. R. BATESON.

Amend Senate File 185 by striking all after the word "act" and inserting in lieu thereof the following"

"to amend sections eighty-five point twenty-seven (85.27), Code 1950, eighty-five point thirty-one (85.31), Code 1950, eighty-five point thirty-four (85.34), Code 1950, eighty-five point thirty-five (85.35), Code 1950, eighty-five point thirty-seven (85.37), Code 1950, and eighty-five point sixty-four (85.64), Code 1950, relating to workmen's compensation so as to increase medical and hospital allowances, to provide for furnishing prosthetic devices, to change method of paying dependent parents in the event of the death of minor employees, to increase benefit payments for permanent total disability and for permanent partial disability, to increase the weekly compensation amount, and to liberalize the provisions of the second injury fund."

2. Senate File 185 is amended by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section eighty-five point twenty-seven (85.27), Code 1950, is hereby amended by inserting after the period (.) in line four (4) thereof, the following: 'The employer shall also furnish reasonable and necessary crutches, artificial members and appliances but shall not be required to furnish more than one (1) permanent prosthetic device.'

"Further amend section eighty-five point twenty-seven (85.27), Code 1950, by adding at the end of the first paragraph thereof the following sentence: 'The commissioner may upon application and



upon reasonable proofs being furnished of necessity therefor, allow and order additional surgical, medical, osteopathic, chiropractic and hospital services and supplies, but not to exceed an aggregate cost of one thousand dollars (\$1,000) in addition to the amounts hereinbefore allowed.'

"Sec. 2. Section eighty-five point thirty-one (85.31), Code 1950, is hereby amended by striking paragraph number two (2) and inserting in lieu thereof the following:

"2. When the injury causes the death of a minor employee whose earnings were received by the parent and such parent was wholly dependent upon the earnings of the minor employee for support at the time of his injury, the compensation to be paid such parent shall be the weekly compensation for an adult with like earnings.'

"Sec. 3. Section eighty-five point thirty-four (85.34), Code 1950, is hereby amended by striking from line five (5) thereof the word 'four' and inserting in lieu thereof the word 'five'.

"Sec. 4. Section eighty-five point thirty-five (85.35), Code 1950, is hereby amended by striking all thereof after line eight (8) and inserting in lieu thereof the following:

"1. For the loss of a thumb, weekly compensation during sixty weeks.

"2. For the loss of a first finger, commonly called the index finger, weekly compensation during thirty-five weeks.

"3. For the loss of a second finger, weekly compensation during thirty weeks.

"4. For the loss of a third finger, weekly compensation during twenty-five weeks.

"5. For the loss of a fourth finger, commonly called the little finger, weekly compensation during twenty weeks.

"6. The loss of the first or distal phalange of the thumb or of any finger shall equal the loss of one-half of such thumb or finger and compensation shall be one-half of the time for the loss of such thumb or finger.

"7. The loss of more than one phalange shall equal the loss of the entire finger or thumb.

"8. For the loss of a great toe, weekly compensation during forty weeks.

"9. For the loss of one of the toes other than the great toe, weekly compensation during fifteen weeks.

"10. The loss of the first phalange of any toe shall equal the loss of one-half of such toe and the compensation shall be one-half of the time provided for the loss of such toe.

"11. The loss of more than one phalange shall equal the loss of the entire toe.

"12. For the loss of a hand, weekly compensation during one hundred seventy-five weeks.

"13. The loss of two-thirds of that part of an arm between the shoulder joint and the elbow joint shall equal the loss of an arm and the compensation therefor shall be weekly compensation during two hundred thirty weeks.

“14. For the loss of a foot, weekly compensation during one hundred fifty weeks.

“15. The loss of two-thirds of that part of a leg between the hip joint and the knee joint shall equal the loss of a leg, and the compensation therefor shall be weekly compensation during two hundred weeks.

“16. For the loss of an eye, weekly compensation during one hundred twenty-five weeks.

“17. For the loss of an eye, the other eye having been lost prior to the injury, weekly compensation during two hundred weeks.

“18. For the loss of hearing in one ear, weekly compensation during fifty weeks, and for the loss of hearing in both ears, weekly compensation during one hundred seventy-five weeks.

“19. The loss of both arms, or both hands, or both feet, or both legs, or both eyes, or of any two thereof, caused by a single accident, shall equal a permanent total disability, to be compensated as such.

“20. In all other cases of permanent partial disability, the compensation shall bear such relation to the periods of compensation stated in the above schedule as the disability bears to those produced by the injuries named in the schedule.”

“Sec. 5. Section eighty-five point thirty-seven (85.37), Code 1950, is hereby amended by striking from line six (6) thereof the word ‘sixty’ and inserting in lieu thereof the words ‘sixty-six and two-thirds’; also by striking from line eight (8) the word ‘twenty-four’ and inserting in lieu thereof the word ‘twenty-eight’.

“Sec. 6. Section eighty-five point sixty-four (85.64), Code 1950, is hereby amended by striking from line four (4) the words ‘and totally’; by striking from lines sixteen (16) and seventeen (17) the words ‘permanent total disability’ and inserting in lieu thereof the words ‘the degree of permanent disability involved.’”

PAUL E. MCCARVILLE.

THOMAS J. DAILEY.

HERMAN B. LORD.

Amend Senate File 272 as follows:

1. Strike from section 1 all that follows the word “corporations” in line 3 and insert in lieu thereof the following: “except special assessment bonds and bonds issued under the provisions of chapters three hundred ninety-four (394), three hundred ninety-six (396), and three hundred ninety-seven (397).”

2. Strike from section 4 all of subsection 5 and insert in lieu thereof the following:

“5. The maximum annual rate of tax to be levied for payment of such bonds.”

3. Strike from section 6 all of line 13 and insert in lieu thereof the following: “levy a tax not to exceed —— mills per annum”.

Further amend section 6 by striking all of lines 15 to 19, inclusive.

4. Insert after the word "bonds" in line 5 of section 8 the words "and certificates".

5. Strike from lines 5 and 6 of section 9 the words "or bonds anticipating the collection of a tax already levied for the current year".

JOHN R. HATTERY.

J. T. DYKHOUSE.

On motion of Senator Elthon, the Senate adjourned until 11:00 a.m., Monday, March 19, 1951.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 19, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Tom Moore King, pastor of the First Methodist Church, Diagonal, Iowa.

## PETITIONS AND MEMORIALS

By Senator Bateson, from county officials of Des Moines County favoring an increase in salary for county officials.

By Senator Berg, from residents of Black Hawk County in opposition to legislation relating to liquor by the drink; also, favoring proposed legislation relating to liquor law enforcement.

By Senator Byers, from residents of Linn County in opposition to legislation relating to liquor by the drink; also, favoring proposed legislation relating to liquor law enforcement; also favoring an increase in state aid to schools.

By Senator Dailey, from Dorothy Schrock, faculty secretary, and members of the faculty of Mediapolis Consolidated School, Des Moines County, favoring legislation relating to old age and survivors' insurance; also, from county officers of Des Moines County favoring an increase in salaries for county officials.

By Senator Doud, from residents of Woodbury County favoring an increase in state aid to schools; also, from members of the Scott County board of welfare favoring legislation relating to county psychiatric treatment.

By Senator Fletcher, from county officials of Des Moines County favoring an increase in salary for county officials.

By Senator Gillespie, from residents of Adair County favoring legislation relating to the payment for psychiatric treatment.

By Senator Hedin, from county officials of Scott County, favoring legislation relating to county psychiatric treatment; also, from residents of Scott County favoring an increase in state aid to schools.

By Senator Henningsen, from county officials of Des Moines County favoring an increase in salary for county officials.

By Senator Hattery, from residents of Story County favoring legislation relating to general and supplemental aid to schools.

By Senator Linnevold, from the faculty of the Cresco, Howard County, Public School favoring an increase in state aid to schools.

By Senator Lord, from county officials of Louisa County favoring an increase in salary for county officials; also, from members of the faculty of Columbus Junction Public School, Louisa County, favoring legislation relating to old age and survivors' insurance; also, from members of the Hayes-Scott Post 112, American Legion Auxiliary, of Morning Sun, Louisa County, favoring legislation relating to the Soldiers' Home at Marshalltown.

By Senator O'Malley, from members of the Des Moines Motor Court Association in opposition to legislation relating to county zoning; also, from representatives of District 13, United Mine Workers of America, Des Moines, Polk County, favoring proposed labor legislation.

By Senator Prentis, from residents of Decatur County favoring an increase in state aid to schools.

By Senator Tudor, from members of the American Legion Auxiliary 602, Preston, Jackson County, favoring legislation relating to the Soldiers' Home at Marshalltown; also, from residents of Cedar County in opposition to legislation relating to liquor by the drink and favoring legislation relating to liquor law enforcement.

By Senator Van Eaton, from county officers of Des Moines County favoring an increase in salary for county officials; also from the faculty of Longfellow and Franklin Schools, Sioux City, Woodbury County, favoring an increase in state aid to schools.

By Senator Van Patten, from residents of Warren County favoring an increase in state aid to schools.

By Senator Walter, from residents of Marshall County favoring raising the minimum age limit for marriage.

#### INTRODUCTION OF BILLS

Senate File 482, by committee on judiciary 2, a bill for an act

to amend chapter six hundred sixty-seven (667), Code 1950, relating to actions against owners of watercraft.

Read first and second times, and placed on the calendar.

Senate File 483, by committee on judiciary 2, a bill for an act to amend chapter three hundred twenty-eight (328), Code 1950, relating to actions against nonresident operators of aircraft.

Read first and second times, and placed on the calendar.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File 11, a bill for an act relating to the liability of estates of nonresident motorists.

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

Senate File 107, a bill for an act relating to actions against the State of Iowa.

Also: That the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File 114, a bill for an act relating to the form of publication of the Acts of the General Assembly.

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

Senate File 198, a bill for an act authorizing the Governor to issue a patent to William Ware of Wapello County, Iowa.

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

Senate File 199, a bill for an act relating to the apportionment of road use tax fund to cities and towns which have been incorporated since the taking of the federal census of 1940.

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

Senate File 200, a bill for an act relating to the apportionment of the road use tax fund to cities and towns.

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

Senate File 204, a bill for an act relating to the preservation of the report of amendments to Rules of Civil Procedure.

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

Senate File 207, a bill for an act relating to motor vehicles and law of road.

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 records of any corporation organized under laws of the State of Iowa or authorized to do business in Iowa.

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

Senate File 225, a bill for an act relating to capital stock.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 241, a bill for an act legalizing action of Pottawattamie County board of supervisors in authorizing a payment to the city assessor's fund for Council Bluffs, Iowa.

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

Senate File 245, a bill for an act relating to the investment of funds by fiduciaries.

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 relating to consent, when necessary, for adoption.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 343, a bill for an act relating to the appointment of a board of auditorium trustees in municipal corporations.

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

Senate File 359, a bill for an act to amend chapter five hundred eighty-seven (587), Code 1950, relating to the legalizing of judgments and decrees.

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

Senate File 402, a bill for an act to legalize and validate the proceedings taken by the city council of the city of Jefferson, Iowa.

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

House File 113, a bill for an act relating to funds of local warehouse boards.

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

House File 142, a bill for an act relating to the powers of local authorities to regulate the use of streets and highways.

Also: 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 relating to beneficiaries of veterans bureau by correctly designating the committing body of insane persons as "commission" or "body" instead of court.

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

House File 209, a bill for an act to legalize the action of the board of supervisors of Lyon County in authorizing salary payment to certain deputy county officers.

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

House File 212, a bill for an act relating to marriages.

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

House File 244, a bill for an act relating to examination of cities, townships and schools.

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

House File 271, a bill for an act relating to tax redemption.

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

House File 287, a bill for an act relating to civil service rights of persons appointed to office by the mayor.

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

House File 339, a bill for an act relating to recovery for injury or death of husband.

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 court paroles.

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

House File 376, a bill for an act relating to securities and investments of trust funds.

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

House File 391, a bill for an act relating to the purchase of buildings to be used as township halls.

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

House File 418, a bill for an act relating to bonds of cities or towns for street improvements.

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 fish and game regulations.

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

House File 430, a bill for an act relating to the weighing of vehicles.

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

House File 437, a bill for an act relating to the terms of office of commissioners for memorial buildings and monuments.

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



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 limitation on amount retired persons and dependents may earn and continue to draw benefits.

House File 479, a bill for an act to legalize the action of the board of supervisors of Mills County in authorizing salary payment to certain deputy county officers.

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

House File 494, a bill for an act relating to employment security.

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

House File 495, a bill for an act relating to employment security.

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

House File 594, a bill for an act legalizing the proceedings of board of supervisors of Howard County.

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

House File 605, a bill for an act relating to intrastate fresh pursuit.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 241

Amend Senate File 241 by striking section 2.

#### HOUSE AMENDMENT TO SENATE FILE 343

Amend Senate File 343, section 1, by striking from lines 6 and 7 the following: "and in all other municipal corporations in which such an auditorium has so been established there may be appointed,".

Further amend by striking all of subsection 4 of section 6 and substituting in lieu thereof the following:

"4. Tenure. All personnel employed by the board shall not be subject to the provisions of chapter three hundred sixty-five (365), Code 1950. However, in all appointments made or personnel employed under the provisions of this act, honorably discharged men and women from the military or naval forces of the United States in any war in which the United States was or is now engaged shall be given the preference, if otherwise qualified."

#### HOUSE MESSAGES CONSIDERED

House File 209, a bill for an act to legalize the action of the board of supervisors of Lyon County in authorizing salary payment to certain deputy county officers.

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

House File 212, a bill for an act to amend sections five hundred ninety-five point three (595.3) and five hundred ninety-five point eight (595.8), Code 1950, relating to marriages.

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

House File 369, a bill for an act to amend section two hundred forty-seven point twenty (247.20), Code 1950, relating to court paroles.

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

House File 437, a bill for an act to provide for staggered terms of office for commissioners charged with the construction and operation of memorial buildings and monuments, amending section thirty-seven point nine (37.9), Code 1950.

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

House File 479, a bill for an act to legalize the action of the board of supervisors of Mills County in authorizing salary payment to certain deputy county officers.

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

House File 594, a bill for an act to legalize the proceedings of the board of supervisors of Howard County in paying for the purchase and construction of an elevator at the county home, from the county poor fund.

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

House File 113, a bill for an act to amend section five hundred forty-four point sixteen (544.16), Code 1950, relating to funds of local-warehouse boards.

Read first and second times, and passed on file.

House File 142, a bill for an act to amend section three hundred twenty-one point two hundred thirty-six (321.236), Code 1950, relating to the powers of local authorities, and to amend section three hundred eighty-nine point thirty-nine (389.39), Code 1950,

relating to powers of local authorities to regulate the use of streets and highways.

Read first and second times, and passed on file.

House File 178, a bill for an act to amend section two hundred twenty-nine point twenty (229.20), Code 1950, relating to beneficiaries of veterans bureau by correctly designating the committing body of insane persons as "commission" or "body," instead of court.

Read first and second times, and passed on file.

House File 244, a bill for an act to amend chapter eleven (11), Code 1950, relating to examination of cities, townships and schools.

Read first and second times, and passed on file.

House File 271, a bill for an act to amend chapter four hundred forty-seven (447), Code 1950, relating to tax redemption.

Read first and second times, and passed on file.

House File 287, a bill for an act relating to the civil service rights of persons appointed to office by the mayor under section three hundred sixty-three point thirteen (363.13), Code 1950.

Read first and second times, and passed on file.

House File 339, a bill for an act to amend section six hundred thirteen point eleven (613.11), Code 1950, relating to recovery for injury or death of husband.

Read first and second times, and passed on file.

House File 376, a bill for an act to amend chapter six hundred eighty-two (682), Code 1950, relating to securities and investments of trust funds, to authorize agreements between the principal or principals and surety or sureties for the deposit and joint control of funds and property.

Read first and second times, and passed on file.

House File 391, a bill for an act to amend chapter three hundred sixty (360), Code 1950, to provide for the purchasing of buildings to be used as township halls.

Read first and second times, and passed on file.

House File 418, a bill for an act relating to bonds of cities or towns for street improvements and their payment from the street construction fund and to amend section three hundred ninety-six point twenty-two (396.22), Code 1950.

Read first and second times, and passed on file.

House File 426, a bill for an act to amend section one hundred ten point eighteen (110.18), Code 1950, relating to public nuisance in regard to fish and game regulations.

Read first and second times, and passed on file.

House File 430, a bill for an act to amend section three hundred twenty-one point four hundred sixty-three (321.463), Code 1950, relating to the maximum legal weight of any axle or vehicle or combination of vehicles, and providing penalties for violations, and to amend section three hundred twenty-one point four hundred sixty-five (321.465), Code 1950, relating to the weighing of vehicles, and to amend section three hundred twenty-one point four hundred fifty-two (321.452), Code 1950, relating to penalties.

Read first and second times, and passed on file.

House File 478, a bill for an act to amend section ninety-seven point twenty-one (97.21), Code 1950, relating to limitation on amounts retired persons and dependents may earn otherwise and continue to draw benefits and raising said amounts from twenty-five dollars (\$25) and fifteen dollars (\$15) to fifty dollars (\$50).

Read first and second times, and passed on file.

House File 494, a bill for an act to amend section ninety-six point five (96.5), Code 1950, relating to employment security and providing disqualification therefor.

Read first and second times, and passed on file.

House File 495, a bill for an act to amend section ninety-six point sixteen (96.16), Code 1950, relating to employment security and providing a penalty for the making of a false statement or representation.

Read first and second times, and passed on file.

House File 605, a bill for an act relating to intrastate fresh pursuit.

Read first and second times, and passed on file.

## HOUSE AMENDMENTS CONSIDERED

Senator Van Eaton called up for consideration Senate File 343, a bill for an act to provide for the appointment of a board of auditorium trustees in municipal corporations and to prescribe the organization, power and duties of such boards, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 343, section one (1), by striking from lines six (6) and seven (7) thereof the following: “, and in all other municipal corporations in which such an auditorium has so been established there may be appointed,”.

Further amend Senate File 343 by striking all of subsection four (4) of section six (6) and substituting in lieu thereof the following: “4. Tenure. All personnel employed by the board shall not be subject to the provisions of chapter three hundred sixty-five (365), Code 1950. However, in all appointments made or personnel employed under the provisions of this act, honorably discharged men and women from the military or naval forces of the United States in any war in which the United States was or is now engaged shall be given the preference, if otherwise qualified.”

The Senate concurred in the House amendments.

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

On the question “Shall the bill pass?” the vote was:

Ayes, 44:

Anderson	Fletcher	Lynes	• Van Eaton
Augustine	Gillespie	McCarville	Van Patten
Bateson	Hart	Mercer	Vest
Bekman	Hattery	Molison	Walter
Berg	Hedin	Nesmith	Watson of
Byers	Henningsen	O'Malley	O'Brien
Colburn	Hultman	Parker	Watson of
Dailey	Humbert	Prentis	Pottawattamie
Doud	Jacobson	Ridout	Weichman
Dykhouse	Knudson	Sharp	West
Elthon	Linnevold	Tudor	Whitehead
Fishbaugh	Lord		

Nays, none.

Absent or not voting, 6:

Myrland	Risk	Utzig	Zastrow
Oltman	Roberts		

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

Senator Watson of Pottawattamie called up for consideration Senate File 241, a bill for an act to legalize the action of the board of supervisors of Pottawattamie County in authorizing a payment to the city assessor's fund for Council Bluffs, Iowa, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 241 by striking section 2.

The Senate concurred in the House amendment.

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

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

Ayes, 44:

Anderson	Fletcher	Lynes	Van Eaton
Augustine	Gillespie	McCarville	Van Patten
Bateson	Hart	Mercer	Vest
Bekman	Hattery	Molison	Walter
Berg	Hedin	Nesmith	Watson of
Byers	Henningsen	O'Malley	O'Brien
Colburn	Hultman	Parker	Watson of
Dailey	Humbert	Prentis	Pottawattamie
Doud	Jacobson	Ridout	Weichman
Dykhouse	Knudson	Sharp	West
Elthon	Linnevold	Tudor	Whitehead
Fishbaugh	Lord		

Nays, none.

Absent or not voting, 6:

Myrland	Risk	Utzig	Zastrow
Oltman	Roberts		

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

#### HOUSE CONCURRENT RESOLUTION 11 RECALLED FROM THE HOUSE

Senator Walter asked and received unanimous consent that House Concurrent Resolution 11 be recalled from the House.

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

#### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

## REPORTS OF COMMITTEES

Senator Byers submitted the following report:

**MR. PRESIDENT:** Your committee on judiciary 2 to which was referred **Senate File 325**, a bill for an act to provide for the establishment and maintenance of horse racing in this state, to establish a board for its administration, and to regulate the practice and procedure thereof, 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 323**, a bill for an act relating to the duties of the township trustees and to amend section three hundred fifty-nine point seventeen (359.17), Code 1950, 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 369**, a bill for an act to amend section two hundred forty-seven point twenty (247.20), Code 1950, relating to court paroles, 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 369 by striking from lines 7 and 8 the words "but, in any event within five years from the time of such suspension and parole" and inserting in lieu thereof the following: "or if no time is fixed by the court said suspended sentence and parole shall terminate five (5) years from the date of such suspension and parole".

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on judiciary 2 to which was referred **House File 437**, a bill for an act to provide for staggered terms of office for commissioners charged with the construction and operation of memorial buildings and monuments, amending section thirty-seven point nine (37.9), Code 1950, 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.

## MESSAGES FROM THE HOUSE

The following messages were received from the House:

**MR. PRESIDENT:** I am directed to return herewith, as requested, House Concurrent Resolution 11 providing for the appointment of a committee to study the provisions of House Resolution 4.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 142, a bill for an act relating to public archives and authorizing destruction of certain documents.

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

Senate File 468, a bill for an act to legalize and validate the proceedings authorizing and providing for the repair of the existing toll bridge across the Mississippi River.

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

House File 357, a bill for an act relating to personal tax exemption for United States armed forces members on certain personal property.

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

House File 408, a bill for an act relating to expenses of the highway commission involved in the weighing and inspection of motor vehicles and trailers.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE AMENDMENT TO SENATE FILE 142

Amend Senate File 142 as follows:

1. Amend section 1, line 7, by inserting after the word "warrants" the following: ", having no historical value,".

2. By adding thereto the following new section:

"Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Red Oak Express, a newspaper published at Red Oak, Iowa, and the Villisca Review, a newspaper published at Villisca, Iowa."

## HOUSE MESSAGES CONSIDERED

House File 357, a bill for an act to amend section four hundred twenty-seven point one (427.1), subsection seventeen (17), Code 1950, relating to personal tax exemption for United States armed forces members on certain personal property.

Read first and second times, and passed on file.

House File 408, a bill for an act to amend section three hundred twenty-one point four hundred eighty (321.480), Code 1950, relat-



ing to expenses of the highway commission involved in the weighing and inspection of motor vehicles and trailers.

Read first and second times, and passed on file.

#### RESIGNATION OF PAGE

The President of the Senate announced the resignation of Lloyd Smith of Winnebago County as page of the Senate.

#### APPOINTMENT OF PAGE

The President of the Senate announced the appointment of Donald Hultman of Montgomery County as page of the Senate.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 203 and House Files 24 and 601.

JAMES H. NESMITH, *Chairman Senate Committee.*  
ELMER A. BASS, *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 203 and House Files 24 and 601.

#### BILL SENT TO THE GOVERNOR

Senator Nesmith, 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, 1951, sent to the Governor for his approval: Senate File 203.

JAMES H. NESMITH, *Chairman.*

Passed on file.

#### REPORTS OF COMMITTEES

Senator Hattery submitted the following report:

**MR. PRESIDENT:** Your committee on banks, building and loan to which was referred **House File 249**, a bill for an act relating to the deposit of

bond or securities by associations selling stock on the installment plan, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN R. HATTERY, *Chairman*.

Ordered passed on file.

Senator Sharp submitted the following report:

MR. PRESIDENT: Your committee on public lands and buildings to which was referred **Senate File 393**, a bill for an act authorizing a patent to issue to the southeast quarter (SE $\frac{1}{4}$ ) of the southeast quarter (SE $\frac{1}{4}$ ) of section nine (9), township seventy-one (71) north, range eighteen (18), west of the fifth (5th) principal meridian, Monroe County, 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.

Also:

MR. PRESIDENT: Your committee on public lands and buildings to which was referred **Senate File 443**, a bill for an act relating to the control of the assignment of rooms in the capitol building by the executive council, and to amend section nineteen point fifteen (19.15), Code 1950, 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 Colburn submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 354**, a bill for an act to be known as the "Iowa Civil Defense Act of 1951", 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 354 by inserting after the word "general" in line 2 of section 29 the words "revenue reserve".

Further amend Senate File 354 by striking the words and figures "two hundred fifty thousand dollars (\$250,000)" in lines 3 and 4 of section 29 and inserting in lieu thereof the words and figures "one hundred seventy-five thousand dollars (\$175,000)".

Further amend by inserting after the word "general" in line 2 of section 30 the words "revenue reserve".

Further amend by striking the words and figures "five hundred thousand dollars (\$500,000)" in line 4 of section 30 and inserting in lieu thereof the words and figures "two hundred fifty thousand dollars (\$250,000)".

JAY C. COLBURN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 491**, a bill for an act making appropriation to defray expense of inaugural ceremonies, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAY C. COLBURN, *Chairman*.

Ordered passed on file.

Senator Weichman submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **House File 422**, a bill for an act relating to the compensation of county officers and deputies, assistants and clerks, 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 House File 422, section 3, by striking from line 13 the word "fifty".

2. Further amend section 3 by striking from line 15 the word "thirty-eight" and inserting in lieu thereof the word "thirty-seven".

3. Further amend section 3 by striking from line 17 the words "thirty-nine hundred fifty" and inserting in lieu thereof the words "thirty-eight hundred".

4. Further amend section 3 by striking from line 19 the word "forty-one" and inserting in lieu thereof the word "thirty-nine".

5. Further amend section 3 by striking from line 21 the words "forty-two hundred fifty" and inserting in lieu thereof the words "four thousand".

6. Further amend section 3 by inserting from line 23 the word "forty-four" and inserting in lieu thereof the word "forty-two".

7. Further amend section 3 by striking from line 25 the words "forty-seven hundred" and inserting in lieu thereof the words "forty-four hundred fifty".

8. Further amend section 3 by striking from line 27 the words "five thousand" and inserting in lieu thereof the words "forty-six hundred".

9. Further amend section 3 by striking from line 29 the words "fifty-three hundred" and inserting in lieu thereof the words "forty-eight hundred fifty".

10. Further amend section 3 by striking from line 30 the word "fifty-six" and inserting in lieu thereof the word "fifty-two".

11. Further amend House File 422 by striking section 8.

12. Further amend House File 422 by striking section 9.

13. Further amend House File 422, section 4, line 9, by inserting after the word "of" the words "not more than".

14. Further amend House File 422, section 4, line 12, by inserting after the word "of" the words "not more than".

15. Further amend House File 422, section 5, line 11, by striking the word "fifty".

16. Further amend House File 422, section 5, line 13, by striking the word "thirty-eight" and inserting in lieu thereof the word "thirty-seven".

17. Further amend House File 422, section 5, line 15, by striking the words "thirty-nine hundred fifty" and inserting in lieu thereof the words "thirty-eight hundred".

18. Further amend House File 422, section 5, line 17, by striking the word "forty-one" and inserting in lieu thereof the word "thirty-nine".

19. Further amend House File 422, section 5, line 19, by striking the words "forty-two hundred fifty" and inserting in lieu thereof the words "four thousand".

20. Further amend House File 422, section 5, line 21, by striking the word "forty-four" and inserting in lieu thereof the word "forty-two".

21. Further amend House File 422, section 5, line 23, by striking the words "forty-seven hundred" and inserting in lieu thereof the words "forty-four hundred fifty".

22. Further amend House File 422, section 5, line 25, by striking the words "five thousand" and inserting in lieu thereof the words "forty-six hundred".

23. Further amend House File 422, section 5, line 27, by striking the words "fifty-three hundred" and inserting in lieu thereof the words "forty-eight hundred fifty".

24. Further amend House File 422, section 5, line 29, by striking the word "fifty-eight" and inserting in lieu thereof the word "fifty-two".

Further amend House File 422, section 5, lines 30 and 31, by striking the word "sixty-eight" and inserting in lieu thereof the word "sixty-four".

25. Further amend House File 422, section 6, line 7, by inserting after the word "of" the words "not more than".

26. Further amend House File 422, section 6, by striking lines 9 to 11, inclusive, and inserting in lieu thereof the following:

"2. All other deputy sheriffs shall receive an annual salary as fixed by the board of supervisors, but not to exceed the salaries of the first and second deputies."

27. Further amend House File 422, section 6, by striking lines 12 to 14, inclusive.

28. Further amend House File 422, section 7, line 6, by inserting after the word "receive" the words "not more than".

29. Further amend House File 422, section 7, lines 7 and 8, by changing the comma (,) after the word "principal" in line 7 to a period (.) and striking the remainder of the sentence.

30. Further amend House File 422 by striking section 10.

31. Further amend House File 422 by striking section 11 and inserting in lieu thereof the following:

"Sec. 11. Section three hundred forty point seven (340.7), Code 1950, is hereby amended by striking from line three (3) of subsection sixteen (16) the word "three" and inserting in lieu thereof the word "six".

32. Further amend House File 422 by striking section 12.

33. Further amend House File 422 by striking section 13.

34. Further amend House File 422 by striking section 14.

35. Further amend House File 422 by adding the following as a new section:

"The board of supervisors of each county shall determine the opening and closing hours of all county offices."

36. Further amend House File 422 by renumbering all sections where necessary.

H. E. WEICHMAN, *Chairman.*

Ordered passed on file.

#### AMENDMENTS FILED

1. Amend the title to Senate File 307 by striking the period (.) following the word "dollars" in line 4 and adding the following: " , and to amend section three hundred twenty-one point two hundred eleven (321.211), Code 1950, and section three hundred twenty-one A point two (321A.2), Code 1950, relating to departmental hearings."

2. Further amend Senate File 307 by adding thereto the following new sections:

Sec. 2. Section three hundred twenty-one point two hundred eleven (321.211), Code 1950, is hereby amended by inserting after the period (.) following the word "licensee" in line seventeen (17) the following:

"No peace officer or other witness produced by the licensee to testify on his behalf shall be paid a witness fee or mileage by the department; nor shall any peace officer, public official or public employee called to appear for the department be paid any witness fee or mileage by the department. Other witnesses shall receive the same fees and mileage as are allowed witnesses in district courts in civil cases, payable from funds appropriated to the department upon certification by the commissioner that such fees are true and correct."

Sec. 3. Section three hundred twenty-one A point two (321A.2), Code 1950, is hereby amended by adding to subsection one (1) thereof the following:

"No peace officer or other witness produced by the person requesting such hearing to testify on his behalf shall be paid a witness fee or mileage by the department; nor shall any peace officer, public official or public employee called to appear for the department be paid any witness fee or mileage by the department. Other witnesses shall receive the same fees and mileage as are allowed witnesses in district courts in civil cases, payable from funds appropriated to the department upon certification by the commissioner that such fees are true and correct."

JOHN R. HATTERY.

JOHN P. BERG.

Amend Senate File 476 by inserting immediately after the title and just before the enacting clause the following:

"Whereas, one or more states has adopted statutes

discriminating against the residents of the State of Iowa with respect to privileges under hunting licenses issued by such states so that residents of the State of Iowa obtaining nonresident licenses in any such state are given fewer privileges than the residents of such other state or states, especially in respect to the taking of upland game birds and migratory waterfowl, and

“Whereas, it is the purpose of this act to prohibit the issuance of either a hunting or fishing license to the residents of such other state or states discriminating against residents of this state, and

“Whereas, it is hereby declared to be the intention and policy of the General Assembly of the State of Iowa to limit the scope of this enactment and to apply this enactment only as it may affect the taking of upland game birds, migratory waterfowl and fish,

“Now, Therefore:”.

DE VERE WATSON.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 20, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend George Steele, pastor of the First Presbyterian Church, Cedar Falls, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Colburn for the day on request of Senator Doud.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Anderson, from residents of Washington County favoring supplemental and state aid to schools.

By Senator Berg, from residents of Black Hawk County favoring the enforcement of liquor laws; also, from members of the Daughters of Union Veterans' Tent 58, Waterloo, and the American Legion Auxiliary Unit 237, Cedar Falls, favoring legislation relating to the Soldiers' Home at Marshalltown.

By Senator Byers, from residents of Linn County favoring an increase in state aid to schools.

By Senator Dailey, from members of the North End Boating Association of Burlington, Des Moines County, in opposition to any change in the administration of the conservation commission.

By Senator Hart, from members of the American Institute of Architects favoring the establishment of a state engineering and architectural library.

By Senator Hedin, from residents of Scott County favoring an increase in state aid to schools.

By Senator Lynes, from members of Avery-Slight Post 393, American Legion Auxiliary, Shell Rock, Butler County, favoring legislation relating to the Soldiers' Home at Marshalltown.

By Senator Oltman, from residents of Buena Vista County favoring an increase in state aid to schools.

By Senator Utzig, from county officers of Des Moines County favoring an increase in salaries for county officials.

## INTRODUCTION OF BILL

Senate File 484, by committee on compensation of public officers and employees, a bill for an act to appropriate from the general fund of the State of Iowa for the period from July 4, 1949, to June 30, 1951, funds for the purpose of paying the contribution by the state to the peace officer's retirement system, as authorized by law but not previously appropriated.

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

## PRESENTATION OF VISITORS

Senator Tudor asked and received unanimous consent to present to the Senate twenty students of the West Branch School who were present in the balcony with their principal, Fred Siekmann.

Senator Whitehead asked and received unanimous consent to present to the Senate thirty-four members of the Guthrie Center Junior High School who were present in the balcony with Charles Neubauer and L. C. Moiser.

## UNFINISHED BUSINESS

On motion of Senator McCarville, Senate File 89, a bill for an act to amend section four hundred seventy-seven point twenty-two (477.22), Code 1950, relating to headlights for rail employees when using track power cars at night, was taken up for further consideration.

Senator McCarville offered the following amendment and moved its adoption:

1. Amend the title to Senate File 89 by striking all after the word "Act" and inserting in lieu thereof the following:

"to amend sections four hundred seventy-seven point twenty-two (477.22) and four hundred seventy-seven point twenty-five (477.25), Code 1950, relating to headlights for railroad locomotives, power vehicles, power cars and other equivalent equipment."

2. Further amend Senate File 89 by striking all of section 1 and inserting in lieu thereof the following sections:

"Section 1. Section four hundred seventy-seven point twenty-two (477.22), Code 1950, is amended and revised and codified to read as follows: 'Headlights. It shall be the duty of every person, firm, or corporation owning or operating any line of railway within the state, except lines under twenty miles in length operated wholly within this state, to equip all locomotives, power vehicles, power cars, or other equipment



used as the equivalent of or in place of a locomotive, when used in the transportation of passengers, employees or freight, with a headlight of sufficient candle power, measured with a reflector, to throw a light in clear weather that will enable the operator of same to plainly discern an object the size of a man lying prone on the track at a distance of eleven hundred feet from the headlight, and thereafter to maintain and use such headlights upon every such locomotive, vehicle, car, or other equipment; provided, however, that track power cars when used during the nighttime by employees in the performance of work shall be equipped with an electric headlight of sufficient candle power, measured with a reflector to throw a light in clear weather that will enable the operator to see an obstruction on the track for a distance of five hundred (500) feet.'

"Sec. 2. Section four hundred seventy-seven point twenty-five (477.25), Code 1950, is amended by inserting after the word 'locomotive' in line four (4) the words 'or track power work car'.

"Sec. 3. This act shall not be effective until January 1, 1952."

The amendment was adopted.

Senator Berg asked and received unanimous consent to withdraw the committee amendment to Senate File 89 filed and found on page 499 of the Senate Journal.

Senator McCarville asked and received unanimous consent that House File 81 be substituted for Senate File 89.

On motion of Senator McCarville, House File 81, a bill for an act to amend section four hundred seventy-seven point twenty-two (477.22) and section four hundred seventy-seven point twenty-five (477.25), Code 1950, relating to headlights for railroad locomotives, power vehicles, power cars and other equivalent equipment, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator McCarville moved that the bill be read a third 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:

Anderson	Hattery	Myrland	Van Eaton
Augustine	Hedin	Nesmith	Van Patten
Bateson	Henningsen	Oltman	Vest
Bekman	Hultman	O'Malley	Walter
Berg	Humbert	Parker	Watson of
Byers	Jacobson	Prentis	O'Brien
Dailey	Linnevoold	Ridout	Watson of
Dykhouse	Lord	Risk	Pottawattamie
Elthon	Lynes	Roberts	Weichman
Fishbaugh	McCarville	Sharp	West
Fletcher	Mercer	Tudor	Whitehead
Gillespie	Molison	Utzig	Zastrow
Hart			

Nays, none.

Absent or not voting, 3:

Colburn                      Doud                      Knudson

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

#### BILL WITHDRAWN

Senator McCarville asked and received unanimous consent to withdraw Senate File 89 from further consideration of the Senate.

On motion of Senator Fishbaugh, Senate File 158, a bill for an act relating to open-cut or strip mines for the production of coal and providing that anyone so engaged shall pay a tonnage tax guaranteeing the replacement of surface soil and loss of tax revenue and for the enforcement thereof, was taken up for further consideration.

Senator Fishbaugh raised the point of order that the amendment to Senate File 158 filed by Senators Bekman, Doud, McCarville, Hattery and Bateson, and found on pages 701 and 702 of the Senate Journal, was out of order for the reason that the previous question on the bill had been put and adopted.

The Chair ruled the point well taken and the amendment out of order.

Senator Fishbaugh asked unanimous consent to file an amendment to Senate File 158 at the request of Senator Knudson.

Objection was raised.

Senator Fishbaugh moved that the bill be read a third time.

Senator McCarville moved as a substitute motion that Senate File 158 be referred to the committee on conservation for study, public hearing and recommendation.

Senator Fishbaugh raised the point of order that the substitute motion was out of order for the reason that the motion for the third reading of the bill having been put the bill was not subject to amendment.

The Chair ruled the point well taken.

Senator Fishbaugh moved that the bill be read a third 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:

Anderson	Hattery	Molison	Tudor
Augustine	Hedin	Myrland	Utzig
Bateson	Henningsen	Nesmith	Van Eaton
Berg	Hultman	O'Malley	Van Patten
Dailey	Humbert	Parker	Vest
Doud	Jacobson	Prentis	Walter
Dykhouse	Knudson	Ridout	Watson of
Elthon	Linnevold	Risk	O'Brien
Fishbaugh	Lord	Roberts	Weichman
Fletcher	Mercer	Sharp	West
Gillespie			

Nays, 8:

Bekman	McCarville	Watson of	Whitehead
Byers	Oltman	Pottawattamie	Zastrow
Lynes			

Absent or not voting, 2:

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

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

#### EXPLANATION OF VOTE

I have opposed the passage of Senate File 158 relating to the regulation of strip mining operations because I am convinced that this bill is neither a complete nor a comprehensive answer to the problem of regulation of strip mining within the State of Iowa. I am very much interested in this question from the conservation viewpoint. Much careful consideration should be given to the conservation of our soil in all mining areas within the state. The bill completely ignores the urgent need for conservation except in the coal mining areas. The provisions of the bill would seem to be burdensome to industry and a latter extension of the provisions of this bill to the regulation of strip mining in gypsum, limestone, gravel, clay and other industries would be much more harmful than beneficial. My interest in and enthusiasm for conservation does not extend to the point that I can agree to any legislation which will ultimately make it more profitable to mine gypsum and other mineral resources outside of the State of Iowa rather than within the state. There is now pending before the Senate a resolution to study and survey the matter of regulating strip mining on a state-wide basis and I am firmly convinced that we should not pass any legislation upon this subject in the absence of such a study and survey.

PAUL E. MCCARVILLE.

## THIRD READING OF BILLS

On motion of Senator Bekman, Senate File 50, a bill for an act to amend section four hundred fifty point fifty-nine (450.59), Code 1950, relating to jurisdiction of the court in the release of real or personal property from the lien of inheritance tax, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bekman offered the following amendment filed by Senators Bekman, Jacobson and McCarville and moved its adoption:

Amend Senate File 50 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. The court may, upon satisfactory showing and on notice to the state tax commission by registered mail or personal service and on such other notice to other parties who may be affected by the release of the lien as the court may prescribe, make an order releasing any item of real estate including a deferred estate or remainder interest therein or personal property from the lien of the tax imposed by this chapter; provided that the payment of the tax as fixed by the state tax commission on the specific item of property released, or the determination by the court that other property subject to the lien of the tax to be released constitutes good and sufficient security for the payment of the tax, or an arrangement or adjustment fixed by the court which will be fair and equitable to all parties affected and which will assure the payment of the tax shall constitute a satisfactory showing.

Senator Lord took the chair at 11:00 a.m.

The amendment was adopted.

Senator Bekman asked and received unanimous consent to withdraw the amendment filed to Senate File 50 and found on page 476 of the Senate Journal.

Senator Bekman offered the following amendment and moved its adoption:

Amend the title to Senate File 50 by striking from lines 1 and 2 the following: "to amend section four hundred fifty point fifty-nine (450.59), Code 1950,".

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:

Anderson	Hedin	Myrland	Van Eaton
Augustine	Henningsen	Nesmith	Van Patten
Bekman	Hultman	Oltman	Vest
Berg	Humbert	O'Malley	Walter
Byers	Jacobson	Parker	Watson of
Dailey	Knudson	Prentis	O'Brien
Doud	Linnevoid	Ridout	Watson of
Dykhouse	Lord	Risk	Pottawattamie
Elthon	Lynes	Roberts	Weichman
Fletcher	McCarville	Sharp	West
Gillespie	Mercer	Tudor	Whitehead
Hart	Molison	Utzig	Zastrow
Hattery			

Nays, none.

Absent or not voting, 3:

Bateson	Colburn	Fishbaugh
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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.

On motion of Senator O'Malley, Senate File 125, a bill for an act to amend section two hundred seventy-nine point thirteen (279.13), Code 1950, relating to teachers' contracts and section two hundred sixty point ten (260.10), Code 1950, relating to the issuance of teachers' certificates by the board of educational examiners to foreign applicants and providing for the exchange of teachers between school districts and other schools, and providing for necessary regulations and rules governing the same, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator O'Malley moved that the bill be read a third 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:

Anderson	Hattery	Myrland	Van Eaton
Augustine	Hedin	Nesmith	Van Patten
Bateson	Henningsen	Oltman	Vest
Bekman	Hultman	O'Malley	Walter
Berg	Humbert	Parker	Watson of
Byers	Jacobson	Prentis	O'Brien
Dailey	Linnevoid	Ridout	Watson of
Dykhouse	Lord	Risk	Pattawattamie
Elthon	Lynes	Roberts	Weichman
Fishbaugh	McCarville	Sharp	West
Fletcher	Mercer	Tudor	Whitehead
Gillespie	Molison	Utzig	Zastrow
Hart			

Nays, none.

Absent or not voting, 3:

Colburn                      Doud                      Knudson

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

On motion of Senator Bekman, Senate File 169, a bill for an act to amend section six hundred thirty-eight point twenty-five (638.25), Code 1950, relating to expenses and extraordinary services in probate matters, 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, 40:

Bateson	Henningsen	Nesmith	Van Eaton
Bekman	Hultman	Oltman	Vest
Berg	Humbert	O'Malley	Watson of
Byers	Jacobson	Parker	O'Brien
Dailey	Linnevold	Prentis	Watson of
Elthon	Lord	Risk	Pottawattamie
Fishbaugh	Lynes	Roberts	Weichman
Fletcher	McCarville	Sharp	West
Hart	Mercer	Tudor	Whitehead
Hattery	Molison	Utzig	Zastrow
Hedin	Myrland		

Nays, 1:

Gillespie

Absent or not voting, 9:

Anderson	Doud	Knudson	Van Patten
Augustine	Dykhous	Ridout	Walter
Colburn			

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

On motion of Senator Dailey, Senate File 174, a bill for an act to amend section six hundred sixty-eight point thirty-three (668.33), Code 1950, relating to the termination of exhausted guardianships, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Dailey asked and received unanimous consent that House File 200 be substituted for Senate File 174.

On motion of Senator Dailey, House File 200, a bill for an act to amend section six hundred sixty-eight point thirty-three

(668.33), Code 1950, relating to the termination of exhausted guardianships, was taken up, and considered.

Senator Dailey moved that the bill be read a third 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:

Anderson	Hart	Molison	Utzig
Augustine	Hattery	Myrland	Van Eaton
Bateson	Hedin	Nesmith	Van Patten
Bekman	Henningsen	Oltman	Vest
Berg	Hultman	O'Malley	Walter
Dailey	Humbert	Parker	Watson of
Doud	Jacobson	Prentis	O'Brien
Dykhouse	Linnevold	Ridout	Weichman
Elthon	Lord	Risk	West
Fishbaugh	Lynes	Roberts	Whitehead
Fletcher	McCarville	Sharp	Zastrow
Gillespie	Mercer	Tudor	

Nays, none.

Absent or not voting, 4:

Byers	Colburn	Knudson	Watson of Pottawattamie
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

#### BILL WITHDRAWN

Senator Dailey asked and received unanimous consent that Senate File 174 be withdrawn from further consideration of the Senate.

On motion of Senator Vest, Senate File 176, a bill for an act to amend section six hundred sixty-eight point three (668.3), Code 1950, relating to the appointment of a guardian for a minor owning property, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Vest asked and received unanimous consent that House File 199 be substituted for Senate File 176.

On motion of Senator Vest, House File 199, a bill for an act to amend section six hundred sixty-eight point three (668.3), Code 1950, relating to the appointment of a guardian for a minor owning property, was taken up, and considered.

Senator Vest moved that the bill be read a third 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:

Anderson	Hart	Myrland	Van Eaton
Augustine	Hattery	Nesmith	Van Patten
Bateson	Hedin	Oltman	Vest
Bekman	Henningsen	O'Malley	Walter
Berg	Hultman	Parker	Watson of
Byers	Humbert	Prentis	O'Brien
Dailey	Jacobson	Ridout	Watson of
Doud	Linnevoid	Risk	Pottawattamie
Dykhouse	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	West
Fishbaugh	McCarville	Tudor	Whitehead
Fletcher	Mercer	Utzig	Zastrow
Gillespie	Molison		

Nays, none.

Absent or not voting, 2:

Colburn                      Knudson

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

#### BILL WITHDRAWN

Senator Vest asked and received unanimous consent that Senate File 176 be withdrawn from further consideration of the Senate.

#### SENATE CONCURRENT RESOLUTION 14

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

#### SENATE CONCURRENT RESOLUTION 14

By McCarville

*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 23, during the hours of twelve to three o'clock, out of reverence to the passion and death of our Lord.

The motion prevailed, and the resolution was adopted.

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

Senate Concurrent Resolution 10, relating to motor vehicle accidents on Iowa highways.

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

House Concurrent Resolution 19, memorializing Congress to repeal or amend federal highway act relating to the use of gasoline and motor fuel taxation for highway building.

Also: That the House has concurred in Senate amendments to and passed House File 597, a bill for an act making an appropriation for school lunch program to department of public instruction.

Also: That the House has concurred in Senate amendments to and passed House File 598, a bill for an act making an appropriation for specified school aid to the department of public instruction.

Also: That the House has concurred in Senate amendments to and passed House File 599, a bill for an act making an appropriation for state aid for transportation to department of public instruction.

Also: That the House has concurred in Senate amendments to and passed House File 600, a bill for an act making an appropriation for supplemental aid to certain school districts to department of public instruction.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE CONCURRENT RESOLUTION 19

A concurrent resolution memorializing and petitioning Congress to repeal or amend the Federal Highway Act so as to give the states the sole right of gasoline and motor fuel taxation for highway building, or to prohibit the diversion of revenue received from federal gasoline and motor fuel taxes, and/or to provide for an increased federal matching ratio so that all such revenue will be returned to the states and used for road development.

*Whereas*, the area of gasoline and motor fuel taxes is very logically a state area of taxation and therefore should be definitely vacated by the Federal Government in favor of the several states but if such cannot be immediately accomplished, we therefore recommend and petition for the following, and

*Whereas*, the responsibility for building and maintaining roads and highways has traditionally been a state responsibility, and

*Whereas*, in 1934, Congress, in effect, said that, since it is unfair to tax the user of the highways unless the revenue from such tax be used for road improvements, any state that diverts highway motor-user taxes will be penalized under the Federal Highway Act, and

*Whereas*, in order to comply with the requirements of such Federal Highway Act, Iowa adopted, as part of its constitution, section eight (8)

of Article seven (VII) which required that all motor vehicle registration fees and all licenses and excise taxes on motor vehicle fuel, except cost of administration, shall be used exclusively for the construction, maintenance and supervision of the public highways exclusively within the state or for the payment of bonds issued or to be issued for the construction of such public highways and the payment of interest on such bonds, and

*Whereas*, other states have, in similar manner or by statute, prohibited the diversion of highway motor-user taxes to other than road improvement uses, and

*Whereas*, the Federal Government itself now diverts a large per cent of the income which it receives from motor-user excise taxes, having in 1949 returned to the states only about four hundred million dollars out of 1.3 billion dollars it so received, this according to an interview with Thomas H. McDonald, U. S. Commission of Public Roads, in the December 29, 1950, issue of the United States News and World Report, and

*Whereas*, because of increased governmental costs, many states are unable to raise sufficient funds with which to match federal funds allowed for highway construction, even though some states are and have been allotted additional matching aid, by reason of the inability of other states to match their allotments, and

*Whereas*, it appears some states are and have been unable, on a fifty-fifty matching basis, to raise sufficient funds to use more than a third of the federal tax collected from motor users, so that two-thirds of the revenue received from this federal motor-user tax is being and has been diverted by the Federal Government to other uses than road improvement, this directly contrary to the requirements imposed by Congress upon the states by the Federal Highway Act, and

*Whereas*, there is increasingly imperative need for additional highway construction and reconstruction to bring even a small percentage of highways up to standards required by present day traffic, and to insure their military use in time of national emergency, and

*Whereas*, much desperately needed additional highway construction and reconstruction could be made, if the two-thirds of the federal motor-user taxes, now being diverted to other uses, could be used for the purpose for which they were intended and for which Congress has required that similar funds in the states be used,

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

That the Fifty-fourth General Assembly of the State of Iowa respectfully petitions the Congress of the United States to repeal the federal highway gasoline and motor fuel taxes or to amend the Federal Highway Act so as to prohibit the diverting of federal gasoline and motor fuel taxes to any other purpose than that of road development, and further to amend the act to provide for an increased ratio of federal funds compared with state funds, so that all federal motor-user taxes be used for the development of roads, that, instead of matching state funds, raised for such purpose, dollar for dollar, the Federal Government match state funds on the basis of three dollars to one dollar.

*Be It Further Resolved*, that a duly attested copy of this concurrent resolution be sent by the Chief Clerk of the House of Representatives to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, to the Senators and Representatives in Congress from the State of Iowa, to the Secretary of the Interior, to the United States Commissioner of Public Roads, and to the Secretary of the Senate and to the Clerk of the House of Representatives of all other legislative assemblies now in session.

· On motion of Senator Elthon, the Senate recessed until 1:00 p.m.

### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File 60, a bill for an act to permit trolling from power and sail boats.

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

House File 409, a bill for an act relating to the condemnation of land by the highway commission.

A. C. GUSTAFSON, *Chief Clerk.*

### HOUSE AMENDMENTS TO SENATE FILE 60

Amend section 2, line 7, by striking the word and figures "fifty (50)" and inserting in lieu thereof the words and figures "one hundred (100)".

Further amend Senate File 60 by adding thereto the following as section three (3):

"Sec. 3. This act being deemed of immediate importance shall be in full force and effect upon its passage and publication in *The Sheldon Mail*, a newspaper published at Sheldon, Iowa, and in *The Thompson Courier*, a newspaper published at Thompson, Iowa."

### HOUSE MESSAGE CONSIDERED

House File 409, a bill for an act to amend section three hundred thirteen point twenty-five (313.25), Code 1950, relating to the condemnation of land by the highway commission.

Read first and second times, and passed on file.

## PRESENTATION OF VISITORS

Senator Tudor asked and received unanimoos consent to present to the Senate nine members of the senior class in government of the Stanwood High School who were present in the balcony with their superintendent, Mr. Putnam.

## HOUSE AMENDMENTS CONSIDERED

Senator Dykhouse called up for consideration Senate File 60, a bill for an act to permit trolling from power boats and sail boats on the waters of the State of Iowa where the use of outboard motors is permitted, amended by the House, and moved that the Senate concur in the following amendments:

Amend section 2, line 7, by striking the word and figures "fifty (50)" and inserting in lieu thereof the words and figures "one hundred (100)".

Further amend Senate File 60 by adding thereto the following as section three (3):

"Sec. 3. This act being deemed of immediate importance shall be in full force and effect upon its passage and publication in The Sheldon Mail, a newspaper published at Sheldon, Iowa, and in The Thompson Courier, a newspaper published at Thompson, Iowa."

The Senate concurred in the House amendments.

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

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

Ayes, 46:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Myrland	Van Eaton
Bateson	Hattery	Nesmith	Van Patten
Bekman	Hedin	Oltman	Vest
Berg	Henningsen	O'Malley	Walter
Byers	Hultman	Parker	Watson of
Dailey	Jacobson	Prentis	O'Brien
Doud	Knudson	Ridout	Watson of
Dykhouse	Linnevold	Risk	Pottawattamie
Elthon	Lord	Roberts	Weichman
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

Nays, none.

Absent or not voting, 4:

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

## THIRD READING OF BILLS

On motion of Senator Vest, Senate File 109, a bill for an act to amend section three hundred fifty-nine point thirty-five (359.35), Code 1950, relating to use of cemetery funds by township trustees, 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 109 by inserting in line 7 after the word "trustees" the following: "of the township where the cemetery is located"

The amendment was adopted.

Senator Vest asked and received unanimous consent to withdraw the amendment to Senate File 109, filed by him, and found on page 270 of the Senate Journal.

Senator Vest offered the following amendment and moved its adoption:

Amend Senate File 109 by striking from line 6 the word "public" and inserting in lieu thereof the word "township".

The amendment was adopted.

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

On the question "Shall the bill pass?"

Ayes, 40:

Anderson	Gillespie	Molison	Utzig
Augustine	Hart	Nesmith	Van Eaton
Bateson	Hattery	Oltman	Vest
Bekman	Hedin	O'Malley	Watson of
Berg	Hultman	Parker	O'Brien
Byers	Jacobson	Prentis	Watson of
Dailey	Linnevoold	Risk	Pottawatamie
Doud	Lord	Roberts	Weichman
Dykhouse	Lynes	Sharp	West
Elthon	McCarville	Tudor	Zastrow
Fletcher	Mercer		

Nays, none.

Absent or not voting, 10:

Colburn	Humbert	Ridout	Walter
Fishbaugh	Knudson	Van Patten	Whitehead
Henningsen	Myrland		

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

## SENATE FILE 464 RE-REFERRED

Senator Lord asked and received unanimous consent that Senate File 464 be re-referred to the committee on social security.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 400.

JAMES H. NESMITH, *Chairman Senate Committee.*

ELMER A. BASS, *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 400.

## BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following bills assigned to committee:

H. F. 142	Cities and towns
H. F. 178	Military affairs
H. F. 236	Judiciary 2
H. F. 244	Schools and educational institutions
H. F. 271	Judiciary 2
H. F. 287	Cities and towns
H. F. 339	Judiciary 1
H. F. 357	Tax revision
H. F. 360	Highways
H. F. 376	Judiciary 2
H. F. 391	Public lands and buildings
H. F. 408	Highways
H. F. 409	Highways
H. F. 426	Conservation
H. F. 430	Highways
H. F. 478	Social security
H. F. 494	Social security
H. F. 495	Social security
H. F. 605	Judiciary 1
H.J.R. 10	Social security

## REPORTS OF COMMITTEES

Senator Parker submitted the following report:

MR. PRESIDENT: Your committee on public health to which was referred **Senate File 183**, a bill for an act to repeal chapter three hundred thirty-nine (339), Code 1950, relating to coroners, and to enact in lieu thereof a substitute creating a board on post-mortem examinations and to prescribe the board's duties, powers and functions; to provide for the appointment of a chief medical referee, his qualifications, powers, duties and functions and a central office and laboratory; to provide for the appointment of county medical referees, their qualifications, powers, duties and functions; and to make an appropriation from the general fund, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

EDWARD S. PARKER, *Chairman.*

Ordered passed on file.

Senator Prentis submitted the following report:

MR. PRESIDENT: Your committee on governmental affairs to which was referred **Senate File 148**, a bill for an act to create a legislative council for the State of Iowa, describing its membership, prescribing its powers and duties, establishing a research and bill drafting service as a part thereof, and to make an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same **do pass.**

X. T. PRENTIS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on governmental affairs to which was referred **Senate File 419**, a bill for an act fixing the number of senators in the general assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the state into senatorial districts, begs leave to report it has had the same under consideration and recommends the same **do pass.**

X. T. PRENTIS, *Chairman.*

Ordered passed on file.

Senator Watson of O'Brien submitted the following report:

MR. PRESIDENT: Your committee on highways to which was referred **Senate File 388**, a bill for an act to amend section three hundred six point forty-seven (306.47), Code 1950, with reference to fees to be paid in laying out public highways, begs leave to report it has had the same under consideration and recommends the same **do pass.**

HARRY E. WATSON, *Chairman.*

Ordered passed on file.

Senator Knudson submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred **Senate File 431**, a bill for an act to amend subsection two (2) of section four hundred twenty-seven point one (427.1), Code 1950, relating to the exemption from taxation of municipal and military property, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HERMAN M. KNUDSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred **Senate File 434**, a bill for an act to amend section four hundred twenty-seven point one (427.1), Code 1950, relating to property exempt from taxation, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HERMAN M. KNUDSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred **Senate File 436**, a bill for an act to amend section four hundred twenty-seven point three (427.3), Code 1950, to exempt members of a reserve component of the armed forces of the United States from payment of poll tax, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HERMAN M. KNUDSON, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

1. Amend Senate File 175 by striking the amendment filed by Henningsen, January 29, 1951, and substituting in lieu thereof the following:

"Sec. 5. Whenever an independent school district embraces a city which attains a population of fifteen thousand as shown by the latest federal census, the five member board shall continue until the regular election in the next odd-numbered year, at which time members to be elected to serve the terms commencing in that year shall be elected for six years, and the terms of the remaining members shall be extended one year for each year which remains in the terms for which they were elected. Two additional members shall be elected whose terms shall end on the expiration date of the term of the member who theretofore had been elected singly."

O. H. HENNINGSEN.

Amend the title to Senate File 183 by striking all after the word "creating" in line 3 and substituting in lieu thereof



the following: "an office of state pathologist and to prescribe his powers and duties; and to prescribe a method for investigating deaths occurring by unlawful means; and to make appropriations from the general fund".

Further amend Senate File 183 by striking all after the enacting clause and substituting in lieu thereof the following:

Chapter three hundred thirty-nine (339), Code 1950, is hereby repealed, and sections one (1) to thirty-four (34), inclusive, hereof enacted in lieu thereof:

Section 1. The office of coroner is hereby abolished. In all cases coming to his attention of persons within his jurisdiction having died in a suspicious, unusual or unnatural manner, or when not attended by a physician during the period of thirty-six (36) hours immediately preceding such death, the county sheriff, or his deputy, shall make prompt investigation of the circumstances surrounding said death and report his finding to the county attorney.

Sec. 2. For the purpose of assisting in said investigation, the sheriff, county attorney, or their deputies, may procure the services of any available licensed medical practitioner within the county. Such physician shall be paid by the county the sum of ten dollars (\$10) for investigation of each such death.

Sec. 3. The commissioner of public safety is hereby authorized to appoint, for a one year period, a state pathologist, at a salary not to exceed five thousand dollars (\$5,000) per year, and to provide adequate facilities and assistance for his practice. Such state pathologist shall be a competent licensed physician, and shall work in cooperation with the chief of the division of criminal investigation.

Sec. 4. Any sheriff, county attorney, or their deputies, or any person related to such decedent by blood or marriage within the second degree, may request the assistance of the state pathologist in determining the cause of such death. When so requested, the state pathologist shall have authority to take possession of such dead body, perform or cause to be performed necessary autopsies, bacteriological and toxicological investigations and make a report thereof to the county attorney of such county and to the attorney general of Iowa.

Sec. 5. No body shall be embalmed or cremated, where the decedent died in a suspicious, unusual or unnatural manner or was unattended by a physician within thirty-six (36) hours prior to his death, until such death has been reported to the sheriff and opportunity for investigation and an autopsy given. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than twenty-five dollars (\$25) or more than one hundred dollars (\$100).

Sec. 6. For the purpose of carrying out the provisions of this act, there is hereby appropriated out of the general fund the sum of ten thousand dollars (\$10,000) or so much

thereof as may be necessary for each year of the biennium July 1, 1952. The money hereby appropriated shall be paid on state warrants issued on vouchers signed by the commissioner of public safety or by such person or persons as may be designated by him.

Sec. 7. Section thirty-nine point seventeen (39.17), Code 1950, is amended by striking from lines four (4) and five (5) the words and commas (,) "a county attorney, and a coroner," and substituting in lieu thereof the words and comma (,) "and a county attorney,".

Sec. 8. Section sixty-four point eight (64.8), Code 1950, is amended by striking from lines three (3) and four (4) the word and comma (,) "coroners,".

Sec. 9. Section eighty-two point one hundred sixteen (82.116), Code 1950, is amended by striking from line five (5) the word "coroner" and substituting the word "sheriff".

Sec. 10. Section eighty-three point thirteen (83.13), Code 1950, is amended by striking from line six (6) the word "coroner" and substituting in lieu thereof the word "sheriff".

Sec. 11. Section one hundred forty-one point five (141.5), Code 1950, is amended by striking from line seven (7) the word "coroner" and substituting the word "sheriff".

Sec. 12. Section one hundred forty-one point six (141.6), Code 1950, is amended by striking from line four (4) the word "coroner", twice appearing, and substituting in lieu thereof in both places the word "sheriff".

Sec. 13. Section one hundred forty-one point fifteen (141.15), Code 1950, is amended by striking from the line five (5) the word "coroner's" and substituting the word "sheriff's".

Sec. 14. Section one hundred forty-one point twenty-four (141.24), Code 1950, is amended by striking from line four (4) the word and comma (,) "coroner,".

Sec. 15. Section one hundred forty-two point three (142.3), Code 1950, is amended by striking from line one (1) the word "coroner" and substituting the word "sheriff".

Sec. 16. Section two hundred twenty-two point thirty-seven (222.37), Code 1950, is amended by striking from lines three (3) and four (4), the words "a coroner's inquest" and substituting the words "a sheriff's investigation".

Sec. 17. Section two hundred twenty-six point thirty-four (226.34), Code 1950, is amended by striking from line one (1) the words "A coroner's inquest" and substituting the words "A sheriff's investigation".

Sec. 18. Section two hundred thirty-eight point twenty-four (238.24), Code 1950, is amended by striking from line ten (10) the words and comma (,) "in a coroner's inquest," and inserting after the word and comma (,) "assembly," in line twelve (12) the word and comma (,) "sheriff,".

Sec. 19. Section three hundred twenty-one point two hundred seventy (321.270), Code 1950, is hereby repealed.

Sec. 20. Section three hundred thirty-three point eleven (333.11), Code 1950, is amended by striking subsection five (5)

from the section and substituting the following subsection:

"5. The expenses of the sheriff in investigating deaths."

Sec. 21. Section three hundred forty point nineteen (340.19), Code 1950, is hereby repealed.

Sec. 22. Section three hundred forty-one point one (341.1), Code 1950, is amended by striking from line three (3) the word and comma (,) "coroner,".

Sec. 23. Section three hundred forty-three point three (343.3), Code 1950, is amended by striking from line two (2) the word and comma (,) "coroner,".

Sec. 24. Section three hundred forty-three point four (343.4), Code 1950, is amended by striking from line two (2) the word and comma (,) "coroner,".

Sec. 25. Section three hundred sixty-eight point six (368.6), Code 1950, is amended by striking from line seven (7) of subsection five (5) the word and comma (,) "coroners,".

Sec. 26. Section six hundred twenty-two point sixty-three (622.63), Code 1950, is amended by striking from line seven (7) the word and comma (,) "coroner,".

Sec. 27. Section seven hundred nine point nine (709.9), Code 1950, is amended by striking from line five (5) the word and comma (,) "coroner,".

Sec. 28. Section seven hundred thirty-nine point nine (739.9), Code 1950, is amended by striking from line one (1), the word and comma (,) "coroner,".

Sec. 29. Section seven hundred forty point five (740.5), Code 1950, is amended by striking from line six (6) the word and comma (,) "coroner,".

Sec. 30. Section seven hundred forty point six (740.6), Code 1950, is amended by striking from line three (3) the word and comma (,) "coroner,".

Sec. 31. Section seven hundred forty-two point three (742.3), Code 1950, is amended by striking from line three (3) the word and comma (,) "coroner,".

Sec. 32. Section eighty-five A point nineteen (85A.19), Code 1950, is amended by striking from line eight (8) the word "coroner" and substituting in lieu thereof the word "sheriff".

Sec. 33. All acts and parts of acts, both general and special, including charters of cities and towns, inconsistent with the provisions of this act, are hereby repealed to the extent of the inconsistency.

ALAN VEST.

1. Amend Senate File 354 by striking from lines five and six of section fourteen the words "not less than one-fourth of one mill and".

2. Further amend Senate File 354 by striking from line thirty of section fourteen the words "not less than one-fourth of one mill and".

JOHN P. BERG.

Amend Senate File 259 by adding to section 8 at the end thereof the following new paragraph:

"No showing of title shall be made prior to January 1, 1900, with the following exceptions which, if of record, shall be shown and included under certification:

- (1) The patent from the United States.
- (2) Copy of the recorded plot.
- (3) Easements, party-wall agreements, decrees or agreements establishing boundaries.
- (4) Uncancelled mortgages where ten (10) years have not elapsed since the due date, and unexpired leases.
- (5) Trusts affecting the realty under certification.

THOMAS J. DAILEY.

Amend Senate File 314 by inserting after "plants," in line 4 of section 2 the following: "waterworks, water mains and extensions,".

JOHN R. HATTERY.  
J. T. DYKHOUSE.

Amend Senate File 354 by striking all of section 30.

R. R. BATESON.  
X. T. PRENTIS.  
R. W. ZASTROW.  
A. H. JACOBSON.

Amend Senate File 354 by striking section 18.

R. R. BATESON.  
R. W. ZASTROW.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 21, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend J. P. Hauter, pastor of the Presbyterian Church, Perry, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Tudor for the day on request of Senator Hultman.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Anderson, from residents of Washington County relating to the licensing of children's boarding homes.

By Senator Augustine, from county officers of Monroe County favoring an increase in salaries for county officials.

By Senator Berg, from members of the city council of Cedar Falls, Black Hawk County, favoring legislation providing for a state building commissioner.

By Senator Hedin, from residents of Scott County favoring reorganization of the department of public instruction; also, from residents of Scott County in opposition to Senate Files 14, 15 and 19, increasing the authority of the state highway commission; also, favoring passage of Senate File 158, pertaining to soil conservation.

By Senator Risk, from members of the Buchanan County Dental Society opposing any change in the appointment of members to the Board of Dental Examiners or the transfer of duties from the Board of Dental Examiners to the Secretary of State.

By Senator Van Patten, from county officers of Warren County favoring an increase in salaries for county officials.

By Senator Whitehead, from county officers of Guthrie County relating to salaries of county officials.

## INTRODUCTION OF BILLS

Senate File 485, by committee on governmental affairs, a bill for an act to eliminate duplication of certain inspections made by the state department of health and the state department of agriculture.

Read first and second times, and placed on the calendar.

Senate File 486, by committee on governmental affairs, a bill for an act to create a department of buildings, equipment and supplies; to provide for its powers, duties and organization; to amend or repeal certain sections of the Code relating to purchases of equipment and supplies and supervision of state owned buildings; and to transfer various powers and duties to said department.

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 325, a bill for an act relating to mines and mining.

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 relating to the weighing of vehicles.

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

Senate Concurrent Resolution 14, providing for adjournment of the Fifty-fourth General Assembly from Thursday afternoon, March 22, to Monday morning, March 26, in order to commemorate Good Friday.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO  
SENATE CONCURRENT RESOLUTION 14

Amend Senate Concurrent Resolution 14 by striking therefrom the last paragraph, and inserting in lieu thereof the following:

*"Be It Resolved by the Senate, the House Concurring:* That when adjournment is had on Thursday afternoon, March 22, it be to reconvene Monday morning, March 26, at 11:00 a. m., out of reverence to the passion and death of our Lord."

## HOUSE AMENDMENTS CONSIDERED

Senator McCarville called up for consideration:

## SENATE CONCURRENT RESOLUTION 14

By McCarville

*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 23, during the hours of twelve to three o'clock, out of reverence to the passion and death of our Lord.

amended by the House, and moved that the Senate concur in the House amendment.

On motion of Senator McCarville, the resolution as amended was adopted.

## HOUSE MESSAGES CONSIDERED

House File 325, a bill for an act to amend chapter eighty-two (82), Code 1950, relating to mines and mining.

Read first and second times, and passed on file.

House File 458, a bill for an act to amend sections three hundred twenty-one point four hundred seventy-six (321.476) and three hundred twenty-one point four hundred seventy-seven (321.477), Code 1950, relating to the weighing of vehicles, and the control of traffic on the highways.

Read first and second times, and passed on file.

## SPECIAL ORDER

Senator Elthon asked and received unanimous consent that House Files 421 and 422 be made a special order of business for 10:30 a.m., Tuesday, March 27, 1951; and at the conclusion of the consideration of House Files 421 and 422 the Senate proceed with the consideration of the "fee" bills on the regular calendar.

## BILL WITHDRAWN

Senator Mercer asked and received unanimous consent that Senate File 426 be withdrawn from further consideration of the Senate.

## THIRD READING OF BILLS

On motion of Senator O'Malley, Senate File 191, a bill for an act to amend section ninety-four point six (94.6), Code 1950, relating to limitation of employment agency fee, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator O'Malley moved that the bill be read a third 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:**

Anderson	Gillespie	McCarville.	Van Eaton
Augustine	Hart	Molison	Van Patten
Bateson	Hattery	Myrland	Vest
Bekman	Hedin	Nesmith	Walter
Berg	Henningsen	Oltman	Watson of
Byers	Hultman	O'Malley	O'Brien
Colburn	Humbert	Parker	Watson of
Dailey	Jacobson	Prentis	Pottawattamie
Dykhouse	Knudson	Risk	West
Elthon	Linnevoid	Roberts	Whitehead
Fishbaugh	Lynes	Utzig	Zastrow
Fletcher			

**Nays, none.****Absent or not voting, 7:**

Doud	Mercer	Sharp	Weichman
Lord	Ridout	Tudor	

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

On motion of Senator Bateson, Senate File 301, a bill for an act to amend section three hundred twenty-one point one (321.1), Code 1950, relating to motor vehicles and law of road, defining chauffeurs, was taken up, and considered.

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

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

**Ayes, 45:**

Augustine	Elthon	Henningsen	Lynes
Bateson	Fishbaugh	Hultman	McCarville
Bekman	Fletcher	Humbert	Mercer
Berg	Gillespie	Jacobson	Molison
Colburn	Hart	Knudson	Myrland
Dailey	Hattery	Linnevoid	Nesmith
Dykhouse	Hedin	Lord	Oltman



O'Malley	Roberts	Vest	Weichman
Parker	Sharp	Watson of	West
Prentis	Utzig	O'Brien	Whitehead
Ridout	Van Eaton	Watson of	Zastrow
Risk	Van Patten	Pottawattamie	

Nays, none.

Absent or not voting, 5:

Anderson	Doud	Tudor	Walter
Byers			

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

### SPECIAL ORDER

The hour of 10:30 a.m. having arrived, the Chair announced the special order for the consideration of Senate Files 212, 314, and 272.

On motion of Senator Dykhouse, Senate File 212, a bill for an act relating to taxation and other sources of municipal revenue, and to repeal chapter four hundred four (404) of the Code relating thereto and enact a substitute therefor, and to repeal certain other sections of the Code relating thereto, and to amend certain sections of the Code relating thereto, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Dykhouse offered the following amendment by Senators Hattery and Dykhouse:

1. Insert the following after the word "funds" in line 9 of section 4: "The books of the corporation shall clearly reflect each sum received from every source, the source of said sum, and the functional fund or other fund in which said sum is placed. Said books shall further reflect in detail, with a separate set of books or a separate column for each allocation within said functional fund, every expenditure from each functional fund and from each allocation within each functional fund, and the payee and purpose of each expenditure. Said books shall further reflect the amount allocated for each particular function within each functional fund and the unencumbered balance of each such allocation and each functional fund. All financial records of the corporation shall be a public record and open to public inspection during business hours."

2. Insert the following after the word "arises" in line 12 of section 5: " , provided, however, that said amendments may not increase such allocations without a two-third (2/3) vote of the body which made the original allocation".

Strike the word and figures "seventeen (17)" in line 17 of section 5 and insert in lieu thereof the word and figures "nineteen (19)".

Further amend said section by inserting after the word "chapter" in line 17 the following: " , subject however, to the approval of the state comptroller. Before such approval is given, the state comptroller shall assure himself that good business practice has been followed and that there is reasonable assurance of prompt, regular payment of the debt in the future."

3. Insert after subsection 11 of section 7 the following new subsection and renumber the remaining subsection:

"12. For the purchase of necessary street equipment and machinery, provided, however, that in no fiscal year more than ten per cent (10%) or twenty thousand dollars (\$20,000), whichever is the greater, of said fund be used for this purpose without the approval of the state comptroller."

4. Strike from line 3 of section 12 the word and figure "three (3)" and insert in lieu thereof the word and figure "five (5)".

5. Insert after section 13 the following new section and renumber the subsequent sections: "Sec. 14. Separate allocations. A separate allocation within each functional fund shall be made for each particular purpose enumerated in the various subsections of sections six (6) to twelve (12), inclusive, and for each particular purpose within each said subsection when for the construction, purchase, or remodeling of any building, or improvements of any type, for the purchase of real estate, machinery, or major equipment, and for each particular purpose within a particular subsection when they are reasonably separable."

6. Insert after the word "equipment" in line 8 of section 30 the following: " , except as provided in subsection twelve (12) of section seven (7)".

7. Insert after the word "repealed" in line 2 of section 53 the following: " , effective December 31, 1951".

8. Insert after section 116 the following new section and renumber the remaining section: "This act shall have its initial application to taxes certified by municipalities in 1951 for collection in 1952. In preparing its budget for 1952 the council shall estimate unencumbered balances according to functional funds as of December 31, 1951."

Senator Dykhouse asked and received unanimous consent to withdraw division 1 of the amendment.

On motion of Senator Dykhouse, divisions 2, 3, 4, 5, 6, 7 and 8 of the amendment were adopted.

Senator Dykhouse offered the following amendment by Senators Hattery and Dykhouse:

Amend Senate File 212 as follows:

1. Insert at the end of section 17 the following:

"The council may cause bonds to be issued for purposes of cemetery purchase, dump ground purchase, grading, street improvement, sewer and purifying plant construction, flood protection, equipping fire departments, airports, and parking lots, providing that the maximum amount of such outstanding bonds at any one time shall be no more than can be retired within twenty years, both as to principal and interest, by a levy not

to exceed five mills, and provided further that the maximum millage levy authorized by section two (2) shall be reduced by whatever such amount is required to be levied in the debt service fund for financing such bonds."

2. Strike all of sections 101 to 109, inclusive.
3. Strike all of sections 115 and 116.
4. Insert the following new section: "Sections four hundred sixteen point one hundred thirty-four (416.134) and four hundred sixteen point one hundred thirty-five (416.135), Code 1950, are hereby repealed."
5. Further amend said Senate File by renumbering the remaining sections.

On motion of Senator Dykhouse, divisions 1, 2, 3, 4 and 5 were adopted.

Senator Dykhouse offered the following amendment by Senators Hattery and Dykhouse:

Amend Senate File 212 as follows:

1. Insert after the words "market place" in line 13 of section 7 the following "and purchase of necessary equipment and machinery therefor".
2. Strike from line 4 of section 10 the word and figure "six (6)" and insert in lieu thereof the word and figure "ten (10)".
3. Strike the semicolon (;) from line 14 of section 10 and insert in lieu thereof the following: ". The board of library trustees shall, on or before the first day of August in each year, make an estimate of the amount it deems necessary for the maintenance of the library and shall transmit said estimate together with a statement of the amount necessary for the purposes authorized by subsection three (3) to the council. In no event shall the amount of tax allocated for maintenance purposes exceed the amount that would be derived from a three mill levy at current valuations, nor shall the amount allocated for purposes of subsection three (3) exceed the amount that would be derived from a levy of three-fourths mill at current valuations."

On motion of Senator Dykhouse, divisions 1, 2 and 3 were adopted.

Senator McCarville offered the following amendment and moved its adoption:

Amend Senate File 212 by inserting in line 8, of section 14, after the word "taxation" the following: ", not to exceed one and one-fourth (1¼) mills in any year,".

The amendment was adopted.

Senator Jacobson took the chair at 11:35 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, 47:**

Anderson	Hart	Mercer	Van Eaton
Augustine	Hattery	Molison	Van Patten
Bateson	Hedin	Myrland	Vest
Bekman	Henningsen	Nesmith	Walter
Berg	Hultman	Oltman	Watson of
Byers	Humbert	Parker	O'Brien
Colburn	Jacobson	Prentis	Watson of
Dailey	Knudson	Ridout	Pottawattamie
Doud	Linnevoid	Risk	Weichman
Dykhous	Lord	Roberts	West
Elthon	Lynes	Sharp	Whitehead
Fletcher	McCarville	Utzig	Zastrow
Gillespie			

**Nays, 1:**

O'Malley

**Absent or not voting, 2:**

Fishbaugh Tudor

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

On motion of Senator Hattery, Senate File 314, a bill for an act relating to special assessment of public improvements in municipal corporations, and to repeal chapters three hundred ninety-one (391), three hundred ninety-one A (391A), and four hundred seventeen (417), Code 1950, relating thereto, and to enact a substitute in lieu thereof, and to repeal certain other sections of the Code relating thereto and to amend certain sections of the Code relating thereto, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hattery asked and received unanimous consent that further action on Senate File 314 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Hattery, Senate File 272, a bill for an act relating to the form and issuance of municipal bonds; to amend certain sections of the Code relating thereto; to repeal certain sections of the Code relating thereto, and to enact a substitute therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hattery offered the following amendment by Senators Hattery and Dykhous:

Amend Senate File 272 as follows:

1. Strike from section 1 all that follows the word "corporations" in line 3 and insert in lieu thereof the following: "except special assessment

bonds and bonds issued under the provisions of chapters three hundred ninety-four (394), three hundred ninety-six (396) and three hundred ninety-seven (397)."

2. Strike from section 2 all of subsection 5 and insert in lieu thereof the following:

"5. The maximum annual rate of tax to be levied for payment of such bonds."

3. Strike from section 6 all of line 13 and insert in lieu thereof the following: "levy a tax not to exceed ..... mills per annum".

Further amend section 6 by striking all of lines 15 to 19, inclusive.

4. Insert after the word "bonds" in line 5 of section 8 the words "and certificates".

5. Strike from lines 5 and 6 of section 9 the words "or bonds anticipating the collection of a tax already levied for the current year".

### PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate eleven members of the eighth grade class of the Runnells Public School who were present in the balcony with their instructor, Henry Geery; also, twenty-six members of the seventh grade United States history class of the Runnells High School who were present in the balcony with their instructor, Charles Shriner.

Senator Byers asked and received unanimous consent to present to the Senate Beverly Clark and Kay Herrboch of the Roosevelt High School of Cedar Rapids and Linn County Republican cheer leaders who were present in the Senate chamber visiting the legislature at the invitation of Governor Beardsley.

Senator Gillespie asked and received unanimous consent to present to the Senate a former member of the Senate from Adair County, the Honorable Lysle Musmaker, who was present in the Senate chamber.

### MEMORIAL RESOLUTION COMMITTEE

Senator Lord moved that the President of the Senate appoint a committee to prepare suitable memorial resolutions for the deceased members of the Senate and former Secretary of the Senate during the past two years.

The motion prevailed and President Nicholas appointed the following committees:

SENATORS	MEMORIAL RESOLUTION COMMITTEE
Jonas D. Buser	Lord Byers Hart
Elmer C. Corwin	Lord Berg Lynes
Joseph E. Doze	Fletcher West Prentis
C. V. Findlay	McCarville Oltman Vest
Fred C. Gilchrist, Sr.	Oltman Byers Watson of Pottawattamie
T. E. Moen	Dykhouse Byers Elthon
Fred Nelson	Hattery Byers Elthon
Charles Rigby	Tudor Byers Mercer
William J. Scarborough	O'Malley Berg Bekman
Frederick C. Schadt	Mercer Byers Weichman
Paul W. Schmidt	Mercer Lord Anderson
John K. Valentine	West Byers Elthon Berg Augustine

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

Senator Hart asked and received unanimous consent that the representatives of the press be invited to attend the executive session.

## EXECUTIVE SESSION

The 21st of March being the birthday of the Senator from Lee, Stanley L. Hart, the Senate in executive session proceeded to celebrate the event in a full and unique style.

Senator Hart asked and received unanimous consent that Senator Lynes act as master of ceremonies, and the following Senators took part in the program: Senators Nesmith, Byers, Watson of Pottawattamie and Mercer. The Songfellows, accompanied by Bill Austin of the WHO entertainment staff, provided some very fine and fitting numbers for the occasion. Senator Hart provided a cheese luncheon which was very well received by the guests. The guests included the members of the Senate, the members of the Senate press and the Honorable W. S. Beardsley, Governor of Iowa.

In closing, Senator Lynes offered the following tribute to our "Stan":

Of all the guys in the Senate clan,  
 Among the best is Lee County's Stan;  
 He's dapper and gay and full of fun, too,  
 And at serious work his share he'll do.  
     The man's big and strong and doesn't worry,  
     He does right well with a shady story.  
     Stan puts plenty of pep in his fun or work,  
     And he goes for the scenery of a pretty clerk.  
 He's had lots of experience from banks to cheese,  
 When chairman of sifting he learned how to squeeze.  
 For a show or a party if you need an M. C.  
 You can't find a better one than our Stan will be.  
     It took his first assembly to find and assume,  
     That the northwest corner was not a committee room.  
     But from then till now he's never late,  
     In case of doubt he calls rule eight.  
 Stan is friendly with all, but he has a twin,  
 The distinguished sage, the Senator from Linn.  
 Whether in dive or pub or aristocratic bower,  
 In their coat lapels you'll find a beautiful flower.  
     And now on this birthday of our Senator brother,  
     Here's hoping he lives for many another.  
     When in future years he thinks of this time,  
     May his worries be few as he recalls the rhyme.

Senator Hart was presented a floral tribute by his loyal constituent John Sarofin, doorkeeper from Lee County.

The Senate arose from executive session.

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

## AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

## PRESENTATION OF VISITORS

Senator Prentis asked and received unanimous consent to present to the Senate the members of the senior class in government of the Creston High School who were present in the balcony with their instructor, Jessie Vanzel.

Senator Prentis also presented Loretta Hawks, a member of the senior class in government of the Creston High School, who was also elected "Mayor" of the 1950 Hawkeye Girls State, a project sponsored by the Iowa Department of the American Legion Auxiliary, and Edna Gillespie, assistant secretary of the Senate, who served as Loretta's "Party Advisor" and member of the board of Hawkeye Girls State.

COMMUNICATION FROM THE GOVERNOR  
STATE OF IOWA

Office of the Governor  
Des Moines

To the Members of the Senate:

Circumstances were such that I had to leave this noon because of a previous engagement, and did not have the opportunity to express my appreciation to the members of the Senate for the courtesy shown me in inviting me to the delightful luncheon and program which was held this day.

I wish to take this means of expressing my appreciation to each and every one of you. As one who served in the Senate in former years, I have a sincere appreciation of the fine spirit of comradeship and fellowship which prevails in the Senate, and it was a rare treat to me to return to the Senate chamber and enjoy the fellowship of this occasion.

My visit brought back many pleasant memories, and I join with you in hearty good wishes to the distinguished Senator from Lee, the Honorable Stanley L. Hart, on the occasion of his birthday party.

Sincerely,

WM. S. BEARDSLEY, *Governor.*

## THIRD READING OF BILLS

The Senate returned to the consideration of Senate File 272 and the amendment filed by Senators Hattery and Dykhouse.

On motion of Senator Hattery, division 1 of the amendment was adopted.



Senator Hattery asked and received unanimous consent to correct division 2 of the amendment by striking the figure "2" and inserting "4".

On motion of Senator Hattery, division 2 of the amendment was adopted.

On motion of Senator Hattery, divisions 3, 4 and 5 of the amendment were adopted.

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

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

Ayes, 46:

Anderson	Gillespie	McCarville	Utzig
Augustine	Hart	Mercer	Van Eaton
Bateson	Hattery	Molison	Van Patten
Bekman	Hedin	Myrland	Vest
Berg	Henningsen	Nesmith	Walter
Byers	Hultman	Oltman	Watson of
Dailey	Humbert	Parker	O'Brien
Doud	Jacobson	Prentis	Watson of
Dykhous	Knudson	Ridout	Pottawattamie
Elthon	Linnevold	Risk	West
Fishbaugh	Lord	Roberts	Whitehead
Fletcher	Lynes	Sharp	Zastrow

Nays, none.

Absent or not voting, 4:

Colburn	O'Malley	Tudor	Weichman
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The bill having received a constitutional majority was declared to have passed the Senate and the title agreed to.

On motion of Senator Van Patten, Senate File 302, a bill for an act to amend section three hundred twenty-one point one hundred nine (321.109), Code 1950, relating to motor vehicles and law of road and transit permits, was taken up, and considered.

Senator Van Patten moved that the bill be read a third 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:

Anderson	Colburn	Fishbaugh	Hedin
Augustine	Dailey	Fletcher	Hultman
Bateson	Doud	Gillespie	Humbert
Bekman	Dykhous	Hart	Jacobson
Byers	Elthon	Hattery	Knudson

Linnevold	Nesmith	Sharp	Watson of
Lord	Oltman	Utzig	O'Brien
Lynes	Parker	Van Eaton	Watson of
McCarville	Prentis	Van Patten	Pottawattamie
Mercer	Ridout	Vest	West
Molison	Risk	Walter	Whitehead
Myrland	Roberts		Zastrow

Nays, none.

Absent or not voting, 5:

Berg	O'Malley	Tudor	Weichman
Henningsen			

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

On motion of Senator McCarville, Senate File 87, a bill for an act to amend section three hundred twenty-one point four hundred sixty-seven (321.467), Code 1950, relating to permits for excess size and weight, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator McCarville offered the following amendment by Senators McCarville, Walter and Weichman:

Amend Senate File 87 by adding thereto the following:

"Provided further that, in an emergency, or very special or unusual cases, or as a means of cooperating with national defense officials, the state highway commission may grant permits for moving oversize or overweight vehicles or objects over the highways for a distance exceeding twenty-five (25) miles, if in the judgment of the commission, such special, unusual, emergency or defense movement is essential."

Senator McCarville asked and received unanimous consent that action on the amendment be deferred.

Senator Weichman offered the following amendment:

Amend Senate File 87 as follows:

1. By striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Section three hundred twenty-one point four hundred sixty-seven (321.467), Code 1950, is hereby amended as follows:

1. By striking all of said section following the word "of" in line nineteen (19) of said section and substituting the following in lieu thereof: "construction machinery, equipment or material for a distance exceeding twenty-five (25) miles if such machinery, equipment or material is to be moved to or from construction projects in this state or is manufactured within this state".

Senator Fishbaugh offered the following amendment to the amendment:

Amend the amendment by striking the period at the end thereof and inserting in lieu thereof: "and if the weight of such machinery and equipment so moved, exclusive of vehicles, does not exceed 40,000 pounds".

Senator McCarville asked and received unanimous consent that further action on Senate File 87 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Van Eaton, Senate File 303, a bill for an act to amend section three hundred twenty-one point three hundred forty-two (321.342), Code 1950, relating to the stopping of vehicles at certain railroad crossings, was taken up, and considered.

Senator Gillespie offered the following amendment and moved its adoption:

Amend Senate File 303 by adding the following section:

Sec. 2. Section three hundred twenty-one point three hundred forty-two (321.342), Code 1950, is further amended by striking from line 3 the word "to" and inserting in lieu thereof the word "shall".

Roll call was demanded.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 20, 1951, the Governor had approved the following bill:

Senate File 203, relating to the reorganization of school districts and changing the boundary lines of school corporations.

#### ADDITIONAL COPIES

Senator Dykhouse asked and received unanimous consent to have printed 500 copies of Senate File 212, as passed by the Senate.

Senator Prentis asked and received unanimous consent to have the following communication printed in the Senate Journal:

St. Ansgar, Iowa.  
March 21, 1951.

Honorable X. T. Prentis,  
State Senator,  
State House,  
Des Moines, Iowa.

Dear Senator Prentis:

It is difficult for me to express in words the appreciation of my sons and myself for the spirit which prompted the introduction and passage of Concurrent Resolution 13 in the Senate on March 14, 1951.

We realize, as you do, that the McKinleys or their potatoes are neither one important. The rights of free enterprise which built our great coun-

try, the rights of individuals within limits of the Constitution, and the Bill of Rights are vital.

A trend of avalanche proportions has developed in this country to accept security from our national government; trading for this security opportunity, freedom and the acceptance of government by directive.

I have been in countries where this trade was carried to its ultimate and inevitable conclusion. Without exception it has ended in loss of both security and opportunity, and the fall of the country involved.

The ancestors of almost all of us came to America to escape oppression. They valued the right to stand erect as dignified individuals as much as they valued life itself.

I see in your action a determination that our children and grandchildren shall have these same rights.

Most sincerely yours,  
H. L. MCKINLEY.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 11, 107, 198, 199, 200, 204, 207, 222, 225, 241, 245, 248, 343, 359, 402 and 468; and House Files 81, 199, 200, 597, 598, 599 and 600.

JAMES H. NESMITH, *Chairman Senate Committee.*  
ELMER A. BASS, *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 11, 107, 198, 199, 200, 204, 207, 222, 225, 241, 245, 248, 343, 359, 402 and 468; and House Files 81, 199, 200, 597, 598, 599 and 600.

#### BILLS SENT TO THE GOVERNOR

Senator Nesmith, 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, 1951, sent to the Governor for his approval: Senate Files 11, 107, 198, 199, 200, 204, 207, 222, 225, 241, 245, 248, 343, 359, 402 and 468.

JAMES H. NESMITH, *Chairman.*

Passed on file.

## BILLS ASSIGNED TO COMMITTEE

President Nicholas announced the following bills assigned to committee:

- S. F. 183 Appropriations
- H. F. 325 Mines and mining
- H. F. 458 Highways

## REPORTS OF COMMITTEES

Senator Hultman submitted the following report:

MR. PRESIDENT: Your committee on conservation to which was referred **Senate File 152**, a bill for an act to amend section three hundred fifty point one (350.1), Code 1950, relating to a bounty for groundhogs, 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.

Also:

MR. PRESIDENT: Your committee on conservation to which was referred **House File 224**, a bill for an act to amend section four hundred sixty-nine point five (469.5) and four hundred sixty-nine point nine (469.9), Code 1950, relating to milldams and races, 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 Doud submitted the following report:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **House File 90**, a bill for an act relating to teachers' contracts and section two hundred sixty point ten (260.10), Code 1950, relating to the issuance of teachers' certificates by the board of educational examiners to foreign applicants and providing for the exchange of teachers between school districts and other schools and providing for necessary regulations and rules governing the same, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ALDEN L. DOUD, *Chairman*.

Ordered passed on file.

Senator Watson of Pottawattamie submitted the following report:

MR. PRESIDENT: Your committee on board of control to which was referred **Senate File 43**, a bill for an act transferring any unallocated bal-

ance of appropriation made by chapter two (2), Acts of the Forty-eighth General Assembly to the state board of control, and any unallocated balance of appropriation made to the state board of control assembly, to the capitol improvement fund created by chapter three (3), Acts of the Fifty-first General Assembly, begs leave to report it has had the same under consideration and recommends the same **do pass**.

DEVERE WATSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on board of control to which was referred **Senate File 295**, a bill for an act relating to expenditures of the board of parole in caring for a court parolee; begs leave to report it has had the same under consideration and recommends the same **do pass**.

DEVERE WATSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on board of control to which was referred **House File 31**, a bill for an act to amend section two hundred twenty-three point sixteen (223.16), Code 1950, to provide for the creation of a lien for the cost of care of inmates in Woodward State Hospital and Glenwood State School, begs leave to report it has had the same under consideration and recommends the same **do pass**.

DEVERE WATSON, *Chairman*.

Ordered passed on file.

Senator Sharp submitted the following report:

MR. PRESIDENT: Your committee on public lands and buildings to which was referred **House File 391**, a bill for an act to amend chapter three hundred sixty (360), Code 1950, to provide for the purchasing of buildings to be used as township halls, 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 Fishbaugh submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate Concurrent Resolution 11**, a resolution making application to the Congress of the United States for the calling of a convention to propose an amendment to the Constitution of the United States, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **House Concurrent Resolution 12**, a resolution that the Congress of the United States be and is hereby petitioned and urged to immediately submit to the several states an amendment to the Constitution of the United States, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 281**, a bill for an act to amend chapter six hundred eighty-two (682), Code 1950, relating to securities and investments of trust funds, to authorize agreements between the principal or principals and surety or sureties for the deposit and joint control of funds and property, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

Amend Senate File 281, by adding after line 17 the following: "The provisions of this section shall in no wise impair the power of the court to order deposits of assets and reductions of bonds pursuant to the provisions of section five hundred thirty-two point three (532.3)."

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 417**, a bill for an act to amend chapter one hundred twenty-three (123), Code 1950, to prevent the Liquor Control Commission from discriminating against a citizen of Iowa and to provide a method of subpoenaing evidence from companies selling liquor or wine to Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **House File 378**, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance of bonds by the Consolidated School District of Union Township, in the County of Plymouth, State of Iowa, for the purpose of building an addition to and making alterations in the existing school building of said school district, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL C. FISHBAUGH, JR., *Chairman*.

Ordered passed on file.

## AMENDMENTS FILED

Amend Senate File 440 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Sections three hundred eighty-seven point one (387.1), three hundred eighty-seven point two (387.2), three hundred eighty-seven point three (387.3), three hundred eighty-seven point six (387.6), three hundred eighty-seven point seven (387.7), three hundred eighty-seven point eight (387.8), three hundred eighty-seven point nine (387.9), three hundred eighty-seven point ten (387.10), three hundred eighty-seven point twelve (387.12), three hundred eighty-seven point thirteen (387.13), three hundred eighty-seven point fourteen (387.14), three hundred eighty-seven point fifteen (387.15) and three hundred eighty-seven point sixteen (387.16), Code 1950, are amended by inserting in each section after the word "viaduct" wherever such word appears in each section the words "or underpass".

Sec. 2. Section three hundred eighty-seven point two (387.2), Code 1950, is amended by inserting in line four (4) after the word "required" the words "of the same railroad company or companies,".

Sec. 3. By adding a new section to chapter three hundred eighty-seven (387) as follows:

"Cities having a population of five thousand or over shall have power to enter into and participate in any agreement, project or plan with any railroad or railroads owning or operating any railroad tracks upon or across any public streets of such city for the elimination or separation of railroad crossings at grade, through the relocating, depressing, elevating or consolidating of existing main line or belt line trackage, and to contribute to or pay a portion of the costs thereof."

JOHN P. BERG.

Amend Senate File 441 by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. Section four hundred seven point three (407.3), Code 1950, is amended by adding the following subsection:

"9. When authorized to do so as provided in section four hundred seven point five (407.5), Code 1950, cities and towns may also incur indebtedness for the purpose of defraying the cost in whole or in part of eliminating railroad grade crossings within the municipality by any method, or for the purpose of deriving funds to be contributed to such cost, or for the purpose of deriving funds with which to pay the damages imposed upon the municipality in connection with the construction of a viaduct, underpass or railroad track relocation."

JOHN P. BERG.



Amend Senate File 477 by striking in line 4, section 2, the word "five" and inserting in lieu thereof the word "six."

In line 5, section 2, strike the figures "\$5,703,000" and insert the figures "\$6,703,000."

In line 8, section 2, strike the figures "\$5,500,000" and insert the figures "\$6,500,000."

In line 15, section 2, strike the figures "\$5,703,000" and insert the figures "\$6,703,000."

LEROY S. MERCER.

HERMAN B. LORD.

SHERMAN WEST.

PAUL E. MCCARVILLE.

F. E. SHARP.

ERNEST E. HUMBERT.

DON RISK.

F. M. ROBERTS.

W. C. MOLISON.

BURL N. RIDOUT.

CHAS. S. VAN EATON.

R. J. OLTMAN.

PHILIP T. HEDIN.

RAY FLETCHER.

WM. LINNEVOLD.

J. M. TUDOR.

E. K. BEKMAN.

GEO. E. O'MALLEY.

CARL T. ANDERSON.

JAMES H. NESMITH.

THOS. J. DAILEY.

G. E. WHITEHEAD.

RAYMOND GILLESPIE.

DEVERE WATSON.

O. H. HENNINGSEN.

RALPH W. ZASTROW.

ARTHUR H. JACOBSON.

STANLEY L. HART.

FRANK C. BYERS.

ARNOLD UTZIG.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 22, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Francis Johnson, pastor of the Mamrelund Lutheran Church, Stanton, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Anderson, from members of the Iowa Wesleyan College Chapter of the American Association of University Professors, of Mount Pleasant, Henry County, in opposition to Senate File 384, the Subversive Activities Act; also, from residents of Washington County favoring an increase in state aid to schools; also, from members of the Fortnightly Club of Washington, Washington County, favoring the licensing of children's boarding homes.

By Senator Byers, from members of Linn County department of social welfare relating to certain benefits for state employees; also, from residents of Cedar Rapids, Linn County, in opposition to Senate Files 14, 15 and 19 increasing the authority of the state highway commission; also, favoring an increase in state aid to schools.

By Senator McCarville, from residents of Webster County favoring legislation relating to certain benefits for county employees.

## INTRODUCTION OF BILL

Senate File 487, by committee on dairy and poultry, a bill for an act to amend chapter one hundred ninety-five (195), sections one hundred ninety-five point three (195.3), one hundred ninety-five point five (195.5), one hundred ninety-five point twelve (195.12), one hundred ninety-five point thirteen (195.13), one hundred ninety-five point fourteen (195.14) and one hundred ninety-five point twenty-two (195.22), Code 1950, relating to cream grading, inspecting and transportation.

Read first and second times, and placed on the calendar.

Senator Prentis asked and received unanimous consent to have the following remarks printed in the Senate Journal:

MR. PRESIDENT AND MEMBERS OF THE SENATE:

I rise to a point of personal privilege.

April 17, the Fifty-fourth General Assembly will have been in session the usual time of 100 days. This is the 22nd day of March and only 17 more legislative days after today are left.

Now, Mr. President and Members of the Senate, in the Fifty-third General Assembly—two years ago—a law was enacted creating a state governmental reorganization committee. That committee consisting of nine members of the General Assembly met at 22 regular and called meetings. I served as a member of that committee. Senator DeVere Watson was chairman. I can honestly say I have never served on any committee that worked harder or with greater cooperation than this committee. Senator Watson was a great chairman. The executive secretary, Charles Fischer, was a great secretary. He received a salary of \$6,500. He gave his entire time and energy to the work of this committee. He did a marvelous job. Three public accountants were employed at a daily wage of from \$9 to \$18 per day over a period of two years. These men examined some fifty boards, commissions and departments.

Besides attending the 22 meetings, the members of the committee visited the Iowa City, Ames and Cedar Falls schools together with our auditors and examiners. The executive secretary went with our examiners to the board of control institutions. A constant study was made by the committee and by the executive secretary of reorganization in other states. Approximately \$35,000 will be spent for this study.

An exhaustive report as compiled by our auditors and executive secretary was made. The Senate Enrolling Clerk, Mrs. Dorothy Johnson, was employed during the interim of the last two years and, may I say, Mrs. Johnson has done a marvelous job.

Some 20 bills were proposed. About 16 bills have been prepared and are ready for the legislature. Twelve bills are now on the calendar and only one bill has been passed—Senate File 1.

It was estimated by the committee that \$5,000,000 could be saved if the reorganization plan was adopted.

Mr. President and Members of the Senate, we dare not ignore and treat with complete indifference this reorganization program. A program that I honestly believe, if adopted, will save the taxpayers of the State of Iowa \$5,000,000.

There are 11 reorganization bills on the calendar. It is my contention and my belief there is no legislation on the calendar that is of more importance than these 11 bills on reorganization of state government. Five million dollars is a lot of money. The ways and means committee is looking for money. Here is one place to get it. There are only 17 days left.

Senator Prentis asked unanimous consent that Senate Files 372,

373, 374, 375, 376, 377, 378, 379, 340, 485 and 486 be placed at the top of the calendar for the earliest possible consideration.

Objection was raised.

Senator Prentis moved that the foregoing Senate Files be placed at the head of the regular calendar for early consideration.

Senator Oltman moved as a substitute motion that all bills now on the calendar and in committees be referred to the sifting committee.

Senator Fishbaugh asked and received unanimous consent that the Senate recess.

The Senate reconvened, President Nicholas presiding.

### EXECUTIVE SESSION

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

The Senate arose from executive session and resumed regular session.

### PRESENTATION OF VISITORS

Senator Van Patten asked and received unanimous consent to present to the Senate thirty-five members of the Warren County Farm Bureau Federation, participants in the recent "Get Out The Vote" program, who were present in the balcony, accompanied by J. Davies, Farm Bureau fieldman.

Senator Prentis asked and received unanimous consent to present to the Senate the members of Boy Scout Troop 116 of Lamoni, who were present in the balcony, accompanied by their leader, Clifford Carpenter.

### ANNOUNCEMENT

President Nicholas announced that the Doctor Reuben Youngdahl was present in the Senate chamber and asked Senator Linnevold to escort our distinguished guest to the rostrum.

SENATOR LINNEVOLD: I am very happy today to have the opportunity of bringing before the Iowa State Senate a minister from one of the twelve outstanding Protestant churches in the United States, according to a survey made by 100,000 Protestant ministers. The church that he

represents is Mount Olivet Lutheran Church in Minneapolis, Minnesota. He is a brother of the Governor of Minnesota and an outstanding churchman in his own right. I present to you Doctor Reuben Youngdahl.

#### ANNOUNCEMENT

Senator Hart announced that this being the month of birthdays, he was privileged to announce that this was the anniversary of the birth of the distinguished Senator from Bremer, the Honorable J. Kendall Lynes.

The occasion was celebrated by the singing of the following especially composed song :

#### TO BUSTER ON HIS BIRTHDAY (Tune—Old Black Joe)

“Gone are the days when Buster’s steps were slow  
Now in his eyes we see a youthful glow,  
What caused the change is what we’d like to know,  
He may be one year older but it does not show.  
He looks younger, acts younger  
And his thoughts are younger, too  
Which shows the power of all his friends and the Hula Hu.”

A birthday cake was presented to “Buster” by Mrs. William S. Lynes and with it went the best wishes of all.

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

#### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

Senator Oltman asked and received unanimous consent to withdraw his substitute motion to the motion by Senator Prentis.

Senator Prentis asked and received unanimous consent to withdraw his motion.

Senator Elthon moved that at the close of the legislative day Wednesday, March 28, 1951, all bills be sent to the sifting committee with the following exceptions: all appropriation bills, all bills carrying appropriations, all claim bills, all unfinished business and all special orders; and that Senate Files 373, 375 and 486 be made a special order of business upon call of the chairman of the committee on governmental affairs.

Roll call was demanded.

On the question "Shall the motion be adopted?" the vote was:

Ayes, 39:

Anderson	Fletcher	Lynes	Sharp
Bateson	Hart	McCarville	Tudor
Bekman	Hattery	Mercer	Van Eaton
Berg	Hedin	Molison	Van Patten
Byers	Henningsen	Myrland	Vest
Colburn	Humbert	Nesmith	Walter
Doud	Jacobson	Oltman	Watson of
Dykhouse	Knudson	Parker	Pottawattamie
Elthon	Linnevoold	Prentis	Weichman
Fishbaugh	Lord	Risk	Zastrow

Nays, 4:

Dailey	O'Malley	Utzig	West
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Absent or not voting, 7:

Augustine	Ridout	Watson of	Whitehead
Gillespie	Roberts	O'Brien	
Hultman			

The motion prevailed.

Senator Prentis asked and received unanimous consent to have the following printed in the Senate Journal:

MR. PRESIDENT AND MEMBERS OF THE SENATE:

I now ask unanimous consent to substitute three other bills from the committee on governmental affairs if, after consultation with Senator De Vere Watson, it is found advisable and I ask that my remarks be printed in the Journal.

#### 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 79, a bill for an act relating to compensation of appointive members of the Iowa Dairy Industry Commission, and to the extension of the annual butterfat tax period.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 79

Amend Senate File 79 by adding a new section following section 3 as follows:

"Sec. 4. Any person from whom the excise tax provided in this chapter is collected may, by application filed with this commission within thirty (30) days after the collection from him of said tax, have said tax remitted to him by the commission."

## SPECIAL ORDER

The Chair announced the special order for the consideration of Senate Files 440, 441 and 442.

## THIRD READING OF BILLS

On motion of Senator Berg, Senate File 440, a bill for an act relating to viaducts, underpasses and railroad grade separations in certain cities and to amend sections three hundred eighty-seven point one (387.1) and three hundred eighty-seven point two (387.2), Code 1950, 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 440 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Sections three hundred eighty-seven point one (387.1), three hundred eighty-seven point two (387.2), three hundred eighty-seven point three (387.3), three hundred eighty-seven point six (387.6), three hundred eighty-seven point seven (387.7), three hundred eighty-seven point eight (387.8), three hundred eighty-seven point nine (387.9), three hundred eighty-seven point ten (387.10), three hundred eighty-seven point twelve (387.12), three hundred eighty-seven point thirteen (387.13), three hundred eighty-seven point fourteen (387.14), three hundred eighty-seven point fifteen (387.15) and three hundred eighty-seven point sixteen (387.16), Code 1950, are amended by inserting in each section after the word "viaduct" wherever such word appears in each section the words "or underpass".

Sec. 2. Section three hundred eighty-seven point two (387.2), Code 1950, is amended by inserting in line four (4) after the word "required" the words "of the same railroad company or companies,".

Sec. 3. By adding a new section to chapter three hundred eighty-seven (387) as follows:

"Cities having a population of five thousand or over shall have power to enter into and participate in any agreement, project or plan with any railroad or railroads owning or operating any railroad tracks upon or across any public streets of such city for the elimination or separation of railroad crossings at grade, through the relocating, depressing, elevating or consolidating of existing main line or belt line trackage, and to contribute to or pay a portion of the costs thereof."

Senator Bateson offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking the following from line 23: "having a population of five thousand or over".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

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

Amend the title of Senate File 440 by striking all after the word "Act" and inserting in lieu thereof the following:

"relating to viaducts, underpasses and railroad grade separations in cities and to amend section three hundred eighty-seven point one (387.1), three hundred eighty-seven point two (387.2), three hundred eighty-seven point three (387.3), three hundred eighty-seven point six (387.6), three hundred eighty-seven point seven (387.7), three hundred eighty-seven point eight (387.8), three hundred eighty-seven point nine (387.9), three hundred eighty-seven point ten (387.10), three hundred eighty-seven point twelve (387.12), three hundred eighty-seven point thirteen (387.13), three hundred eighty-seven point fourteen (387.14), three hundred eighty-seven point fifteen (387.15) and three hundred eighty-seven point sixteen (387.16), Code 1950, also authorizing cities to enter into and participate in agreements for elimination or separation of railroad crossings at grade and make contribution to the cost thereof."

The amendment was adopted.

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

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

Ayes, 47:

Anderson	Hart	Molison	Van Eaton
Augustine	Hattery	Myrland	Van Patten
Bateson	Hedin	Nesmith	Vest
Bekman	Henningsen	Oltman	Walter
Berg	Hultman	O'Malley	Watson of
Byers	Humbert	Parker	O'Brien
Colburn	Jacobson	Prentis	Watson of
Dailey	Knudson	Risk	Pottawattamie
Doud	Linnevold	Roberts	Weichman
Dykhouse	Lynes	Sharp	West
Elthon	McCarville	Tudor	Whitehead
Fletcher	Mercer	Utzig	Zastrow
Gillespie			

Nays, none.

Absent or not voting, 3:

Fishbaugh	Lord	Ridout
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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.



On motion of Senator Berg, Senate File 441, a bill for an act relating to the incurring of indebtedness by cities and towns for the elimination or separating of railroad grade crossings and to amend section four hundred seven point three (407.3), Code 1950, 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 441 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section four hundred seven point three (407.3), Code 1950, is amended by adding the following subsection:

"9. When authorized to do so as provided in section four hundred seven point five (407.5), Code 1950, cities and towns may also incur indebtedness for the purpose of defraying the cost in whole or in part of eliminating railroad grade crossings within the municipality by any method, or for the purpose of deriving funds to be contributed to such cost, or for the purpose of deriving funds with which to pay the damages imposed upon the municipality in connection with the construction of a viaduct, underpass or railroad track relocation."

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, 48:

Anderson	Gillespie	Molison	Van Eaton
Augustine	Hart	Myrland	Van Patten
Bateson	Hattery	Nesmith	Vest
Bekman	Hedin	Oltman	Walter
Berg	Henningsen	O'Malley	Watson of
Byers	Hultman	Parker	O'Brien
Colburn	Humbert	Prentis	Watson of
Dailey	Jacobson	Risk	Pottawattamie
Doud	Knudson	Roberts	Weichman
Dykhouse	Linnevold	Sharp	West
Elthon	Lynes	Tudor	Whitehead
Fishbaugh	McCarville	Utzig	Zastrow
Fletcher	Mercer		

Nays, none.

Absent or not voting, 2:

Lord                      Ridout

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

## BILL WITHDRAWN

Senator Berg asked and received unanimous consent that Senate File 442 be withdrawn from further consideration of the Senate.

## HOUSE AMENDMENTS CONSIDERED

Senator Anderson called up for consideration Senate File 79, a bill for an act to amend sections one hundred seventy-nine point two (179.2), one hundred seventy-nine point five (179.5) and one hundred seventy-nine point six (179.6), Code 1950, relating to the compensation of appointive members of the Iowa Dairy Industry Commission and the extension of the annual butterfat tax period, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 79 by adding a new section following section 3 as follows:

"Sec. 4. Any person from whom the excise tax provided in this chapter is collected may, by application filed with this commission within thirty (30) days after the collection from him of said tax, have said tax remitted to him by the commission."

The Senate concurred in the House amendment.

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

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

Ayes, 48:

Anderson	Hart	Molison	Van Eaton
Augustine	Hattery	Myrland	Van Patten
Bateson	Hedin	Nesmith	Vest
Bekman	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Risk	Pottawattamie
Dykhous	Linnevold	Roberts	Weichman
Elthon	Lord	Sharp	West
Fishbaugh	Lynes	Tudor	Whitehead
Fletcher	McCarville	Utzig	Zastrow
Gillespie	Mercer		

Nays, none.

Absent or not voting, 2:

Berg                      Ridout

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

Senator Prentis called up for consideration Senate File 142, a bill for an act relating to the public archives and authorizing destruction of certain documents after custody for a fixed period and for amending section three hundred three point ten (303.10), Code 1950, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 142 as follows:

1. Amend section 1, line 7, by inserting after the word "warrants" the following: ", having no historical value,".

2. By adding thereto the following new section:

"Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Red Oak Express, a newspaper published at Red Oak, Iowa, and the Villisca Review, a newspaper published at Villisca, Iowa."

The Senate concurred in the House amendments.

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

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

Ayes, 46:

Anderson	Fletcher	Molison	Van Eaton
Augustine	Gillespie	Myriand	Van Patten
Bateson	Hart	Nesmith	Vest
Bekman	Hattery	Oltman	Walter
Berg	Hedin	O'Malley	Watson of
Byers	Hultman	Parker	O'Brien
Colburn	Humbert	Prentis	Watson of
Dailey	Jacobson	Risk	Pottawattamie
Doud	Linnevold	Roberts	Weichman
Dykhouse	Lynes	Sharp	West
Elthon	McCarville	Tudor	Whitehead
Fishbaugh	Mercer	Utzig	Zastrow

Nays, none.

Absent or not voting, 4:

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

#### RECONSIDERATION OF SENATE FILE 125

Senator O'Malley asked and received unanimous consent to reconsider the vote by which Senate File 125 passed the Senate.

Senator O'Malley asked and received unanimous consent that the Senate reconsider the vote by which Senate File 125 went to its third reading.

Senator O'Malley asked and received unanimous consent that House File 90 be substituted for Senate File 125.

On motion of Senator O'Malley, House File 90, a bill for an act to amend section two hundred seventy-nine point thirteen (279.13), Code 1950, relating to teachers' contracts and section two hundred sixty point ten (260.10) relating to the issuance of teachers' certificates by the board of educational examiners to foreign applicants and providing for the exchange of teachers between school districts and other schools, and providing for necessary regulations and rules governing the same, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator O'Malley moved that the bill be read a third 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:

Anderson	Gillespie	McCarville	Van Eaton
Augustine	Hart	Mercer	Van Patten
Bateson	Hattery	Molison	Vest
Bekman	Hedin	Nesmith	Walter
Berg	Henningsen	Oltman	Watson of
Byers	Hultman	O'Malley	O'Brien
Colburn	Humbert	Parker	Watson of
Dailey	Jacobson	Prentis	Pottawattamie
Dykhouse	Knudson	Risk	Weichman
Elthon	Linnevold	Roberts	West
Fishbaugh	Lord	Sharp	Whitehead
Fletcher	Lynes	Tudor	Zastrow

Nays, none.

Absent or not voting, 4:

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

#### BILL WITHDRAWN

Senator O'Malley asked and received unanimous consent that Senate File 125 be withdrawn from further consideration of the Senate.

#### UNFINISHED BUSINESS

On motion of Senator McCarville, Senate File 87, a bill for an act to amend section three hundred twenty-one point four hundred sixty-seven (321.467), Code 1950, relating to permits for excess size and weight, was taken up for further consideration.

Senator Weichman called up the following amendment:

Amend Senate File 87 as follows:

1. By striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Section three hundred twenty-one point four hundred sixty-seven (321.467), Code 1950, is hereby amended as follows:

1. By striking all of said section following the word "of" in line nineteen (19) of said section and substituting the following in lieu thereof: "construction machinery, equipment or material for a distance exceeding twenty-five (25) miles if such machinery, equipment or material is to be moved to or from construction projects in this state or is manufactured within this state".

Senator Weichman offered the following amendment to the amendment and moved its adoption:

Amend the amendment by inserting after the word "manufactured" in line 13 the words "or assembled".

The amendment to the amendment was adopted.

Senator Fishbaugh called up the following amendment to the amendment by Senator Weichman:

Amend the amendment by striking the period at the end thereof and inserting in lieu thereof: "and if the weight of such machinery and equipment so moved, exclusive of vehicles, does not exceed 40,000 pounds".

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 60.

JAMES H. NESMITH, *Chairman Senate Committee.*

ELMER A. BASS, *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 60.

#### BILL SENT TO THE GOVERNOR

Senator Nesmith, 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, 1951, sent to the Governor for his approval: Senate File 60.

JAMES H. NESMITH, *Chairman.*

Passed on file.

## MESSAGES FROM THE HOUSE

The following messages were received from the House :

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

House File 89, a bill for an act relating to a state building code.

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

Senate File 113, a bill for an act relating to the duties of the county assessor.

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

Senate File 250, a bill for an act relating to off-street parking and issuance of revenue bonds.

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

Senate File 302, a bill for an act relating to motor vehicles and law of road.

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

House File 186, a bill for an act relating to school busses.

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 certain requirements for district, superior and municipal court judges.

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

House File 410, a bill for an act relating to weight limit on pickup truck registration.

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

House File 430, a bill for an act relating to manufacturers' free distribution of cigarettes.

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

House File 441, a bill for an act to legalize certain issues of capital stocks of Iowa corporations.

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 motor vehicle dealers.

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 the stopping of vehicles at certain railroad crossings.

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

House File 457, a bill for an act relating to fuel brought into Iowa via busses and trucks.

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

House File 459, a bill for an act relating to information to be given on application for truck registration.

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

House File 466, a bill for an act relating to tax levy to maintain city halls.

A. C. GUSTAFSON, *Chief Clerk.*

#### APPOINTMENT OF EMPLOYEE

Senator Henningsen announced the appointment of Maxine Maxson of Linn County as Secretary's Clerk.

#### REPORT OF COMMITTEE

Senator Bateson submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred **House File 283**, a bill for an act to amend section one hundred sixty-one point seven (161.7), Code 1950, 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**.

R. R. BATESON, *Chairman.*

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 478 by striking from line 13, section 1, the word "official".

Further amend said section by striking all after the word "the" in lines 16 and 17 and inserting in lieu thereof the following words: "person who did the vaccination and showing date of vaccination and serial number of vaccine."

W. C. MOLISON.

J. KENDALL LYNES.

Amend Senate File 482 as follows:

1. Strike from section 2, line 37, the word "or" and insert in lieu thereof a comma (,).

2. Insert in section 2, line 38, after the word and comma "abode," the words and comma "or place of business,".

THOMAS J. DAILEY.

Amend Senate File 483 as follows:

1. Strike from section 3, line 27, the word "or" and insert in lieu thereof a comma (,).

2. Insert in section 3, line 28, after the word and comma "abode," the words and comma "or place of business,".

THOMAS J. DAILEY.

Amend House File 422 by adding the following section:

"This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in The Record-Herald and Indianola Tribune, a newspaper published at Indianola, Iowa, and The Perry Daily Chief, a newspaper published at Perry, Iowa."

LOYD VAN PATTEN.

On motion of Senator Elthon, the Senate adjourned until 11:00 a.m., Monday, March 26, 1951.



# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 26, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Doctor W. E. Butler, pastor of the Methodist Church, Britt, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lord for the day on request of Senator Dailey.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Anderson, from county officers of Washington County favoring an increase in salary for county officials; also, from residents of Washington County relating to the licensing of children's boarding homes.

By Senator Bateson, from members of the Williams Unit 633, American Legion Auxiliary, of Williams, Hamilton County, favoring legislation relating to the Soldiers' Home at Marshalltown.

By Senator Hedin, from members of the Durant Garden Club, Cedar County, in opposition to Senate Files 14, 15 and 19 increasing the authority of the state highway commission; also, from members of the Buffalo Parent-Teacher Association, Scott County, favoring state aid to schools; also, from residents of Davenport, Scott County, favoring state aid to schools.

By Senator Knudson, from residents of Franklin County opposing a twenty per cent tax on the gross income of pool halls, also, favoring legislation relating to regulation of pool halls and billiard rooms.

By Senator Mercer, from members of the Parent-Teacher Association of the Lincoln School, Iowa City, Johnson County, in opposition to Senate File 384, the subversive activities act; also, opposing legislation relating to the renewal of teachers' certificates.

By Senator Roberts, from county officers of Des Moines and Monroe Counties favoring an increase in salaries of county officials.

By Senator Tudor, from residents of Cedar and Jackson Counties in opposition to legislation relating to liquor by the drink; also, favoring legislation relating to liquor law enforcement.

Senator Tudor asked and received unanimous consent to have the following petition printed in full:

Monticello, Iowa,  
March 23, 1951.

Honorable John Tudor,  
Senate Office Building,  
Des Moines, Iowa.

Dear Senator:

In consideration of the Doud "anti-subversive" bill, Senate File 384, we citizens concerned with education feel that the following points should be carefully thought out:

1. It will tend to silence all constructive criticism of our government in our schools and colleges because of a fear of being classified subversive.
2. It will take away that freedom of inquiry which is basic to our system of democracy. We believe that our democratic system *has nothing to fear* from an honest comparison with Russian communism or any other threatening ideology.
3. The very term "subversive" has not been defined well, but is very loose; hence, many *innocent* people will be subjected to defamation, loss of job, and possible fine and imprisonment. It will give certain vindictive groups a chance to blacken the character of a teacher on a trumped-up charge of subversiveness.
4. The real culprits (if there are any in Iowa schools) will easily escape by perjuring themselves while many honorable people will stand by their democratic principles and lose their jobs.
5. It will tend to eliminate the better teachers from the school systems of Iowa for they will go to states providing more freedom of thought and more job security.
6. It is unnecessary. State and federal laws already exist to adequately provide protection to our society from conspiracy and plots to overthrow our government.
7. It is a slap in the face to a well-meaning and conscientious group of individuals in a time when national unity and belief in democracy should be emphasized, not challenged, by paper oaths and suspicion.

With these points in mind, we strongly recommend that this bill be defeated.

Sincerely,

DARLENE WHITE.

SARA F. BUSH.

SUSANNE BUSH.

PAUL M. KNIPE.

HELEN J. GUYAN.

DOROTHY MOULTON.

LUCILLE WARNER.

JAMES V. HATCH.

WAYNE HALSTED.

RAY STUMBAUGH.

EVELYN HATCH.

PAUL OPSTAD.

ARLENE OPSTAD.

By Senator Weichman, from members of the faculty of the Dysart Consolidated Schools, Tama County, favoring legislation requiring the licensing of representatives of nonresident business schools.

#### HOUSE MESSAGES CONSIDERED

House File 89, a bill for an act to promote and protect the life, health and safety of persons in the use and occupancy of buildings used by the public; to establish a state building code, under the requirements of this act, prescribing minimum standards in the construction, reconstruction, alteration, addition and repair of buildings used by the public; to define the scope of this act and the state building code established hereunder; to create a state building code council, defining its powers and duties; and fixing the compensation of the members thereof; to provide for the appointment of a state building commissioner to administer the provisions of this act, and defining his powers and duties; to provide for the registration and appointment of local building officials and licensed inspectors to carry out the local administration and enforcement of the provisions of this act; to define the powers and duties of local authorities in the administration and enforcement of the provisions of this act, and to permit the combination of cities, towns and counties in the appointment of a single building official under the provisions of this act; to designate the county engineer as the acting building official in cities, towns and counties where no building official is otherwise appointed; to provide for the issuance of building permits for the construction, reconstruction, alteration, addition and repair of buildings used by the public; to provide for the issuance of certificates of occupancy; to provide for the collection of permit fees by cities, towns and counties; to grant the right of appeal from the action of the local building officials and of local boards of appeal; and to fix the penalties for violations of the provisions of this act.

Read first and second times, and passed on file.

House File 186, a bill for an act to amend section two hundred eighty-five point eleven (285.11), Code 1950, pertaining to school busses.

Read first and second times, and passed on file.

House File 313, a bill for an act to amend chapter six hundred five (605). Code 1950, relating to certain requirements for district, superior and municipal court judges.

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

House File 410, a bill for an act to amend section three hundred twenty-one point three hundred ten (321.310), Code 1950, relating to weight limit on pickup truck registration.

Read first and second times, and passed on file.

House File 439, a bill for an act to amend section ninety-eight point thirty-nine (98.39), Code 1950, relating to manufacturers' free distribution of cigarettes.

Read first and second times, and passed on file.

House File 441, a bill for an act to legalize certain issues of capital stocks of Iowa corporations, upon compliance herewith.

Read first and second times, and passed on file.

House File 453, a bill for an act to amend chapter three hundred twenty-one (321), Code 1950, relating to motor vehicles and law of road, and chapter three hundred twenty-two (322), Code 1950, relating to motor vehicle dealers and to define the terms "used motor vehicle" or "second-hand motor vehicle."

Read first and second times, and passed on file.

House File 454, a bill for an act to amend section three hundred twenty-one point three hundred forty-two (321.342), Code 1950, relating to the stopping of vehicles at certain railroad crossings.

Read first and second times, and passed on file.

House File 457, a bill for an act to amend section three hundred twenty-four point two (324.2), Code 1950, relating to the limit on amounts of fuel which busses and trucks may bring into the state in the fuel tanks of such vehicles.

Read first and second times, and passed on file.

House File 459, a bill for an act to amend section three hundred twenty-one point twenty (321.20), Code 1950, relating to information to be given on application for truck registration.

Read first and second times, and passed on file.

House File 466, a bill for an act to amend section four hundred

four point five (404.5), Code 1950, relating to tax levy to maintain town halls.

Read first and second times, and passed on file.

#### UNFINISHED BUSINESS

On motion of Senator Weichman, Senate File 87, a bill for an act to amend section three hundred twenty-one point four hundred sixty-seven (321.467), Code 1950, relating to permits for excess size and weight, was taken up for further consideration.

Senator Fishbaugh asked unanimous consent that action on Senate File 87 be deferred and that the bill retain its place on the calendar.

Objection was raised.

Senator Fishbaugh moved that further action on Senate File 87 be deferred and that the bill retain its place on the calendar.

Roll call was demanded.

On the question "Shall action on Senate File 87 be deferred?" the vote was:

#### Ayes, 20:

Augustine	Gillespie	Myrland	Roberts
Bateson	Hedin	Nesmith	Vest
Colburn	Humbert	Parker	Watson of
Elthon	Jacobson	Prentis	Pottawattamie
Fishbaugh	Knudson	Risk	West
Fletcher			

#### Nays, 19:

Berg	Linnevold	Oltman	Walter
Byers	Lynes	O'Malley	Watson of
Hattery	McCarville	Ridout	O'Brien
Henningsen	Mercer	Sharp	Weichman
Hultman	Molison	Utzig	Whitehead

#### Absent or not voting, 11:

Anderson	Doud	Lord	Van Patten
Bekman	Dykhous	Tudor	Zastrow
Dailey	Hart	Van Eaton	

The motion prevailed and action was deferred.

#### THIRD READING OF BILLS

On motion of Senator Byers, House File 171, a bill for an act relating to biennial reports of the state department of history and archives and to amend section seventeen point three (17.3), Code

1950, 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, 44:

Anderson	Fletcher	McCarville	Roberts
Augustine	Gillespie	Mercer	Sharp
Bateson	Hart	Molison	Tudor
Bekman	Hattery	Myrland	Utzig
Berg	Hedin	Nesmith	Vest
Byers	Henningsen	Oltman	Watson of
Colburn	Hultman	O'Malley	O'Brien
Dailey	Humbert	Parker	Watson of
Doud	Jacobson	Prentis	Pottawattamie
Dykhouse	Knudson	Ridout	West
Elthon	Linnevold	Risk	Whitehead
Fishbaugh	Lynes		

Nays, none.

Absent or not voting, 6:

Lord	Van Patten	Weichman	Zastrow
Van Eaton	Walter		

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

On motion of Senator Prentis, Senate File 235, a bill for an act to repeal section one hundred fifty-six point eight (156.8), Code 1950, relating to maintaining a funeral home for a period of two (2) years after the death of a licensed embalmer, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Prentis moved that the bill be read a third 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:

Anderson	Hattery	Myrland	Utzig
Augustine	Henningsen	Nesmith	Van Eaton
Bateson	Hultman	Oltman	Van Patten
Bekman	Humbert	O'Malley	Vest
Berg	Jacobson	Parker	Walter
Dailey	Knudson	Prentis	Watson of
Doud	Linnevold	Ridout	O'Brien
Dykhouse	Lynes	Risk	Watson of
Elthon	McCarville	Roberts	Pottawattamie
Fishbaugh	Mercer	Sharp	West
Fletcher	Molison	Tudor	Whitehead
Gillespie			

Nays, none.

Absent or not voting, 7:

Byers	Hart	Lord	Zastrow
Colburn	Hedin	Weichman	

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

On motion of Senator Watson of O'Brien, Senate File 258, a bill for an act to amend chapter one hundred seventy-six (176), Code 1950, relating to farm aid associations and amending the law relative to the annual meetings of such associations, the amounts to be appropriated for such associations and the method of disbursing the money appropriated, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Doud offered the following amendment:

Amend Senate File 258, section 3, by striking the period (.) at the end of line 8, substituting a semicolon (;) and adding the following: "provided, however, that counties which are levying the millage rate provided for in section four hundred forty-four point nine (444.9), Code 1950, shall not be required to appropriate a sum larger than has been appropriated prior to January 1, 1951."

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

### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

### REPORTS OF COMMITTEES

Senator Byers submitted the following report:

**MR. PRESIDENT:** Your committee on judiciary 2 to which was referred **House File 223**, a bill for an act to amend section five hundred fifty-eight point twenty (558.20), Code 1950, relating to the taking of acknowledgments within the state by a notary public, 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 236**, a bill for an act to legalize and validate the proceedings of the board of directors of the Independent School District of Cherokee, Iowa, with reference to the conveyance of real estate, 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 313**, a bill for an act to amend chapter six hundred five (605), Code 1950, relating to certain requirements for district, superior and municipal judges, 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 Colburn submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 492**, a bill for an act transferring moneys from the industry revolving funds created and established at the state penitentiary at Fort Madison and at the state reformatory at Anamosa to the general fund of the state, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAY C. COLBURN, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 573**, a bill for an act to appropriate five hundred thousand dollars (\$500,000) from the general fund of the State of Iowa to the state board of control for the scientific observation, rechecking and treatment of mentally ill persons, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAY C. COLBURN, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 574**, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1951, and ending June 30, 1953, to the board of control for support, maintenance, repairs, replacements or alterations of institutions under said board of control, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAY C. COLBURN, *Chairman*.

Ordered passed on file.



Also :

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 602**, a bill for an act making an additional appropriation for the payment of the cost of printing for the Fifty-fourth General Assembly, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAY C. COLBURN, *Chairman*.

Ordered passed on file.

Senator Tudor submitted the following report :

MR. PRESIDENT: Your committee on tax revisoin to which was referred **House File 357**, a bill for an act to amend chapter four hundred twenty-seven point one (427.1), subsection seventeen (17), Code 1950, relating to personal tax exemption for United States armed forces members on farming utensils, begs leave to report it has had the same under consideration and recommends the same **do pass**.

J. M. TUDOR, *Chairman*.

Ordered passed on file.

### THIRD READING OF BILLS

The Senate resumed consideration of Senate File 258, and the amendment by Senator Doud.

Senator Doud offered the following amendment to his amendment and moved its adoption :

Amend the amendment by adding after the word "counties" in line 3 the words : "with an assessed valuation of \$16,000,000 or less".

The amendment to the amendment was adopted.

On motion of Senator Doud, the amendment as amended was adopted.

Senator Knudson offered the following amendment and moved its adoption :

Amend section 3 of Senate File 258 by striking lines 4 to 8, inclusive, and substituting in lieu thereof the following: "In counties having a population of twenty-five thousand (25,000) or over, said board shall appropriate annually the sum of five thousand dollars (\$5,000), and may appropriate annually an additional two thousand dollars (\$2,000); in counties having a smaller population, said board shall appropriate annually the sum of three thousand dollars (\$3,000), and may appropriate annually an additional two thousand dollars (\$2,000); provided, that in counties holding court in two (2) cities and having a population greater than sixty thousand (60,000) wherein two (2) farm aid associations have been organized and shall have qualified hereunder for the appro-

priations, said board shall appropriate annually the sum of seven thousand dollars (\$7,000), and may annually appropriate an additional four thousand dollars (\$4,000)."

Further amend section 3 by striking the word "amount" in line 9 and substituting the word "amounts" in lieu thereof; and by striking the word "association" in lines 11 and 12 thereof and substituting the word "associations" in lieu thereof.

Further amend said section 3 by striking lines 26 to 33, inclusive.

Senator Elthon raised the point of order that the amendment was out of order for the reason that the section referred to had already been amended and that the amendment by Senator Knudson sought to strike the amendment already adopted.

Senator Watson of O'Brien asked and received unanimous consent that further action on Senate File 258 be deferred and that the bill be placed on the calendar under unfinished business.

#### UNFINISHED BUSINESS

On motion of Senator Van Eaton, Senate File 303, a bill for an act to amend section three hundred twenty-one point three hundred forty-two (321.342), Code 1950, relating to the stopping of vehicles at certain railroad crossings, was taken up for further consideration.

Senator Van Eaton asked and received unanimous consent that House File 454 be substituted for Senate File 303.

On motion of Senator Van Eaton, House File 454, a bill for an act to amend section three hundred twenty-one point three hundred forty-two (321.342), Code 1950, relating to the stopping of vehicles at certain railroad crossings, was taken up and considered.

Senator Risk moved that the bill be read a third 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:

Anderson	Hattery	Nesmith	Van Eaton
Augustine	Hedin	Oltman	Van Patten
Bateson	Henningsen	O'Malley	Vest
Bekman	Hultman	Parker	Watson of
Berg	Humbert	Prentis	O'Brien
Colburn	Jacobson	Ridout	Watson of
Dailey	Linnevold	Risk	Pottawattamie
Dykhouse	Lynes	Roberts	Weichman
Elthon	McCarville	Sharp	West
Fishbaugh	Mercer	Tudor	Whitehead
Fletcher	Molison	Utzig	Zastrow
Gillespie	Myrland		

Nays, none.

Absent or not voting, 6:

Byers	Hart	Lord	Walter
Doud	Knudson		

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

#### BILL WITHDRAWN

Senator Van Eaton asked and received unanimous consent that Senate File 303 be withdrawn from further consideration.

#### THIRD READING OF BILLS

On motion of Senator Van Eaton, Senate File 304, a bill for an act to amend section three hundred twenty-one point thirty-four (321.34), section three hundred twenty-one point thirty-seven (321.37) and section three hundred twenty-one point one hundred sixty-seven (321.167), Code 1950, relating to registration plates issued for motor vehicles, was taken up, and considered.

Senator Van Eaton asked and received unanimous consent that House File 399 be substituted for Senate File 304.

On motion of Senator Van Eaton, House File 399, a bill for an act to amend section three hundred twenty-one point thirty-four (321.34), section three hundred twenty-one point thirty-seven (321.37), and section three hundred twenty-one point one hundred sixty-seven (321.167), Code 1950, relating to registration plates issued for motor vehicles, was taken up, and considered.

Senator Hattery offered the following amendment and moved its adoption:

Amend by adding the following sections:

Sec. 4. Section three hundred twenty-one point thirty-nine (321.39), Code 1950, is hereby amended by adding thereto the following:

"The provisions of this section shall not apply to any vehicle which is registered without the payment of fees as provided in section 321.19, but the registration plate or plates issued for such vehicle shall remain valid until suspended or revoked or cancelled by the department, or until the title or ownership of such vehicle has been transferred."

Sec. 5. Section three hundred twenty-one point one hundred sixty-six (321.166), Code 1950, is hereby amended by adding thereto the following new paragraph:

"Number plates issued for use on a vehicle in accordance with the provisions of section 321.19 need not indicate the year for which issued nor be of a distinctively different color each year."

Amend the title by inserting immediately before the word "and" in line 3 the following: ", section three hundred twenty-one point thirty-nine (321.39), three hundred twenty-one point one hundred sixty-six (321.166)".

Further amend the title by inserting after the word "to" in line 5 the following: "registrations, registration cards and".

Senator Mercer took the chair at 2:50 p.m.

The amendment was adopted.

Senator Tudor moved that the bill be read a third 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:

Anderson	Hedin	Oltman	Van Patten
Bateson	Henningsen	O'Malley	Vest
Bekman	Hultman	Parker	Walter
Berg	Humbert	Prentis	Watson of
Colburn	Jacobson	Ridout	O'Brien
Dailey	Linnevoold	Risk	Watson of
Dykhouse	Lynes	Roberts	Pottawattamie
Elthon	McCarville	Sharp	Weichman
Fishbaugh	Mercer	Tudor	West
Fletcher	Molison	Utzig	Whitehead
Hart	Myrland	Van Eaton	Zastrow
Hattery	Nesmith		

Nays, none.

Absent or not voting, 6:

Augustine	Doud	Knudson	Lord
Byers	Gillespie		

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

#### BILL WITHDRAWN

Senator Van Eaton asked and received unanimous consent that Senate File 304 be withdrawn from further consideration of the Senate.

On motion of Senator Van Eaton, Senate File 305, a bill for an act to amend chapter three hundred twenty-one (321), Code 1950, relating to motor vehicles and law of road; also, to reregistration of vehicles that have been in storage, was taken up, and considered.

Senator Van Eaton asked and received unanimous consent that House File 396 be substituted for Senate File 305.

On motion of Senator Van Eaton, House File 396, a bill for an act to amend chapter three hundred twenty-one (321), Code 1950,

relating to motor vehicles and law of road, was taken up, and considered.

Senator Van Eaton moved that the bill be read a third 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:**

Anderson	Hattery	Nesmith	Van Patten
Augustine	Hedin	Oltman	Vest
Bateson	Henningsen	O'Malley	Walter
Bekman	Hultman	Parker	Watson of
Berg	Humbert	Prentis	O'Brien
Byers	Jacobson	Ridout	Watson of
Dailey	Linnevold	Risk	Pottawattamic
Elthon	Lynes	Roberts	Weichman
Fishbaugh	McCarville	Sharp	West
Fletcher	Mercer	Tudor	Whitehead
Gillespie	Molison	Utzig	Zastrow
Hart	Myrland	Van Eaton	

Nays, none.

**Absent or not voting, 5:**

Colburn	Dykhouse	Knudson	Lord
Doud			

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

**BILL WITHDRAWN**

Senator Van Eaton asked and received unanimous consent that Senate File 305 be withdrawn from further consideration of the Senate.

On motion of Senator Van Eaton, Senate File 307, a bill for an act to amend chapter three hundred twenty-one (321), Code 1950, relating to motor vehicles and law of road; also, to reporting of motor vehicle accidents where damage exceeds \$50, was taken up, and considered.

Senator Hattery offered the following amendment by Senators Hattery and Berg and moved its adoption:

1. Amend the title to Senate File 307 by striking the period (.) following the word "dollars" in line 4 and adding the following: ", and to amend section three hundred twenty-one point two hundred eleven (321.211), Code 1950, and section three hundred twenty-one A point two (321A.2), Code 1950, relating to departmental hearings."

2. Further amend Senate File 307 by adding thereto the following new sections:

Sec. 2. Section three hundred twenty-one point two hundred eleven (321.211), Code 1950, is hereby amended by inserting after the period (.) following the word "licensee" in line seventeen (17) the following:

"No peace officer or other witness produced by the licensee to testify on his behalf shall be paid a witness fee or mileage by the department; nor shall any peace officer, public official or public employee called to appear for the department be paid any witness fee or mileage by the department. Other witnesses shall receive the same fees and mileage as are allowed witnesses in district courts in civil cases, payable from funds appropriated to the department upon certification by the commissioner that such fees are true and correct."

Sec. 3. Section three hundred twenty-one A point two (321A.2), Code 1950, is hereby amended by adding to subsection one (1) thereof the following:

"No peace officer or other witness produced by the person requesting such hearing to testify on his behalf shall be paid a witness fee or mileage by the department; nor shall any peace officer, public official or public employee called to appear for the department be paid any witness fee or mileage by the department. Other witnesses shall receive the same fees and mileage as are allowed witnesses in district courts in civil cases, payable from funds appropriated to the department upon certification by the commissioner that such fees are true and correct."

Senator Bateson raised the point of order that the amendment was out of order for the reason that the amendment was not germane to the main bill.

Senator Bateson asked and received unanimous consent to withdraw his point of order.

The amendment was adopted.

Senator Bateson moved that the bill be read a third 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:**

Anderson	Hattery	Nesmith	Van Eaton
Augustine	Hedin	O'Malley	Van Patten
Bateson	Henningsen	Parker	Walter
Bekman	Hultman	Prentis	Watson of
Dailey	Humbert	Ridout	O'Brien
Dykhouse	Jacobson	Risk	Watson of
Elthon	Linnevoid	Roberts	Pottawattamie
Fishbaugh	Lynes	Sharp	West
Fletcher	McCarville	Tudor	Whitehead
Gillespie	Mercer	Utzig	Zastrow
Hart	Molison		

**Nays, 1:**

Vest

**Absent or not voting, 9:**

<b>Berg</b>	<b>Doud</b>	<b>Lord</b>	<b>Oltman</b>
<b>Byers</b>	<b>Knudson</b>	<b>Myrland</b>	<b>Weichman</b>
<b>Colburn</b>			

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

On motion of Senator Van Eaton, Senate File 308, a bill for an act to amend chapter three hundred twenty-one (321), Code 1950, relating to motor vehicles and law of road, and chapter three hundred twenty-two (322), Code 1950, relating to motor vehicle dealers and to define the terms "used motor vehicle" or "second-hand motor vehicle", was taken up, and considered.

Senator Van Eaton asked and received unanimous consent that House File 453 be substituted for Senate File 308.

On motion of Senator Van Eaton, House File 453, a bill for an act to amend chapter three hundred twenty-one (321), Code 1950, relating to motor vehicles and law of road and chapter three hundred twenty-two (322), Code 1950, relating to motor vehicle dealers and to define the terms "used motor vehicle" or "second-hand motor vehicle", was taken up, and considered.

Senator Van Eaton offered the following amendment and moved its adoption:

Amend section 1, line 6, by inserting after the word "registered" the following: "or for which a certificate of title has been issued".

Further amend section 2, line 6, by inserting after the word "registered" the following: "or for which a certificate of title has been issued".

The amendment was adopted.

Senator Fletcher moved that the bill be read a third 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:**

<b>Anderson</b>	<b>Hattery</b>	<b>Oltman</b>	<b>Van Patten</b>
<b>Augustine</b>	<b>Hedin</b>	<b>O'Malley</b>	<b>Vest</b>
<b>Bateson</b>	<b>Henningsen</b>	<b>Parker</b>	<b>Walter</b>
<b>Bekman</b>	<b>Hultman</b>	<b>Prentis</b>	<b>Watson of</b>
<b>Colburn</b>	<b>Humbert</b>	<b>Ridout</b>	<b>O'Brien</b>
<b>Dailey</b>	<b>Jacobson</b>	<b>Risk</b>	<b>Watson of</b>
<b>Dykhous</b>	<b>Linnevold</b>	<b>Roberts</b>	<b>Pottawattamie</b>
<b>Elthon</b>	<b>Lynes</b>	<b>Sharp</b>	<b>Weichman</b>
<b>Fishbaugh</b>	<b>McCarville</b>	<b>Tudor</b>	<b>West</b>
<b>Fletcher</b>	<b>Mercer</b>	<b>Utzig</b>	<b>Whitehead</b>
<b>Gillespie</b>	<b>Molison</b>	<b>Van Eaton</b>	<b>Zastrow</b>
<b>Hart</b>	<b>Nesmith</b>		

Nays, none.

Absent or not voting, 6:

Berg	Doud	Lord	Myrland
Byers	Knudson		

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

#### BILL WITHDRAWN

Senator Fletcher asked and received unanimous consent that Senate File 308 be withdrawn from further consideration of the Senate.

On motion of Senator Hedin, House File 6, a bill for an act to amend section three hundred twenty-one point two hundred eighty-one (321.281), Code 1950, relating to the crime of operating a motor vehicle while intoxicated or under the influence of drugs or a combination of drugs and alcohol, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hedin moved that the bill be read a third 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:

Anderson	Gillespie	Molison	Van Eaton
Augustine	Hart	Nesmith	Van Patten
Bateson	Hattery	Oltman	Vest
Bekman	Hedin	O'Malley	Walter
Berg	Henningsen	Parker	Watson of
Byers	Hultman	Prentis	O'Brien
Colburn	Humbert	Ridout	Watson of
Dailey	Jacobson	Risk	Pottawattamie
Dykhousé	Linnevold	Roberts	Weichman
Elthon	Lynes	Sharp	West
Fishbaugh	McCarville	Tudor	Whitehead
Fletcher	Mercer	Utzig	Zastrow

Nays, none.

Absent or not voting, 4:

Doud	Knudson	Lord	Myrland
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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 O'Malley, Senate File 186, a bill for an act to amend section six hundred five point eight (605.8) and



section six hundred five point nine (605.9), Code 1950, relating to compensation of shorthand reporters of the district courts, and to amend section six hundred five point ten (605.10), Code 1950, relating to expense of shorthand reporters of the district courts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator O'Malley moved that the bill be read a third 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:**

Anderson	Hart	Nesmith	Van Eaton
Augustine	Hattery	Oltman	Van Patten
Bateson	Hedin	O'Malley	Walter
Bekman	Henningsen	Parker	Watson of
Berg	Hultman	Prentis	O'Brien
Byers	Humbert	Ridout	Watson of
Colburn	Jacobson	Risk	Pottawattamie
Dailey	Linnevold	Roberts	Weichman
Elthon	Lynes	Sharp	West
Fishbaugh	McCarville	Tudor	Whitehead
Fletcher	Mercer	Utzig	Zastrow
Gillespie	Molison		

Nays, none.

**Absent or not voting, 6:**

Doud	Knudson	Myrland	Vest
Dykhouse	Lord		

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

On motion of Senator Dailey, Senate File 328, a bill for an act to amend chapter four hundred thirty A (430A), Code 1950, relating to the taxation of loan agencies and by fixing the conditions under which Iowa corporations may elect to be taxed under this chapter, and the basis of taxing such Iowa corporations, was taken up, and considered.

Senator Dailey moved that the bill be read a third 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:**

Anderson	Byers	Gillespie	Hultman
Augustine	Dailey	Hart	Humbert
Bateson	Elthon	Hattery	Jacobson
Bekman	Fishbaugh	Hedin	Linnevold
Berg	Fletcher	Henningsen	Lynes

Mercer	Ridout	Utzig	Watson of
Nesmith	Risk	Van Eaton	O'Brien
Oltman	Roberts	Van Patten	West
O'Malley	Sharp	Vest	Zastrow
Parker	Tudor	Walter	

Nays, none.

Absent or not voting, 12:

Colburn	Lord	Prentis	Weichman
Doud	McCarville	Watson of	Whitehead
Dykhouse	Molison	Pottawattamie	
Knudson	Myrland		

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

#### COMMUNICATION FROM STATE COMPTROLLER

The following communication was received from the office of the state comptroller:

#### OFFICE STATE COMPTROLLER

March 23, 1951.

To the Secretary of the Senate and  
Chief Clerk of the House of Representatives.

In accordance with the provisions of chapter 25, Code 1950, there are submitted herewith claims acted upon by the state appeal board on March 20, 1951. Each claim bears the recommendation of the board.

Claims of a general nature are numbers 95, 102, 126, 159, 162, 163, 168, 175, 181 and 182. Also highway commission claims numbers H-162-51 and H-165-51 to H-176-51, inclusive.

*State Appeal Board.*  
R. E. JOHNSON, *Chairman,*

No.	Name of Claimant and Nature of Claim	Amount of Claim
95	County Treasurer, Muscatine County— Drainage assessment, amended claim.....	\$ 4,612.52
102	Armstrong-Mitchell Farm, Jesup, Iowa— Refund for gasoline used in farm tractor, but failed to apply for their refund within the three calendar months' limitation.....	17.48
126	Leon H. Carter, Des Moines, Iowa— 1939 judgment entered against the state auditor. Plaintiff claims that he was illegally dismissed from his position.....	1,852.25
159	County Treasurer, Cerro Gordo County— Agricultural land tax credit refund 1946.....	13.87
162	Ellsworth Fuller, Davenport, Iowa— Claimant states that he was unlawfully confined to the insane ward at the reformatory in Anamosa, Iowa, 1913 to 1949.....	50,000.00

No.	Name of Claimant and Nature of Claim	Amount of Claim
163	Ivan Brown, Spirit Lake, Iowa— Personal injuries while employed by the conservation commission .....	1,286.85
168	Malcolm Heefner, Des Moines, Iowa— Car damaged and personal injuries by Jeep belonging to the Iowa National Guard.....	2,500.00
175	Guy Harmon, Algona, Iowa— Refund on gasoline tax.....	54.47
181	Mason Funeral Home, Tama, Iowa— Funeral service of Mary Kupka, old age recipient....	150.00
182	Liberty Mutual Ins. Co., Des Moines, Iowa— Damage to car by state owned car.....	189.62

## HIGHWAY COMMISSION CLAIMS

H-162-51	Randall Reinholdt, Marcus, Iowa— Estimated depreciation in value of 1948 Hudson sedan in excess of cost of repairs due to collision with highway commission snowplow.....	270.42
H-165-51	Stephen Treharne, Davenport, Iowa— Cost of repairs to 1937 Chevrolet auto damaged in collision with highway commission truck.....	82.00
H-166-51	C. C. Bless, St. Ansgar, Iowa— Cost of repairs to 1948 Frazier auto due to collision with highway commission snow removal truck.....	128.55
H-167-51	F. D. Riley, Des Moines, Iowa— Cost of repairs to 1949 Packard auto due to collision with highway commission truck and sand spreader....	103.08
H-168-51	Wendell R. Sharpe, Washington, Iowa— Cost of repairs to 1950 Buick auto driven into rear end of highway commission International snow re- moval truck.....	87.79
H-169-51	Paul W. Fry, Cedar Rapids, Iowa— Cost of repairs to 1941 Chevrolet coach due to dam- age received on February 6, 1951, in collision with highway commission snowplow truck.....	69.44
H-170-51	Leslie Hale, Sr., Council Bluffs, Iowa— Cost of repairs to 1946 Ford tudor damaged in col- lision with highway commission International truck and snowplow.....	32.87
H-171-51	Mrs. Farrell Scott, Oskaloosa, Iowa— Cost of repairs to 1948 Plymouth sedan which was struck by highway commission Chevrolet truck on an icy pavement.....	13.47
H-172-51	Mrs. Mary Reinholdt, Marcus, Iowa— Personal injuries alleged to have been received while riding in the Randall W. Reinholdt car on February 17, 1949, when said car was struck by highway com- mission truck and ice blade.....	164.00

No.	Name of Claimant and Nature of Claim	Amount of Claim
H-173-51	Mrs. Anna Reinholdt, Marcus, Iowa— Personal injuries alleged to have been received while riding in the Randall W. Reinholdt car February 17, 1949, when said car was struck by a highway commission truck and ice blade.....	132.00
H-174-51	Mrs. Joe Stahl, Kingsley, Iowa— Medical expense and pain and suffering as a result of personal injuries alleged to have been received February 17, 1949, when claimant was riding as a passenger in car of Randall W. Reinholdt which was struck by a highway commission snowplow.....	107.00
H-175-51	Mrs. Fred Reinholdt, Kingsley, Iowa— Medical and other expense including pain and suffering as a result of personal injuries alleged to have been received on February 17, 1949, when claimant was riding as a passenger in car of Randall W. Reinholdt which was struck by highway commission snowplow truck.....	107.00
H-176-51	X. T. Prentis, Mount Ayr, Iowa— Damage to car by highway commission snowplow.....	50.00

Passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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, 113, 142, 250 and 302.

JAMES H. NESMITH, *Chairman Senate Committee.*

ELMER A. BASS, *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, 113, 142, 250 and 302.

#### BILLS SENT TO THE GOVERNOR

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

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 26th day of March, 1951, sent to the Governor for his approval: Senate Files 79, 113, 142, 250 and 302.

JAMES H. NESMITH, *Chairman.*

Passed on file.

## PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate the Cub Scouts of Den 5, Pack 38, who were present in the balcony with Mrs. R. E. Spaams, den mother, and Mrs. E. P. Kautzky.

Senator O'Malley asked and received unanimous consent to present to the Senate the members of Girl Scout Troop 144 of Highland Park who were present in the balcony with Mrs. Butcher.

## BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that, on March 22, the Governor had approved the following bills:

Senate File 11, relating to the word "person".

Senate File 107, relating to actions against the State of Iowa.

Senate File 198, relating to issue of patent to William Ware, Wapello County.

Senate File 199, relating to road use tax fund.

Senate File 200, relating to road use tax fund.

Senate File 204, relating to preservation of the report of amendments to Rules of Civil Procedure.

Senate File 207, relating to motor vehicles and law of road.

Senate File 222, relating to corporations for pecuniary profit.

Senate File 225, relating to capital stock.

Senate File 241, relating to city assessor's fund of Council Bluffs, Iowa.

Senate File 245, relating to investment of funds by fiduciaries.

Senate File 248, relating to consent, when necessary, for adoption.

Senate File 343, relating to board of auditorium trustees in municipal corporations.

Senate File 359, relating to judgments and decrees.

Senate File 402, relating to proceedings of the city council of the city of Jefferson, Iowa.

Senate File 468, relating to "Bridge Revenue Bonds", city of Burlington.

Also, that on March 23 the Governor had approved the following bill:

Senate File 60, relating to trolling from power boats.

## MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to request the return of House File 313, a bill for an act relating to certain requirements for district, superior and municipal court judges, for the reason that the House has adopted a motion to reconsider the same.

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

House File 606, a bill for an act relating to the adoption, amendment, revision, or repeal of rules and regulations adopted by administrative agencies of the State of Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGE CONSIDERED

House File 606, a bill for an act relating to the adoption, amendment, revision, or repeal of rules and regulations adopted by administrative agencies of the State of Iowa as defined herein and to the publication and distribution of said rules and regulations.

Read first and second times, and passed on file.

#### AMENDMENTS FILED

Amend Senate File 24 by striking section 10 and renumbering remaining sections.

ALAN VEST.

Amend Senate File 157, section 9, line 75, by inserting after the word "not" the word "less".

Further amend Senate File 157, section 21, line 9, by striking the period and inserting a semicolon in lieu thereof, and adding the following: "nor shall this act apply to manufacturers or railroad companies where a regular maintenance man or crew is continuously employed.

ELMER K. BEKMAN.

Amend Senate File 216 by inserting in section 4 as a new subsection the following: "1. The renegotiation of the entire contract by a certified public accountant, who shall make an audit of the account for work done and materials furnished to the date of the cessation of performance by the contractor; the contractor shall be entitled to a net profit of not to exceed six per cent (6%) if he is not in wrongful default of performance, and he shall refund all sums in excess thereof to the public corporation."

Renumber the remaining subsections.

EARL C. FISHBAUGH, JR.  
R. W. ZASTROW.

Amend Senate File 216 by striking all of section 6 and inserting in lieu thereof the following: "The provisions of this act shall not apply unless it is specifically contracted for between the contracting parties."

RALPH W. ZASTROW.

Amend Senate File 258 by striking from line 7, section 2, all after the word "disbursed" and inserting in lieu thereof the following words: "semi-annually or quarterly at the discretion of the county board of supervisors."

W. C. MOLISON.

Amend the Knudson amendment to Senate File 258 by striking the period (.) in line 18 and adding thereto the following: " , provided, however, that counties with an assessed valuation of sixteen million dollars (\$16,000,000) or less which are levying the millage rate provided for in section four hundred forty-four point nine (444.9), Code 1950, shall not be required to appropriate a sum larger than has been appropriated prior to January 1, 1951."

ALDEN L. DOUD.

Amend the title to Senate File 279 by striking all after the word "Act" and inserting in lieu thereof the following: "to amend sections

four hundred twenty-two point five (422.5), four hundred twenty-two point twelve (422.12) and four hundred twenty-two point thirteen (422.13), Code 1950, relating to decreasing the rate of tax imposed on income; increasing the deductions from the computed tax and relating to returns by individuals for the filing of individual income tax for the years nineteen hundred fifty-one (1951) and nineteen hundred fifty-two (1952).

Further amend Senate File 279 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section four hundred twenty-two point five (422.5), Code 1950, is amended by inserting a paragraph after line twenty-four (24) as follows: "The rates herein provided are hereby reduced twenty-five per cent (25%) on all taxable income earned in 1951 and 1952, and this provision shall apply to returns made on a fiscal year basis for any fiscal year beginning after January 1, 1951".

Sec. 2. Section four hundred twenty-two point twelve (422.12), Code 1950, is hereby amended by adding the following paragraph: "For the years 1951 and 1952, the deductions from the computed tax shall be as follows:

"1. For a single individual, fifteen dollars.

"2. For husband and wife or head of a family, thirty dollars.

"3. For each child under the age of twenty-one years who is actually supported by and dependent upon the taxpayer for his support, an additional seven dollars fifty cents.

"4. For each actual dependent other than as specified in subsection 3 of this section, the taxpayer may deduct the sum of seven dollars fifty cents; or in lieu thereof in the case of a father, mother, or grandparent dependent upon the taxpayer, the taxpayer in computing the net income may make deduction therefrom of four hundred fifty dollars for such dependent."

Sec. 3. Amend section four hundred twenty-two point thirteen (422.13), Code 1950, by adding the following: "For

the years 1951 and 1952, a return shall be made by an individual as follows:

"1. Every individual having a net income for the year from sources taxable under this division of \$1,500 or over, if single, or if married and not living with husband or wife; or having a net income for the tax year of \$2,350 or over, if married and living with husband or wife, shall make and sign a return stating specifically the items of gross income and the deductions and exemptions allowed by this division.

"2. If husband and wife living together have an aggregate net income of \$2,000 or over, each shall make such a return, unless the income of each is included in a single joint return."

DEVERE WATSON.

Amend Senate File 316 by adding the following:

"Sec. 2. The state conservation commission, for the purpose of carrying out any permission granted, as hereinbefore provided, shall have and exercise the power of eminent domain."

DEVERE WATSON.

Amend Senate File 477 as follows:

1. Strike the words and figures "eighteen million three hundred eighty-two thousand sixty-eight dollars (\$18,382,068) in lines 5, 6 and 7 of section 1 and substitute in

lieu thereof the words and figures "eighteen million five hundred eighty-two thousand sixty-eight dollars (\$18,582,068)".

2. Strike the words and figures "two million three hundred thirty-four thousand four hundred twenty-seven dollars (\$2,334,427)"

from lines 4 and 5 of section 8, and substitute in lieu thereof the words and figures "two million four hundred thirty-four thousand four hundred twenty-seven dollars (\$2,434,427)".

3. Strike the figures "\$2,209,427" in line eight (8) of section 8, and substitute in lieu thereof the figures "\$2,309,427".

4. Strike the figures "\$2,334,427" in line 14 of section 8, and insert in lieu thereof the figures "\$2,434,427".

Further amend by striking all of lines

15 and 16 and inserting in lieu thereof

the following: "There is hereby appropriated from the general fund of the State of Iowa to the state board of education the following:"

JOHN P. BERG.

Amend House File 421 as follows:

1. Strike section 2 and substitute in lieu thereof the following: "Sec. 2. Section five hundred forty-seven point three (547.3), Code 1950, is hereby amended by striking from line three (3) the words 'twenty-five cents' and substituting in lieu thereof the words 'one dollar'."

2. Amend section 3 by striking the period (.) at the



end thereof and adding the following: “; and by striking from line two (2) of subsection three (3) the word ‘twenty-five’ and substituting in lieu thereof the word ‘fifty.’”

3. Insert after section 3 the following new section:

“Section five hundred fifty-six point seventeen (556.17), Code 1950, is hereby repealed and the following enacted in lieu thereof:

“‘Release of mortgages. When the amount due on any chattel mortgage, conditional sales contract, or pledge of personal property is paid, the mortgagee, conditional vendor, pledgee or his personal representative or assignee, or those legally acting for him shall release of record such instrument evidencing the security, at his own expense, by filing with the original instrument a duly executed satisfaction piece or release, or by indorsing a satisfaction on the index book under the heading of “remarks” in the same manner as mortgages are now released by marginal satisfaction, and when so released on index book, the recorder shall enter a memorandum thereof on the original instrument or on the record thereof, if recorded.

“‘Any person who fails to comply with the provisions of this section within thirty days after receiving payment in full shall forfeit to the mortgagor, conditional vendee, or pledgor the sum of twenty-five dollars.’”

4. Insert after section 3 the following new section:

“Chapter five hundred fifty-seven (557), Code 1950, is hereby amended as follows:

“1. By striking from line four (4), section five hundred fifty-seven point twenty-four (557.24), the words ‘one dollar’ and substituting in lieu thereof the words ‘three dollars’.

“2. By striking from line ten (10), section five hundred fifty-seven point twenty-six (557.26), the word ‘twenty-five’ and substituting in lieu thereof the word ‘fifty.’”

5. Insert after section 4 the following new section:

“Section one hundred eighty-eight point forty-eight (188.48), subsection eight (8), Code 1950, is hereby amend by striking from line four (4) the words ‘fifty cents’ and inserting in lieu thereof the words ‘one dollar.’”

6. Insert after section 4 the following new section:

“Section five hundred forty-four point thirty-seven (544.37), Code 1950, is hereby amended as follows:

“By striking from line nine (9) the word ‘twenty-five’ and substituting in lieu thereof the word ‘fifty.’”

7. Renumber the sections of the bill.

ARTHUR H. JACOBSON.

Amend House File 422 by striking the words “forty-eight hundred” at the end of line 10 and inserting in lieu thereof the words “five thousand”.

GEORGE E. O'MALLEY.

Amend the amendment by the committee on compensation of public officers and employees to House File 422 by striking lines 93, 94, 95 and 96.

**RAY FLETCHER.**

Amend the amendment by the committee on compensation of public officers and employees to House File 422 by inserting after the word "supervisors" in line 95 the following: ", treasurer, auditor, clerk of district court, recorder, sheriff, county attorney and county assessor" and by adding after the word "shall" in line 95 the following: "constitute a committee, the chairman of the board of supervisors being the chairman thereof, to".

**RAY FLETCHER.**

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 27, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Frank Marler, pastor of the Christian Church, Albia, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Bekman, from the members of the executive committee of the new Anne G. Wilson Elementary School Parent-Teacher Association of Ottumwa, Wapello County, favoring an increase in general aid for schools; also, from members of the Agassiz School Parent-Teacher Association, of Ottumwa, Wapello County, in opposition to Senate File 384, the subversive activities act, also favoring state aid to schools.

By Senator Hedin, from members of the Parent-Teacher Association of the Lincoln School, Bettendorf, Scott County, favoring an increase in state aid to schools.

By Senator Henningsen, from members of the Spinning Wheel Chapter, D. A. R., Marshalltown, favoring passage of Senate File 384, the subversive activities act.

By Senator Mercer, from residents of Iowa County favoring passage of Senate File 398 relating to the employment of minors.

By Senator Ridout, from members of the Spinning Wheel Chapter, D. A. R., Marshalltown, favoring passage of Senate File 384, the subversive activities act.

By Senator Watson, from the mayor and council members of Council Bluffs, Pottawattamie County, favoring legislation relating to the establishment of a state building code.

## INTRODUCTION OF BILLS

Senate File 488, by committee on tax revision, a bill for an act to amend section three hundred forty-seven point seven (347.7),

Code 1950, relating to county public hospitals, and to increase the levy provided therein for maintenance.

Read first and second times, and placed on the calendar.

Senate File 489, by committee on motor vehicles, a bill for an act to amend chapter three hundred twenty-one (321), Code 1950, relating to motor vehicles and law of road, and treasurer's duty in issuing receipts for registrations.

Read first and second times, and placed on the calendar.

Senate File 490, by committee on public lands and buildings, a bill for an act to provide for the construction of a tunnel from the capitol building to the state office building on the capitol grounds, and to authorize the legislative advisory committee and the executive council to employ an architect or architects to prepare plans and specifications therefor, and to enter into a contract or contracts for the construction and equipment of such tunnel, and to provide an appropriation therefor.

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

Senate File 491, by committee on insurance, a bill for an act to amend section five hundred fifteen point one hundred twelve (515.112), Code 1950, relating to coinsurance riders and exceptions thereto.

Read first and second times, and placed on the calendar.

Senate File 492, by committee on public health, a bill for an act to amend sections two hundred four point one (204.1) and two hundred four point twenty-two (204.22), Code 1950, relating to the uniform narcotic drug act.

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 152, a bill for an act relating to the clarification of powers of a "society."

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

House File 238, a bill for an act relating to individual accident and sickness insurance policies.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File 152, a bill for an act to amend section one hundred seventy-four point two (174.2), Code 1950, to clarify the powers of a "society" as defined in section one hundred seventy-four point two (174.2).

Read first and second times, and passed on file.

House File 238, a bill for an act relating to individual accident and sickness insurance policies, making uniform the law relating thereto, to repeal section five hundred eleven point thirty-six (511.36), Code 1950, also relating to accident or health insurance.

Read first and second times, and passed on file.

#### UNFINISHED BUSINESS

Senator Weichman called up for further consideration Senate File 87, a bill for an act to amend section three hundred twenty-one point four hundred sixty-seven (321.467), Code 1950, relating to permits for excess size and weight.

Senator Fishbaugh asked and received unanimous consent to withdraw the amendment to the amendment by Senator Weichman and found on page 761 of the Senate Journal.

On motion of Senator Weichman, the amendment filed by him and found on page 760 of the Senate Journal was adopted.

On motion of Senator McCarville, the following amendment by Senators McCarville, Walter and Weichman was adopted:

Amend Senate File 87 by adding thereto the following:

"Provided further that, in an emergency, or very special or unusual cases, or as a means of cooperating with national defense officials, the state highway commission may grant permits for moving oversize or overweight vehicles or objects over the highways for a distance exceeding twenty-five (25) miles, if in the judgment of the commission, such special, unusual, emergency or defense movement is essential."

Senator Fishbaugh offered the following amendment and moved its adoption:

Amend Senate File 87 by adding thereto the following: "In no event, however, is the gross weight on any axle to exceed the maximum axle

load as prescribed in section three hundred twenty-one point four hundred sixty-three (321.463) hereof."

The amendment was adopted.

Senator Weichman moved that the bill be read a third 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:**

Anderson	Gillespie	Molison	Van Eaton
Augustine	Hattery	Myrland	Vest
Bateson	Hedin	Nesmith	Walter
Bekman	Henningesen	O'Malley	Watson of
Berg	Hultman	Parker	O'Brien
Colburn	Humbert	Ridout	Watson of
Dailey	Jacobson	Risk	Pottawattamie
Doud	Knudson	Roberts	Weichman
Dykhous	Lynes	Sharp	West
Elthon	McCarville	Tudor	Whitehead
Fishbaugh	Mercer	Utzig	Zastrow
Fletcher			

**Nays, none.**

**Absent or not voting, 7:**

Byers	Linnevold	Oltman	Van Patten
Hart	Lord	Prentis	

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

On motion of Senator Colburn, House File 492, a bill for an act transferring moneys from the industry revolving funds created and established at the state penitentiary at Fort Madison and at the state reformatory at Anamosa to the general fund of state, 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, 49:**

Anderson	Dykhous	Hultman	Myrland
Augustine	Elthon	Humbert	Nesmith
Bateson	Fishbaugh	Jacobson	Oltman
Bekman	Fletcher	Knudson	O'Malley
Berg	Gillespie	Linnevold	Parker
Byers	Hart	Lynes	Prentis
Colburn	Hattery	McCarville	Ridout
Dailey	Hedin	Mercer	Risk
Doud	Henningesen	Molison	Roberts

Sharp	Van Patten	Watson of	Weichman
Tudor	Vest	O'Brien	West
Utzig	Walter	Watson of	Whitehead
Van Eaton		Pottawattamie	Zastrow

Nays, none.

Absent or not voting, 1:

Lord

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

### SPECIAL ORDER

The hour of 10:30 a.m., having arrived, the Chair announced the special order for the consideration of House Files 421 and 422.

### THIRD READING OF BILLS

On motion of Senator Weichman, House File 421, a bill for an act to amend sections three hundred thirty-five point fourteen (335.14), five hundred forty-seven point three (547.3) and five hundred fifty-six point twenty (556.20), relating to fees to be charged by the county recorder; sections three hundred thirty-three point fifteen (333.15), five hundred fifty-eight point fifty-seven (558.57) and five hundred fifty-eight point sixty-six (558.66), Code 1950, relating to fees to be charged by the county auditor: section three hundred thirty-seven point eleven (337.11), Code 1950, relating to fees to be charged by the county sheriff; sections three hundred twenty-one point one hundred fifty-two (321.152), four hundred forty-five point twenty-three (445.23), four hundred forty-five point twenty-six (445.26) and four hundred forty-six point twenty-nine (446.29), Code 1950, relating to fees to be charged by the county treasurer; section six hundred six point fifteen (606.15), Code 1950, relating to fees to be charged by the clerk of the district court; and to amend section one hundred ten point five (110.5), Code 1950, to provide that the counties shall be reimbursed for their expense incident to the issuance of hunting and fishing licenses for the state, by retaining a portion of the hunting and fishing license fees collected by the county, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Jacobson offered the following amendment:

Amend House File 421 as follows:

1. Strike section 2 and substitute in lieu thereof the following: "Sec. 2. Section five hundred forty-seven point three (547.3), Code 1950, is hereby

amended by striking from line three (3) the words 'twenty-five cents' and substituting in lieu thereof the words 'one dollar.'

2. Amend section 3 by striking the period (.) at the end thereof and adding the following: ", and by striking from line two (2) of subsection three (3) the word 'twenty-five' and substituting in lieu thereof the word 'fifty.'"

3. Insert after section 3 the following new section: "Section five hundred fifty-six point seventeen (556.17), Code 1950, is hereby repealed and the following enacted in lieu thereof:

"'Release of mortgages. When the amount due on any chattel mortgage, conditional sales contract, or pledge of personal property is paid, the mortgagee, conditional vendor, pledgee or his personal representative or assignee, or those legally acting for him shall release of record such instrument evidencing the security, at his own expense, by filing with the original instrument a duly executed satisfaction piece or release, or by indorsing a satisfaction on the index book under the heading of "remarks" in the same manner as mortgages are now released by marginal satisfaction, and when so released on index book, the recorder shall enter a memorandum thereof on the original instrument or on the record thereof, if recorded.

"'Any person who fails to comply with the provisions of this section within thirty days after receiving payment in full shall forfeit to the mortgagor, conditional vendee, or pledgor the sum of twenty-five dollars.'"

4. Insert after section 3 the following new section: "Chapter five hundred fifty-seven (557), Code 1950, is hereby amended as follows:

"1. By striking from line four (4), section five hundred fifty-seven point twenty-four (557.24), the words 'one dollar' and substituting in lieu thereof the words 'three dollars'.

"2. By striking from line ten (10), section five hundred fifty-seven point twenty-six (557.26), the word 'twenty-five' and substituting in lieu thereof the word 'fifty.'"

5. Insert after section 4 the following new section: "Section one hundred eighty-eight point forty-eight (188.48), subsection eight (8), Code 1950, is hereby amended by striking from line four (4) the words 'fifty cents' and inserting in lieu thereof the words 'one dollar.'"

6. Insert after section 4 the following new section: "Section five hundred forty-four point thirty-seven (544.37), Code 1950, is hereby amended as follows:

"By striking from line nine (9) the word 'twenty-five' and substituting in lieu thereof the word 'fifty.'"

7. Renumber the sections of the bill.

On motion of Senator Jacobson, sections 1 and 2 of the amendment were adopted.

Senator Jacobson offered the following amendment to his amendment and moved its adoption:

Amend the amendment by striking lines 27 to 30, inclusive, and inserting in lieu thereof the following: "Any person who fails to comply with the provisions of this section within thirty days after being requested



in writing shall forfeit to the mortgagor, conditional vendee or pledgor the sum of twenty-five dollars (\$25)."

The amendment to the amendment was adopted.

On motion of Senator Jacobson, section 3 of the amendment as amended was adopted.

Senator Van Patten took the chair at 11:15 a.m.

On motion of Senator Jacobson, sections 4, 5, 6 and 7 of the amendment were adopted.

Senator Watson of Pottawattamie offered the following amendment, and moved its adoption:

Amend House File 421 by striking section 14.

The amendment was adopted.

Senator Jacobson offered the following amendment and moved its adoption:

Amend the title to House File 421 as follows:

1. Strike the word "and" in line 3 and insert in lieu thereof a comma (,).
2. Insert after the comma (,) at the end of line 3 the following: "five hundred forty-four point thirty-seven (544.37), five hundred fifty-six point seventeen (556.17), five hundred fifty-seven point twenty-four (557.24) and five hundred fifty-seven point twenty-six (557.26)."
3. Strike all after the semicolon (;) in lines 19 to 23, inclusive, and insert in lieu thereof the following: "and to amend section one hundred eighty-eight point forty-eight (188.48), Code 1950, relating to the fees to be charged for the taking up of estrays and trespassing animals."

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, 43:

Anderson	Fishbaugh	Linnevoold	Risk
Augustine	Fletcher	Lynes	Roberts
Bateson	Gillespie	McCarville	Sharp
Bekman	Hart	Mercer	Tudor
Berg	Hattery	Molison	Utzig
Byers	Hedin	Myrland	Van Eaton
Colburn	Henningsen	Nesmith	Van Patten
Dailey	Hultman	Oltman	Vest
Doud	Humbert	O'Malley	Watson of
Dykhouse	Jacobson	Prentis	O'Brien
Elthon	Knudson	Ridout	Weichman

**Nays, 2:**

Watson of West  
Pottawattamie

**Absent or not voting, 5:**

Lord Whitehead Zastrow  
Parker Walter

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

**BILLS WITHDRAWN**

Senator Jacobson asked and received unanimous consent to withdraw from further consideration of the Senate: Senate Files 116, 140, 139, 253, 251, 252, 138, 137, 118, 120, 4, 117, 141 and 119.

**PRESENTATION OF VISITORS**

Senator Hattery asked and received unanimous consent to present to the Senate the members of the eighth, eleventh and twelfth grade classes in American government of the Colo High School who were present in the balcony.

Senator Mercer asked and received unanimous consent to present to the Senate the members of the senior class of the Amana High School who were present in the balcony with their superintendent, Charles L. Selzer.

Senator Whitehead asked and received unanimous consent to present to the Senate thirty-three students of Dexter High School, members of the American government, sociology and physics classes, who were present in the balcony with their principal, D. W. See, instructor, James Welch, and superintendent, L. O. Wineiger.

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

**AFTERNOON SESSION**

The Senate reconvened, President Nicholas presiding.

**PRESENTATION OF VISITOR**

Senator Lord asked and received unanimous consent to present to the Senate a former member of the Senate from Louisa County, the Honorable Floyd J. Pine, who was present in the Senate chamber.

**COMMITTEE REPORT ON HOUSE FILE 313 WITHDRAWN**

Senator Byers asked and received unanimous consent that the report of the committee on judiciary 2 on House File 313, found on page 790 of the Senate Journal, be withdrawn.

**HOUSE FILE 313 RETURNED TO THE HOUSE**

Senator Byers asked and received unanimous consent that the Secretary be instructed to return House File 313 to the House.

**SPECIAL ORDER**

The Senate resumed consideration of the bills under special order.

**THIRD READING OF BILLS**

On motion of Senator Weichman, House File 422, a bill for an act to amend chapter three hundred forty (340) and sections three hundred thirty-one point twenty-two (331.22), three hundred thirty-one point twenty-three (331.23) and four hundred forty-one point six (441.6), Code 1950, all relating to the compensation of county officers and deputies, assistants and clerks, county attorneys and assistant county attorneys and county assessors, and providing for annual adjustment of such compensation, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend House File 422, section 3, by striking from line 13 the word "fifty".
2. Further amend section 3 by striking from line 15 the word "thirty-eight" and inserting in lieu thereof the word "thirty-seven".
3. Further amend section 3 by striking from line 17 the words "thirty-nine hundred fifty" and inserting in lieu thereof the words "thirty-eight hundred".
4. Further amend section 3 by striking from line 19 the word "forty-one" and inserting in lieu thereof the word "thirty-nine".
5. Further amend section 3 by striking from line 21 the words "forty-two hundred fifty" and inserting in lieu thereof the words "four thousand".
6. Further amend section 3 by inserting from line 23 the word "forty-four" and inserting in lieu thereof the word "forty-two".
7. Further amend section 3 by striking from line 25 the words "forty-seven hundred" and inserting in lieu thereof the words "forty-four hundred fifty".
8. Further amend section 3 by striking from line 27 the words "five thousand" and inserting in lieu thereof the words "forty-six hundred".

9. Further amend section 3 by striking from line 29 the words "fifty-three hundred" and inserting in lieu thereof the words "forty-eight hundred fifty".

10. Further amend section 3 by striking from line 30 the word "fifty-six" and inserting in lieu thereof the word "fifty-two".

11. Further amend House File 422 by striking section 8.

12. Further amend House File 422 by striking section 9.

13. Further amend House File 422, section 4, line 9, by inserting after the word "of" the words "not more than".

14. Further amend House File 422, section 4, line 12, by inserting after the word "of" the words "not more than".

15. Further amend House File 422, section 5, line 11, by striking the word "fifty".

16. Further amend House File 422, section 5, line 13, by striking the word "thirty-eight" and inserting in lieu thereof the word "thirty-seven".

17. Further amend House File 422, section 5, line 15, by striking the words "thirty-nine hundred fifty" and inserting in lieu thereof the words "thirty-eight hundred".

18. Further amend House File 422, section 5, line 17, by striking the word "forty-one" and inserting in lieu thereof the word "thirty-nine".

19. Further amend House File 422, section 5, line 19, by striking the words "forty-two hundred fifty" and inserting in lieu thereof the words "four thousand".

20. Further amend House File 422, section 5, line 21, by striking the word "forty-four" and inserting in lieu thereof the word "forty-two".

21. Further amend House File 422, section 5, line 23, by striking the words "forty-seven hundred" and inserting in lieu thereof the words "forty-four hundred fifty".

22. Further amend House File 422, section 5, line 25, by striking the words "five thousand" and inserting in lieu thereof the words "forty-six hundred".

23. Further amend House File 422, section 5, line 27, by striking the words "fifty-three hundred" and inserting in lieu thereof the words "forty-eight hundred fifty".

24. Further amend House File 422, section 5, line 29, by striking the word "fifty-eight" and inserting in lieu thereof the word "fifty-two".

Further amend House File 422, section 5, lines 30 and 31, by striking the word "sixty-eight" and inserting in lieu thereof the word "sixty-four".

25. Further amend House File 422, section 6, line 7, by inserting after the word "of" the words "not more than".

26. Further amend House File 422, section 6, by striking lines 9 to 11, inclusive, and inserting in lieu thereof the following:

"2. All other deputy sheriffs shall receive an annual salary as fixed by the board of supervisors, but not to exceed the salaries of the first and second deputies."

27. Further amend House File 422, section 6, by striking lines 12 to 14, inclusive.

28. Further amend House File 422, section 7, line 6, by inserting after the word "receive" the words "not more than".

29. Further amend House File 422, section 7, lines 7 and 8, by changing the comma (,) after the word "principal" in line 7 to a period (.) and striking the remainder of the sentence.

30. Further amend House File 422 by striking section 10.

31. Further amend House File 422 by striking section 11 and inserting in lieu thereof the following:

"Sec. 11. Section three hundred forty point seven (340.7), Code 1950, is hereby amended by striking from line three (3) of subsection sixteen (16) the word "three" and inserting in lieu thereof the word "six".

32. Further amend House File 422 by striking section 12.

33. Further amend House File 422 by striking section 13.

34. Further amend House File 422 by striking section 14.

35. Further amend House File 422 by adding the following as a new section:

"The board of supervisors of each county shall determine the opening and closing hours of all county offices."

36. Further amend House File 422 by renumbering all sections where necessary.

Senator O'Malley offered the following amendment and moved its adoption:

Amend House File 422 by striking the words "forty-eight hundred" at the end of line 10 and inserting in lieu thereof the words "five thousand".

The amendment was adopted.

Senator Byers offered the following amendment to the committee amendment by Senators Byers, McCarville, Zastrow, Henningsen, Berg, Mercer, Utzig, O'Malley, Hedin, Dailey and Oltman:

Amend the amendment as follows:

"1. Strike divisions 1 to 10, inclusive.

"2. Strike divisions 15 to 24, inclusive.

"3. Strike division 31.

"4. Strike division 35."

Senator Byers moved the adoption of section 1 of the amendment.

Roll call was demanded.

On the question "Shall section 1 of the amendment be adopted?" the vote was:

Ayes, 38:

Anderson	Hattery	Mercer	Utzig
Augustine	Hedin	Myrland	Van Eaton
Berg	Henningsen	Nesmith	Van Patten
Byers	Humbert	Oltman	Vest
Dailey	Jacobson	O'Malley	Watson of
Doud	Knudson	Ridout	O'Brien
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Gillespie	Lynes	Sharp	Whitehead
Hart	McCarville	Tudor	

**Nays, 11:**

Bateson	Fishbaugh	Molison	Watson of
Bekman	Fletcher	Parker	Pottawattamie
Colburn	Hultman	Prentis	Zastrow

**Absent or not voting, 1:**

Walter

Section 1 of the amendment was adopted.

Senator Weichman offered the following amendment and moved its adoption:

Amend House File 422, section 4, by striking lines 8 to 14, inclusive, and inserting the following:

"In any county in which three or more deputies are required, and such deputies are of equal ability, such deputies shall receive an annual salary of not more than sixty-five per cent of the salary of his or her principal. The board of supervisors shall fix all compensation for extra help and clerks."

The amendment was adopted.

On motion of Senator Byers, section 2 of his amendment was adopted.

Senator Weichman asked and received unanimous consent to strike the word "and" in line 74 of the committee amendment and insert in lieu thereof the word "or".

On motion of Senator Weichman, divisions 25 to 27 of the committee amendment were adopted.

On motion of Senator Weichman, sections 28 and 29 of the committee amendment were adopted.

Senator Byers asked and received unanimous consent to withdraw section 3 of his amendment.

On motion of Senator Byers, section 4 of his amendment 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 110, a bill for an act relating to the publication of notices, reports of proceedings and similar matter.

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

Senate File 166, a bill for an act relating to the construction and maintenance of garages for storage, repair of motor vehicles of cities and towns.

Also: That the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File 301, a bill for an act relating to motor vehicles and law of road, defining chauffeur.

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 inspection of motor vehicles.

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 relating to qualifications for membership in fraternal beneficiary societies and limiting medical examination.

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

House File 531, a bill for an act relating to old age and survivors' insurance.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 110

Amend Senate File 110 by striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section six hundred eighteen point two (618.2), Code 1950, is repealed and the following is enacted in lieu thereof:

"Any public official who violates the provisions of section six hundred eighteen point one (618.1) or who wilfully fails to make publication as now required of him by law of any notice, report of proceedings or other matter whatsoever, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than one hundred dollars (\$100) or by imprisonment in the county jail for not more than thirty (30) days."

Further amend Senate File 110 by changing the period at the end of the title to a comma and adding the following: "and providing penalties for failure to make such publications."

#### HOUSE MESSAGES CONSIDERED

House File 247, a bill for an act to amend chapter three hundred twenty-one (321), Code 1950, relating to inspection of motor vehicles.

Read first and second times, and passed on file.

House File 292, a bill for an act to amend section five hundred twelve point nine (512.9), Code 1950, relating to qualifications for membership in fraternal beneficiary societies and limiting medical examination.

Read first and second times, and passed on file.

House File 531, a bill for an act to amend section ninety-seven point forty-five (97.45), Code 1950, relating to old age and survivors' insurance.

Read first and second times, and passed on file.

#### RESIGNATION OF EMPLOYEE

Maxine Maxson of Linn County tendered her resignation as Secretary's Clerk effective March 26.

#### COMMUNICATION FROM STATE COMPTROLLER

The following communication was received from the office of the state comptroller:

OFFICE  
STATE COMPTROLLER

March 27, 1951.

To the Secretary of the Senate and  
Chief Clerk of the House of Representatives.

In accordance with the provisions of chapter 25, Code 1950, there is submitted herewith claim acted upon by the state appeal board on March 20, 1951. The claim bears the recommendation of the board.

The claim is of a general nature numbered 183.

R. E. JOHNSON, *Chairman,*  
*State Appeal Board.*

No.	Name of Claimant and Nature of Claim	Amount of Claim
183	County Treasurer, Tama County.....\$	24.51

Passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 90.

JAMES H. NESMITH, *Chairman Senate Committee.*

ELMER A. BASS, *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 90.



## REPORTS OF COMMITTEES

Senator Van Eaton submitted the following report:

**MR. PRESIDENT:** Your committee on motor vehicles to which was referred **Senate File 81**, a bill for an act to amend section three hundred twenty-one point one hundred ninety-one (321.191), Code 1950, relating to fees for operator's and chauffeur's licenses, begs leave to report it has had the same under consideration and recommends the same **do pass**.

CHAS. S. VAN EATON, *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on motor vehicles to which was referred **Senate File 206**, a bill for an act to amend section three hundred twenty-one point three hundred ninety-three (321.393), Code 1950, relating to the color and mounting of lighting devices and reflectors on motor trucks or trailers, begs leave to report it has had the same under consideration and recommends the same **do pass**.

CHAS. S. VAN EATON, *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on motor vehicles to which was referred **Senate File 425**, a bill for an act prohibiting the installation or equipment connected therewith of any television set, or any device designed for video reception, and for amending chapter three hundred twenty-one (321), Code 1950, 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 425 by striking section 3.

CHAS. S. VAN EATON, *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on motor vehicles to which was referred **Senate File 461**, a bill for an act to amend section eighty point nine (80.9), Code 1950, relating to the radio division of the department of public safety, begs leave to report it has had the same under consideration and **returns the bill without recommendation**.

CHAS. S. VAN EATON, *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on motor vehicles to which was referred **House File 232**, a bill for an act to amend section three hundred twenty-one point three hundred ninety-three (321.393), Code 1950, relating to the color and mounting of lighting devices and reflectors on

motor trucks or trailers, begs leave to report it has had the same under consideration and recommends the same **do pass**.

CHAS. S. VAN EATON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on motor vehicles to which was referred **House File 322**, a bill for an act relating to the number of lighted lamps required on a motorcycle and to amend section three hundred twenty-one point four hundred nineteen (321.419), Code 1950, begs leave to report it has had the same under consideration and recommends the same **do pass**.

CHAS. S. VAN EATON, *Chairman*.

Ordered passed on file.

Senator Bekman submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred **House File 172**, a bill for an act to amend section five hundred twenty-two point one (522.1), Code 1946, relating to the qualifying, licensing and supervision of life insurance agents, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ELMER K. BEKMAN, *Chairman*.

Ordered passed on file.

Senator Van Patten submitted the following report:

MR. PRESIDENT: Your committee on labor to which was referred **Senate File 398**, a bill for an act to amend chapter ninety-two (92), Code 1950, relating to the employment of minors, begs leave to report it has had the same under consideration and **returns the bill without recommendation**.

LOYD VAN PATTEN, *Chairman*.

Ordered passed on file.

Senator Watson of O'Brien submitted the following report:

MR. PRESIDENT: Your committee on highways to which was referred **Senate File 80**, a bill for an act to amend section eighty point four (80.4), Code 1950, relating to members of the Iowa highway safety patrol, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HARRY E. WATSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to which was referred **Senate File 433**, a bill for an act to amend section three hundred twenty-

one point four hundred sixty-seven (321.467), Code 1950, so as to authorize the issuance of permits for the operation of electric trolley buses, or trackless trolley buses, on certain rural highways, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HARRY E. WATSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to which was referred **House File 360**, a bill for an act relating to the taxation and registration of motor vehicles exclusively engaged in interstate commerce and providing reciprocity agreements, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HARRY E. WATSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to which was referred **House File 408**, a bill for an act relating to expenses of the highway commission involved in the weighing and inspection of motor vehicle trailers, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HARRY E. WATSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to which was referred **House File 409**, a bill for an act relating to the condemnation of land by the highway commission, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HARRY E. WATSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to which was referred **House File 430**, a bill for an act relating to maximum legal weight of axle or vehicle and providing penalties for violations; and relating to the weighing of vehicles, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HARRY E. WATSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to which was referred **House File 458**, a bill for an act relating to weighing of vehicles, begs

leave to report it has had the same under consideration and recommends the same ~~do pass~~.

HARRY E. WATSON, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 216 as follows:

1. Strike the words "or indirectly" in line 2 of section 1.
2. Insert after the word "a" in line 5 of section 1 the words "situation which the President of the United States has declared to be".
3. Strike sections 2, 3, 4, 5, 6 and 8.
4. Renumber section 7.

EARL C. FISHBAUGH, JR.

Amend the Molison amendment to Senate File 258, filed March 26, 1951, by striking in lines 3 and 4 the words "at the discretion of" and inserting in lieu thereof the word "by".

W. C. MOLISON.

Amend Senate File 447 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section ninety-six point seven (96.7), section three (3), paragraph a, subparagraph two (2), Code 1950, is hereby amended by inserting after the word 'period' and before the word 'in' in line three (3) thereof the following:

"', from whom the individual was separated during said base period,'".

PAUL E. MCCARVILLE.  
FRANK C. BYERS.

Amend the committee amendment to House File 422 by striking division 30.

PAUL E. MCCARVILLE.  
THOMAS J. DAILEY.

Amend the committee amendment to House File 422, found on page 721 of the Senate Journal, by striking the period (.) after subsection 11 and substituting in lieu thereof the following: "except lines 1 to 32 thereof."

ARTHUR H. JACOBSON.

Amend the amendment to House File 422 by the committee on compensation of public officers and employees by striking division 33.

ALAN VEST.

Amend House File 458 as follows:

1. Capitalize the letter "t" in the word "the" in line 8 of section 3.

2. Capitalize the letter "t" in the word "the" in line 5 of said section and insert after the word "The" the word "Independence".

HARRY E. WATSON.

Amend House File 606 by placing a period in line 21 of section 2 after the word "therefor" and by striking the remainder of the sentence in lines 21, 22 and ending with the word "removed" in line 23 and inserting in lieu thereof the following:

"The administrative agency may then proceed to the adoption of the rule or regulation as above provided, however, a statement of the attorney general's objections shall be attached to and be published with the rule or regulation adopted."

X. T. PRENTIS (By request).

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 28, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Arthur Kindred, pastor of the Methodist Church, Marshalltown, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Hedin, from residents of Scott County opposing further control of the federal housing act.

By Senator Van Eaton, from residents of Woodbury County in opposition to taxation on receipts of amusement devices.

By Senator Watson, from residents of Pottawattamie County favoring passage of Senate File 258, relating to farm aid associations.

## INTRODUCTION OF BILLS

Senate File 493, by committee on schools and educational institutions, a bill for an act to provide for the establishment of a minimum foundation program for the State of Iowa for the purpose of equalizing educational opportunity and the equalization of the tax burden in the several school districts of the state: imposing a tax of fifteen (15) mills on all taxable, real and personal property in each county of the state, the benefits of such funds shall be allocated to the school districts of each county for the maintenance and support of such school district's appropriation; repealing section two hundred ninety-eight point ten (298.10), Code 1950, and amending section two hundred ninety-eight point eleven (298.11) and section four hundred twenty-six point three (426.3), Code 1950.

Read first and second times, and placed on the calendar.

Senate File 494, by committee on judiciary 1, a bill for an act to legalize and validate the proceedings taken by the board of supervisors of Appanoose County for authority to erect a building

to be used for the storage and repair of county road working machinery and bridge and road building materials.

Read first and second times, and placed on the calendar.

Senate File 495, by committee on judiciary 1, a bill for an act relating to the payment of expenses incurred under the uniform criminal extradition act.

Read first and second times, and placed on the calendar.

Senate File 496, by committee on governmental affairs, a bill for an act relating to the inspection and measurement of motor fuels and motor vehicle fuels, to eliminate certain duplications of work and personnel in respect thereto, and to make appropriations therefor.

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

Senate File 497, by committee on social security, a bill for an act to amend chapter two hundred fifty-nine (259), Code 1950, relating to vocational rehabilitation.

Read first and second times, and placed on the calendar.

#### PRESENTATION OF VISITORS

Senator Weichman asked and received unanimous consent to present to the Senate fifty-two members of the American government class of the Norway High School who were present in the balcony with their superintendent, W. W. Isenberger.

Senator Knudson asked and received unanimous consent to present to the Senate a group of women, members of the Hancock County Farm Bureau, winners of second place in the state "Get Out The Vote" contest in the recent election, who were present in the balcony with Paul Schurtz.

Senator Roberts asked and received unanimous consent to present to the Senate the members of the senior class in American government of the Pleasantville High School who were present in the balcony with their principal, Harry Bickson.

#### SENATE CONCURRENT RESOLUTION 11

Senator Lord called up for consideration Senate Concurrent Resolution 11, found on pages 301 to 304, inclusive, of the Senate Journal.

Senator Weichman moved that action on Senate Concurrent Resolution 11 be deferred.

Senator Elthon took the chair at 11:10 a.m.

President Nicholas took the chair at 11:20 a.m.

The motion by Senator Weichman was lost.

Senator Van Patten moved the previous question on the resolution, which motion prevailed.

On motion of Senator Fishbaugh, the report of the committee recommending passage was adopted.

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

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 35:

Anderson	Fishbaugh	Lord	Tudor
Bateson	Hart	Lynes	Van Eaton
Bekman	Hattery	McCarville	Van Patten
Berg	Hedin	Molison	Vest
Byers	Henningsen	Oltman	Walter
Colburn	Hultman	Parker	Watson of
Doud	Humbert	Prentis	O'Brien
Dykhousé	Knudson	Risk	Whitehead
Elthon	Linnevold	Sharp	Zastrow

Nays, 14:

Augustine	Mercer	Ridout	Watson of
Dailey	Myrland	Roberts	Pottawattamie
Gillespie	Nesmith	Utzig	Weichman
Jacobson	O'Malley		West

Absent or not voting, 1:

Fletcher

The resolution having received a constitutional majority was declared to have been adopted.

#### HOUSE CONCURRENT RESOLUTION 20

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

#### HOUSE CONCURRENT RESOLUTION 20

*Whereas*, the Fifty-fourth General Assembly, by concurrent resolution adopted, had invited the Pioneer Lawmakers to meet with the General Assembly in joint convention on March 14, and

*Whereas*, the weather and transportation conditions were such as to make it advisable and necessary to cancel said meeting, and



Whereas, it is most desirable upon the part of the members of the Fifty-fourth General Assembly to hold a joint meeting of this kind.

Now, Therefore, Be It Resolved by the House, the Senate Concurring: That a joint convention of the Fifty-fourth General Assembly be held on Wednesday, March 28, at 2:00 p.m., and that the Pioneer Lawmakers be invited to attend this joint convention and carry out the program which they had prepared for March 14.

The motion prevailed and the resolution was adopted.

#### HOUSE AMENDMENTS CONSIDERED

Senator McCarville called up for consideration Senate File 110, a bill for an act to amend section six hundred eighteen point two (618.2), Code 1950, relating to the publication of notices, reports of proceedings and similar matter, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 110 by striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section six hundred eighteen point two (618.2), Code 1950, is repealed and the following is enacted in lieu thereof:

"Any public official who violates the provisions of section six hundred eighteen point one (618.1) or who wilfully fails to make publication as now required of him by law of any notice, report of proceedings or other matter whatsoever, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than one hundred dollars (\$100) or by imprisonment in the county jail for not more than thirty (30) days."

Further amend Senate File 110 by changing the period at the end of the title to a comma and adding the following: "and providing penalties for failure to make such publications."

The Senate concurred in the House amendments.

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

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

Ayes, 36:

Anderson	Hedin	McCarville	Utzig
Augustine	Henningsen	Mercer	Van Eaton
Bateson	Hultman	Molison	Walter
Bekman	Humbert	Oltman	Watson of
Dailey	Jacobson	O'Malley	O'Brien
Doud	Knudson	Risk	Weichman
Dykhouse	LinnevoId	Roberts	West
Elthon	Lord	Sharp	Whitehead
Gillespie	Lynes	Tudor	Zastrow
Hattery			

Nays, 2:

Fishbaugh            Myrland

Absent or not voting, 12:

Berg	Hart	Prentis	Vest
Byers	Nesmith	Ridout	Watson of
Colburn	Parker	Van Patten	Pottawattamie
Fletcher			

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

Senator McCarville moved that the 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 313, a bill for an act relating to certain requirements for district, superior and municipal court judges.

Also: That the House has concurred in Senate amendments to and passed House File 399, a bill for an act relating to registration plates issued for motor vehicles.

Also: That the House has concurred in Senate amendments to and passed House File 453, a bill for an act relating to motor vehicle dealers, defining "used motor vehicle" and "second-hand motor vehicle".

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGE CONSIDERED

House File 313, a bill for an act to amend chapter six hundred five (605), Code 1950, relating to certain requirements for district, superior and municipal court judges.

Read first and second times, and passed on file.

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

#### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

#### COMMITTEE FROM THE HOUSE

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

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

### JOINT CONVENTION

In accordance with House Concurrent Resolution 20, duly adopted, the joint convention was called to order, William H. Nicholas, President of the Senate, presiding.

Senator Byers of Linn moved that a committee of six be appointed to notify the Pioneer Lawmakers that the joint convention was ready to receive them.

Motion prevailed and President Nicholas appointed as such committee Berry of Calhoun, Hanna of Adams and Ramseyer of Washington on the part of the House, and Senators Byers of Linn, Moli-son of Poweshiek and Mercer of Johnson on the part of the Senate.

The committee previously appointed escorted the Pioneer Lawmakers to the House chamber.

President Nicholas welcomed the Pioneer Lawmakers with the following remarks:

**TO THE PIONEER LAWMAKERS OF IOWA AND MEMBERS OF THE FIFTY-FOURTH GENERAL ASSEMBLY:**

It is not only a great pleasure, but a distinct honor for me, upon this occasion, to welcome you, members of the Pioneer Lawmakers, to this joint convention. We who are your successors in the making of laws for the State of Iowa have a great privilege in looking into the records of the past to guide us in our deliberations of today. I personally have a very deep feeling of responsibility in the maintaining of the traditions of many years, whereby we meet as we do today in joint session, to give proper recognition and honor to you, the legislators of the past, for the splendid work you have done in the years gone by. So today we are most happy to greet you, to welcome you, and to look forward in great anticipation to the program which is about to be rendered. I therefore take great pleasure in introducing to you the Senator from Muscatine, the Honorable Herman B. Lord, who will extend the official welcome on behalf of the Senate.

On behalf of the Senate, Senator Herman B. Lord of Muscatine welcomed the Pioneer Lawmakers with the following remarks:

**MR. PRESIDENT, PIONEER LAWMAKERS, MEMBERS OF THE JOINT SESSION, LADIES AND GENTLEMEN:**

The privilege of welcoming the Pioneer Lawmakers of Iowa on this occasion is an honor and an opportunity. With this undertaking I have discovered a philosophy that otherwise would not have been revealed to me. In checking over the Journals of other sessions with reference to

meetings of the Pioneer Lawmakers, there has come to me two thoughts which I shall set out in separate parts:

1. Today we stand in the presence of those whose endeavor in the past has become a heritage to us as evidenced by the functions of government and institutions of this great state.

It seems to me that to know more personally and intimately our honored guests we should ask that their names be published in the Journals as a part of these doings. In this way we may better preserve the memories and personalities of this occasion.

2. Throughout their labors there seems to run a thread of admonition to us, starting with the Constitution which contains therein, in the Bill of Rights, Article I, Section 1, the following:

"All men are, by nature, free and equal, and have certain inalienable rights—among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining safety and happiness."

Under the Bill of Rights man is a free agent and only such restraints shall be placed upon him as will require him to respect the same rights for others.

We are warned that as the population becomes more dense, our society will become more complex. As society becomes more complex, there will be more demands for rules and regulations made upon the legislature by special groups. As rules and regulations are increased, that freedom which our Pioneer Lawmakers intended for us is limited and restricted.

We have met in regular session for the 54th time. During that period there have been enacted over 17,000 sections within 795 chapters of the Code. And it is safe to say that Iowa has not less than 50,000 departmental rules and regulations, and many have the force and effect of statutory law.

It would appear that 17,000 Code sections should be sufficient to regulate a complex society. Should Iowa legislatures continue in the next 54 sessions at this rate, the Civil Rights provisions of the Constitution could well be nullified.

In gratitude to you, the Pioneer Lawmakers of Iowa, we the lawmakers assembled here today give thanks for your philosophy—that philosophy "that the least governed is the best governed".

We promise you here, we promise you now, that your posterity shall remain free.

President Nicholas introduced the Honorable Arch W. McFarlane of Black Hawk with the following remarks:

It now gives me great pleasure to introduce to you one of your fellow members, and still a member of the General Assembly of the State of Iowa, and recognized as the dean of Iowa legislators, the Honorable Arch W. McFarlane of Black Hawk County, who will extend to you a welcome on behalf of the House of Representatives.

On behalf of the House, the Honorable Arch W. McFarlane of Black Hawk welcomed the Pioneer Lawmakers with the following remarks:

**MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE JOINT CONVENTION AND PIONEER LAWMAKERS:**

It certainly gives me one of the greatest thrills of my lifetime to appear before this distinguished group of Iowa citizens today because I am one of the pioneers and a member of your association.

I was raised on a reading diet which included all of J. Fenimore Cooper's Leatherstocking tales, and I got my idea of what a pioneer looked like and acted like out of such books as the "Deerslayer."

In later years, especially since the movies came along, my subconscious idea of a pioneer became even more glamorous; all pioneers were rugged heroes, all pioneer women were beautiful, and the few villains who moved in on them were speedily disposed of.

I realize now that all of the men and women I knew in my boyhood were pioneers, and pioneers of the sturdiest type. Many of you here today were reared under pioneer conditions and knew at first hand some of the tough side of pioneer life here in Iowa or elsewhere.

I doubt very much if any of you here today thought about yourself as a pioneer in the Iowa lawmaking business. Yet, even today, lawmaking is still a good deal of a pioneering process. We are constantly entering new fields of public activity, enacting measures never even thought of in our earlier days of statehood, and made necessary by the inevitable march of time.

As I look back upon the legislative history of Iowa, I begin to realize with the passing of years what a good job earlier pioneer lawmakers did when they wrote the Constitution of the State of Iowa to begin with, and when, through the sessions of each General Assembly, they built up what is now the Code of Iowa.

I am also somewhat amazed when I realize that on really fundamental issues, such as roads, schools, and public welfare, we seldom find that our legislation needs repealing. I can't remember a single really important development along these lines in which the General Assembly has found it necessary to go into reverse.

As we meet here today it is appropriate that we should pay tribute to the great men who have been our pioneer lawmakers throughout the years.

Their greatness was not always recognized at once, sometimes, indeed until long after they were dead.

One of the greatest of them all, Samuel Kirkwood, came to the state Senate with, as they say, "seeds in his hair."

In my own time I have seen young men come into the Iowa House with little or no heraldry, and develop into governors and United States senators before my eyes. I consider our lawmaking body sometimes in the light of a university for the training of public leaders, and it is, in my own opinion, a very great and successful school.

On behalf of the members of the House of Representatives, I deem it a great deal of pleasure to welcome you here today and sincerely hope that your meeting will be beneficial and that you will all enjoy yourselves by renewing acquaintances with the older members and friends and becoming acquainted with the new members who are trying to follow out the program which you outlined in years gone by.

President Nicholas introduced the Honorable Carl W. Reed, vice president of Pioneer Lawmakers, with the following remarks:

Due to the fact that your President, the Honorable C. F. Clark of Cedar Rapids, is unable to be present on account of illness, it is now my pleasure to present to you, and introduce to the members of the Fifty-fourth General Assembly, the vice president of the Pioneer Lawmakers of Iowa, the Honorable Carl W. Reed, who is presently serving the State of Iowa so ably as one of our commerce commissioners.

The Honorable Carl W. Reed addressed the joint convention as follows:

**MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THIS JOINT ASSEMBLY OF THE FIFTY-FOURTH GENERAL ASSEMBLY, FELLOW PIONEERS, AND LADIES AND GENTLEMEN:**

It is my pleasure at this time to refer to four distinguished members of our association that are now serving in the legislature—Senator Byers, Mr. McFarlane from Black Hawk, Mr. George Miller from Shelby County, and Mr. Langland from Winneshiek County. Those are men who have been in the state service a long time and are still working for the people.

The introducing of myself as vice president brings to mind a story that was going the rounds a good many years ago, back in what were known as the horse and buggy days. A farmhand, who in those days was called the hired man, after his evening chores were finished one day, was very busy polishing his lantern globe. He was going to have a very clean, polished clean, lantern chimney. His boss observed his industry working on that chimney and he said to him, "Well, Al, what are you going to do tonight? Why are you so busy fixing up that lantern chimney?" And the hired man said, "Well, boss, I am going courting tonight and I am fixing my chimney so as to have my lantern in the best shape." And the boss said, "Well, that is strange fixing up your chimney to go courting. Why, when I was a young man and went courting, I never took a lantern with me." The hired man said, "No, you didn't take a lantern but see what you got." Now if any of you came here to see Frank Clark, see what you got.

However, Frank was very faithful and he sent up a story of these men which I am going to read to you. It is entitled, "The Constitutional Convention."

### CONSTITUTIONAL CONVENTION

The most dramatic event of the Thirty-ninth General Assembly was the killing of the constitutional convention bill by the House of Representatives.

Section 3, Article X, of our state Constitution provides that the question of calling a constitutional convention be submitted to the voters every ten years, and if the voters vote in the affirmative the General Assembly shall provide for the holding of the convention.

This measure was submitted and defeated every ten years until the general election in 1920 when it was carried by a very small majority.

with only half of the voters of the state voting on the proposition at all. It probably would not have carried even then if it had not been for eleventh hour telegrams sent out from Des Moines, urging votes for the convention, but without giving any reasons. The parties responsible for sending out these telegrams never suggested any reason for calling the convention, or any amendments that could not be made in the usual way without a convention.

Bills were introduced in the House and in the Senate, the chief difference between the bills being that the Senate bill called for non-partisan election of delegates to the convention, while the House bill provided for their selection on party tickets. The House bill passed the House by a vote of three to one, and when this came up for consideration in the Senate the Senate bill was substituted. The House refused to concur in the Senate substitution; the Senate insisted and conference committees were selected.

Speaker Arch McFarlane was opposed to the convention and selected a conference committee, of which I was named chairman, which would endeavor to prevent the calling of the convention. I succeeded in delaying the meeting of the conference committees until the lunch hour of the closing day of the session. The House conferees insisted that the Senate must take the House bill or nothing, hoping this would result in a deadlock which would prevent the measure from passing. The Senate conferees at first were equally insistent on their bill, and I suggested that we report a disagreement. The Senate chairman called for a conference of the Senate conferees and they announced that they would accept the House bill rather than see the measure lost. A struggle then ensued in the committee, the House members urging that we agree to disagree, but the Senate members would not consent to this and the report was made out, the Senate receding from its substitute and adopting the House bill with the single modification of an age qualification of twenty-five years for delegates.

The report was drawn up and signed and, as chairman, I submitted it to the House at about 4:00 p.m., the legislative clock still standing at 11:40 a.m., as the Assembly had voted to adjourn at noon. The report was submitted amid the usual confusion and hubbub of a closing day and I merely suggested that, if the House really desired a constitutional convention along the lines of the House bill, it should adopt the report.

The vote showed up before us on the voting board, with two-thirds of the members voting in the affirmative, and the only thing remaining was to count and announce the vote.

Just then Joe Anderson of Winnebago County (afterwards Speaker) rushed over to my seat and asked me whether that meant a constitutional convention. I replied that it certainly did unless someone made a motion to reconsider within the next thirty seconds. Neither he nor I could make the motion, as neither of us had voted on the prevailing side, but I suggested that he go to Peters of Dallas County, who sat in the front row center, and get him to make the motion to reconsider as soon as the vote was announced, while I went up to the Speaker's desk and advised him what we were trying to do. The motion was made and

Anderson started the debate, while I sent to the law library for memoranda relating to the legal right of the legislature to defeat the bill and prevent the convention.

As Anderson took the floor and announced our purpose to defeat the "Con Con" the confusion immediately subsided, and amidst intense excitement and silence unusual in the House, the debate proceeded. Information spread over the State House that a fight had been started on the "Con Con" and the galleries as well as the floor of the House—the doors having been thrown wide open for the closing day—were immediately packed to their full capacity, while ten or fifteen Senators came over to watch the proceedings.

Among those who joined with us in the attack on the bill were Edson of Buena Vista (afterwards Speaker), Powers of Crawford, leader of the Democratic minority (and afterwards Supreme Court justice), Moen of Lyon, Narey of Dickinson, Lake of Woodbury and others.

Among the arguments used was the fact that only about half of the voters voted on this proposition at all, and so while the proposition carried by a very small majority, less than thirty per cent of those who voted for president voted in favor of the convention. It was also claimed, and not denied, that a large percentage of those who voted for the convention did not know what they were voting for. Members reported that they had heard from home, and those who had been home reported that there was now a strong opposition to it all over the state, the people feeling that it was unnecessary and might involve the expenditure of half a million dollars, and that it was not advisable in unsettled times, when there are so many strange isms and theories abroad, to rewrite the fundamental laws of the state.

Those supporting the bill, led by Weaver of Polk, Mayne of Palo Alto, Westervelt of Greene, Forsling of Woodbury, argued that the General Assembly was under obligations to listen to the mandate of the people as expressed at the last general election, and that it was a duty imposed on the General Assembly by the Constitution to provide for this convention, and that it would be a most unusual proceeding to override this mandate.

In reply we insisted that this mandate was expressed in the same terms as the constitutional requirement that the state should be redistricted senatorially after each census, although this had been ignored by the legislature after every census for sixty years. Also, that there was nothing in the Constitution that required any member of the legislature to vote against his best judgment and conscientious convictions on any proposition. I also called attention to the fact that the action we were proposing to take was not without precedent as similar actions had been taken theretofore by the legislature in half a dozen states, including two different occasions by the legislature of New Hampshire, and the courts had sustained the right of the legislature to block the convention in this manner.

When the debate started, none of us knew what the result would be. The question had been brought before the House as suddenly as a bolt of lightning from a blue sky, but at the close of the debate the House



by a vote of 71 to 17 voted to reconsider and then by a similar vote rejected the report of the committee.

To prevent any interference with the expressed desire of the House, I then made a motion that the House request the return of the bill from the Senate, and that the chief clerk be directed to retain it in his possession until final adjournment, and that the chief clerk and enrolling clerk be directed not to enroll the bill, and Speaker not to sign it as Speaker of the House. This motion was carried by an overwhelming viva voce vote, and as the Des Moines papers reported, "amidst wildest applause and confusion."

When this request from the House was presented before the Senate, an attempt was made to substitute by receding from the Senate amendments and accepting the House bill. This was defeated by a vote of 34 to 15, and the "Con Con" bill, back again in the hands of the House, was buried forever.

The only three constitutional amendments suggested during this debate were: an amendment giving women the right to be members of the General Assembly; another making different provisions for the districting of the state in senatorial districts; and a third providing for collective bargaining by producers. The first amendment suggested, giving women the right to be members of the General Assembly, was adopted by vote of the people in 1926. No change has been made relative to procedure in redistricting the state senatorially, but in 1928 an amendment was adopted which provides "but no county shall be entitled to more than one Senator." Since 1916 no amendments to the State Constitution have been submitted or adopted, aside from the two above referred to and the amendment of 1936 which repealed the provision for the taking of a state census, and the amendment of 1942 which provided that all motor vehicle registration fees and all licenses and excise taxes on motor vehicle fuel, except cost of administration, shall be used exclusively for the construction, maintenance and supervision of public highways exclusively within the state, or for the payment of bonds issued or to be issued for the construction of such roads.

The present Constitution of Iowa was adopted in 1857 and there are but few states now operating under a constitution adopted at an earlier date. The amendments adopted prior to 1920 were few in number and of little general importance. Two of them provided for striking out the word "white" from various articles of the Constitution. Two others made certain provisions relative to the establishment of judicial districts and abolishing the office of district attorney and substituting that of county attorney; the amendment of 1904 providing for biennial elections and making slight changes in the election of members of the General Assembly, and the amendment of 1908 providing for establishment of drainage districts. It would therefore appear that the Constitution as now amended contains all the fundamental provisions of a Constitution and has proved satisfactory to the people of Iowa for nearly a century.

Mr. Reed introduced the Honorable L. B. Forsling with the following remarks:

The principal speaker this afternoon is the Honorable L. B. Forsling, judge of the District Court of Woodbury County. Judge Forsling was a member of the House in the Thirty-ninth, Fortieth, Fortieth Extra, Forty-first, Forty-second, Forty-third and Forty-fourth General Assemblies and the Senate of the Forty-eighth, went to the district bench out there and for a while was in the Army and is now back on the bench; and it is my pleasure to present to you Judge Forsling.

Judge Forsling addressed the joint convention as follows:

I served six terms on this side and a term on the other side. I spoke often, maybe too often, to the House members, and spoke often, maybe too often, to the Senate members. This is the first time that the members of the Senate and House together have been compelled to listen to me.

I don't know any work that can be done that I know of that is better than that of legislating, and again there is no work more fascinating than that of legislating. Certainly there is no work that is more important than that of legislating, and I am sure that there is no work that is so little appreciated as legislating.

It is good to be here and I appreciate very much this honor. It is nice to meet with the men that we struggled with and had our legislative contacts with, with whom we agreed and with whom we disagreed. We thought that we were solving all of the problems of the state when we were serving here, but of course we did not, and maybe it is just as well we did not. It would not be much of a world, it would not be a good world, if we had. We thought we did a good job. Maybe we did. I think we did. But it is good to know that the work that we left unfinished, the work that is left to be finished, and is going to be done now, is in the hands of capable successors.

I propose to talk of that which is uppermost in the minds of Americans and now concerns Americans the most. I do not come as a partisan. America's tangled foreign relationship have brought troubles as big as the nation, solution of which calls for the courage and best thought of all patriots of both and all political parties. America is at its Calvary. In our present situation there is no clear line of cleavage, with adherents of either party having divergent views. Both major parties are guilty of fault responsible for our existing trouble; one party in the driver's seat, the other hopeful to drive, yet seemingly content to ride along.

You may ask why an obscure person in the hinterlands of Iowa should presume to discuss the subject. Answer will be given later on.

We are at war in Korea—already our fourth largest war as measured by casualties—the war threatening tremendous enlargement, with causes, reasons and objectives stated in platitudes or sophistries.

This is a crisis of confidence. What is doubted by millions of Americans is the ability of our leaders to rightly decide problems or their ability to point the way. Lack of confidence in our present statesmanship in that these same persons have piled blunder on blunder, have brought us to our present danger. We have a feeling of bewilderment resulting from diplomatic ineptitude; a history of turns and reversals, a period of off again, on again. American people are afraid this rigmarole will continue on and on until our destruction.

We engaged in two world wars under the slogans "save the world for democracy" and "self determination of small nations." We were victorious in both wars, yet democracy is more restricted now than before our participation; yet small nations have been overcome by the larger.

The manpower, military and industry of America achieved total victory in World War II, but in their turn our diplomats lost the peace as thoroughly as we had won the war.

We destroyed German ability to again make war and boasted at the extent of that destruction. We are now feverishly endeavoring to rebuild, at our cost, that same destruction.

Our amateur diplomats debating tweedledee and tweedledum, lost babes not knowing what they want, are opposed to the professionals of other people, who definitely do know what they want.

We boasted of the complete destruction of the military of Japan. We gave the Japanese a constitution. At the insistence of those profound thinkers of ours we inserted in that constitution, and perforce accepted by the Japanese, a provision whereby the Japanese forever forswore war or the power to make war.

Now these same profound thinkers are re-arming Japan, America, of course, paying the bill.

Also the star-gazers are now urging the Japanese to eliminate the provision so ardently and fervently insisted upon by us.

We ousted the Japanese from Korea, then granted Russia a joint protectorate of that unfortunate country, victim of its neighbor. We now regret the invitation. We took Korea under a protecting wing—we led it by the hand to better and higher things under a benign and beneficent administration. When all Koreans did not agree on the benefits conferred, we engaged in shooting them and in the destruction of their countryside and cities. Such is the way of some guardianships.

We declare ourselves against dictators, but actually pick and choose, changing with the seasons and without apparent reason. Yesterday it was "good old Joe," today something else. Tito an enemy yesterday, a friend today. Franco unworthy of consideration yesterday, recipient of favors today. We love Vargas and dislike Peron. Our departments vociferous in the denunciation of communism abroad, and equally solicitous of the protection and welfare of the communist (and his fellow traveler) who lives and works and sabotages in our midst. We reject the communists abroad, embrace them here at home, we even extend glad Tydings to them.

This recital of failure and contradiction could continue indefinitely. It is given to show a few of the reasons for lack of confidence. Water over the dam. Not water but blood and much of it; blood not over the dam but still flowing, and those same crystal gazers still in charge.

No set course, a record of gymnastics, the pattern of the crazy quilt with a thread of red interwoven. (The conclusion is inescapable, John L. Lewis was eminently correct in his estimate of the abilities of our state department. Could others have done better? Could others have done worse?)

Who then are responsible for these tragic sequences? For the most part amiable and well-meaning gentlemen but men obsessed with conflicting purposes, loyal to a world organization and super-government; secondarily loyal to American interests. The result is we carry, or try to carry, the world in a basket, the basket necessarily paid for by us. An optimism of welfare for the entire world, rather than welfare of nation.

A divided loyalty, requiring a departure from organic law, a departure from established principles, a departure from honesty of statement, depending for justification on twisted reasoning. Twisted reasoning not confined entirely to the disciples of either political party.

A conflict of ideas between those who have an abiding and decent respect for our natural obligations to people of other lands without undue sacrifice of our own interests and those who think it America's duty to run the world willy nilly under and according to theories of the unrealistic and impractical. A perfect demonstration that two masters may not be served.

To carry into effect this business of running the world we have abandoned basic things, and are required to adopt strange, startling changes and innovations in the tenets of government.

We have abandoned the golden rule of individuals and nations, that we cannot arrogate to ourselves that which we do not grant to others, nor demand of others what we do not require of ourselves.

A departure from the concept as found in our declaration that when the bonds which have united one people with another become burdensome, then is the privilege to dissolve those bonds.

A departure from the accepted principle that we or any people may conduct internal affairs as we or they dispose without interference, they with us, we with them.

A setting aside of our Constitution which grants to Congress sole power to declare war or appropriate for war.

Concealment of the truth in that the physical integrity of America is not now nor has been for a century menaced by outside forces; choosing to ignore that our real danger comes from maladjustments within; that if America and its priceless heritage is destroyed this destruction will arrive from internal stresses—a blowing apart at the seams.

A failure to recognize the upheaval which is taking place inspired by that same pronouncement which uplifted the colonists to freedom; the yellow and brown races breaking the chains of the outlander; resisting and throwing off exploitation, peonage, poverty and misery which attends empires or colonial systems. A movement which always heretofore has had our sympathetic understanding. A business strictly of those peoples in which the humanities tell us not to meddle. A movement necessary and offering eventual hope for a successful and useful congress of nations.

A departure from organic law in that under it we and they have the right to define, enlarge or limit our government organization; to have king become dictator or representative government as we or they decide and will permit no questioning of that right even though outsiders greatly differ.

Under which golden rule we grant to others the same non-interference regardless of our opinions, likes or dislikes. Incidentally, history dis-

closes that people unite in resisting the meddler and that foreign intervention seldom achieves its objective.

That thinking responsible for the abrogation of the provision which grants Congress the decision of war; abrogation of the provision granting Congress sole authority to appropriate for war; a thinking which would and at this immediate time does give other departments the privilege of embezzlement, the using of public monies set aside for building a military to the expenditure and dissipation thereof in various expeditions. A line of reasoning which brings rhapsodies such as this—I quote from a recent editorial in Iowa's largest newspaper:

"Think what a genuine federal world government with power to raise its own taxes and armed forces could do." Here consider all the implications as of the present—the United States the only have nation in a world envious, covetous, resentful.

The apologists for those dreamers justify the Korean venture, descending in so doing to plausible falsities.

They state we are on a policing expedition—not involved in war, even though the American casualties already exceed those of the wars in 1812, Mexico or Spain.

The apologists say the dignity of the United Nations was involved; that war was required to sustain that dignity. The truth is the 38th Parallel, the Korean Mason-Dixon Line, was not established by the United Nations but by the joint action of Russia and the United States, a proposition with which neither the Koreans nor the United Nations had anything to do, the crossing of which reflected internal dissension by opposing factions of Koreans.

Again the apologists claim the Korean war to be the action of the United Nations. In this claim they are not candid. In making the decision Asiatic nations, India, Pakistan, Burma, Malaya and others did not vote affirmatively. Those nations most directly concerned. Nor did the nations which voted with us at our importuning, cajoling, in consideration of favors granted or to be granted, bind themselves as full partners. The vote was little more than a sanction for us to undertake the venture. No delegate from another country would, nor could, have obligated his people to a full participation of troops, equipment or money. The proof of this may be found in the casualty lists. Despite reports issued to delude us, that disparity no doubt still continues and will continue. Beyond token forces no other government dares to go; casualty lists in proportion to ours would in parliamentary countries bring fall of government overnight. Misinformation blinds us to the real situation; other people realistic and not so misled know the Korean war can bring neither good nor permanent end. What is said may be considered a simplification of the issues; actually the issues can be further simplified. In 1947 Russia agreed to withdraw from Korea conditioned on similar withdrawal by us; this we refused to do, alleging the Russians had rigged the election proposed for Korea. Now then we are engaged in killing Koreans, and they killing Americans, because Russia, a foreign power present through our acquiescence, did or might have influenced an election.

Koreans have no designs on us; a land of relatively primitive, poor and inoffensive people, yet the land of a major war with a rate of losses for us far exceeding that of the war with Japan.

What are the justifications from those responsible?

You know of the young marine and his father who made inquiry. The news account of the reply by Secretary Acheson said his reply of 1000 words was two weeks in being formulated. In brief I shall give you that piece of tripe by Acheson which was two weeks in the cooking. I quote from the newspaper account:

"I thought then and I think now the real problem lies deeper than the question of particular decision, even the important ones which distress your son. It lies (the second time he uses this word) in the fact, for which we thank God, that these boys have been brought up in the fundamental decency of American life. I appeal for a strong faith on the part of American young people in the validity of the ideals on which the country was founded and in which it now endeavors to guide its action. The young men of the nation are denied the natural development of their lives and are undergoing an agony of spirit. This is due to the fact that some distant and shadowy figures in the Kremlin, controlling millions of people far from them, are setting out to make impossible the kind of life which Americans had every hope and right to live."

What an illuminating answer, and a fair sample of the bologna which is the portion of the American people.

It is self-evident that the secretary does not know the purpose of being in Korea, any more than we ourselves do.

The sad story is the Korean war will be entered in the histories as a war, not fathered by the American Congress, nor actually sired by the United Nations—the product instead of artificial propagation, that kind of war for which descriptive and appropriate names can easily be supplied.

And now consider China and keep in mind the golden rule of non-interference. The explainers say the Chinese communists attacked our forces in Korea. This is in accord with the fact. The explainers, however, fail to go on and say that the United States long ago took up the cudgel for the opposing Nationalists represented by Chiang. That we actively participated in Chiang's behalf in the Chinese factional war. We continued that support despite the fact that the Communist faction demanded and agreed to a cessation of internal hostilities and a joinder of the Chinese to oppose Japan—then the common enemy of China and of us, and further continued the support of Chiang after his refusal of that offer.

We continue the support of Chiang though he no longer purports to follow the Dr. Sun democratic tradition; even though he has failed to offer relief to his people from the exactions of the war lord, hordes of political grafters or from their intolerable poverty; no relief offered by him from the system which maintains the potentate at the cost of the toil, misery and degradation of the thousands. We continue that support though the Chinese have chosen to desert the horrible past for change in future hope; though Chiang and his cohorts were put on the scales by the Chinese and found wanting; even though he was ignominiously chased off the Asiatic mainland by the Chinese after and while receiving aid, comfort and money

from us. We persist in that support though his reinstatement in China has no more chance than the well known snowball. A support in what is none of our business, a continuance of which will mean tremendous slaughter, untold expenditure and inconclusive ending. Yet we still hold the torch and bag for Chiang. Witness Japan's experience—15 years of war without loss of a campaign, yet never holding more of China than the spot where the Japanese soldier at the moment was standing.

We are at war with the Chinese, traditional friends, the of us, we of them. Two nations with no designs against each other. Their farmers, laborers, business and professional men without enmity.

In the absence of valid reason, the explainers and warmongers concoct the scarehead—China offers a huge reservoir of soldiers for Russia. China also offers a huge reservoir of soldiers for us. The explainers suppress the real factors. Until the present episode we always aided China against encroachment. The Chinaman is said to never forget.

The control in China is communistic, but the apologists fail to tell that the word 'communistic' is relative and elastic. The present government of China is absolute. So was that of Chiang. The communist movement in China constitutes a property reform movement which every informed American, rich or poor, knows is long overdue. Unlike some of its counterparts, however, the Chinese communist is not against religion or creed, nor is there evidence that it seeks enlargement at the expense of its neighbors, nor evidence towards empire. Probably the least predatory of nations. The party in power does, however, ask to be let alone so the Chinese may work out their destiny, a people innately peaceful, honest and industrious. This right they should have free from interference.

China heretofore has not suffered at our hands. The main thief of Chinese territory has been Russia. The Chinese, having pride of nation, when the time is propitious surely will demand and force a return of their people and land previously stolen from them. Russians are equally foreign to China with us. Perforce the Chinese Reds accept aid from Russia, no longer wanted or needed when we get out. Then that time will come when China demands a return of what has been stolen. Russia has that to fear; we do not, something you may be sure that the Russians are fully aware. Important it is to note that Great Britain has written finis to the Chiang incident and now recognizes his opposition as the government of China.

I shall read what appears to be a carefully considered editorial from the conservative financial paper, the U. S. Weekly. Quote:

"For the sake of China and the rest of the world which has dealings with it, the reforming elements of China, including the Communists, should come to terms and bring order out of the existing chaos, and for us to come to terms with those best able to bring order to that distracted country. It does not mean the present party will not come to agreement with us on reasonable terms. Be assured the Chinese Communists are not a mere appendage of Moscow, but are a genuine national movement fully capable of taking the line they think best for the Chinese people. That is the history of China." End of quote.

Remove Chiang from the picture, as Britain has done, then there is no quarrel with China or any faction thereof.

Admittedly Russia is antagonistic to democratic or capitalistic government and therefore antagonistic to us.

Russia today is following the pan-Slavist ideas of the Czars. It may decide on further and immediate war. A better guess is not. The bear has again stretched out its paws to add additional territory, all aided and abetted by us. It now, as in the past, seeks to digest. As a part of its strategy and to gain time for that process it foments and stirs up trouble in other parts to annoy, to distract and to weaken by attrition its opposition, including ourselves. It is the old shell game with the United States entirely taken in. The Russian strategy has worked perfectly. Instead of preparing and conserving for possible trouble with the bear we are out in the wilderness pursuing John Chinaman. Certainly these shadowy figures mentioned by Mr. Acheson are happy in the complete success of their strategy and in our predicament.

If need there was to make demonstration in behalf of the United Nations, that demonstration has already been made and paid for in blood. As to future demonstrations we should be mindful that the organization is yet an infant, was born out of hatreds; to grow needs the nurture afforded by peace. All sincere people hope the present organization survives to outlive and live down this existing fiasco. As to future demonstration it is not unreasonable to expect, unlike the present, the assumption by others of a full share of the burden.

So then our advanced thinkers have woven a tangled web. Through them we have deserted actualities for rainbows, cast aside fundamentals for the expedient, from which has come danger.

In following these thinkers we have become the purveyors of good—as they see it—to all others whether they like it or not. They forget or do not want to know that we are up against a foreign-domestic conspiracy, sinister and diabolical, to destroy the American Constitution. They would now let us bleed to death in Korea, China and other sectors; to keep on in this nightmare to save their faces; so they and we are participants in the Oriental game of saving face. They will continue this insanity, even precipitate us into a bigger gamble, hoping that somehow, somewhere, their already monumental folly will be forgotten though the forgetting may not come ahead of ultimate catastrophe.

Under these leaders of ours we have become the swashbuckler of nations. Jousting at windmills. Ours is the paradox of making war under the world flag and preparing for another war against a member partner without regard to that same world flag.

Now then, we should conserve our manpower and resources by getting out of Asia. We should divorce our state department; require future war commitments be made by Congress; return to the Constitution; concentrate for possible armed conflict with Russia.

Comes the question, "Why should an obscure person out in Iowa presume to speak?" Why a better place than Iowa, far from the influence of brass and braid, where the warmonger and the jingo are fewer, where chest beating and flag waving are at a minimum? Also in answer—in obscurity



there is immunity from the hatchetman, name caller, malicious apologist; the destroyer and distorter of truth.

America's danger is not imminent, it is here. It is for those who would keep our light burning lest the entire world be made dark, to make known to the public men in Congress and others that the five per cent who make ninety-five per cent of the noise do not represent or reflect the opinion of the vast majority. Let them know that America will no longer tolerate delerium leadership.

In conclusion and to borrow an expression, out in the cattle and cow country we are fed up with all this foolishness. Americans are tired of being hoodwinked, of being prize dupes all the time. What America wants and needs is opportunity to set its own house in order, an end to the bloodletting, a return to the Constitution as written and as intended, and a whole lot of resignations.

Kuester of Cass asked and obtained unanimous consent to have the remarks by President Nicholas, Senator Lord of Muscatine, McFarlane of Black Hawk, the Honorable Carl W. Reed, and the address of Judge L. B. Forsling printed in the Journal.

The minutes of the joint convention were read and approved.

Butler of Pocahontas moved that the joint convention be now dissolved.

Motion prevailed.

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

#### CALL OF THE SENATE

The President announced the filing of the following call of the Senate:

We, the following members of the Senate, request a "Call of the Senate" on House File 422 pursuant to Rule 5 of the Rules of the Senate:

LEO ELTHON.	F. E. SHARP.
HARRY E. WATSON.	LOYD VAN PATTEN.
FRANK C. BYERS.	O. N. HULTMAN.
STANLEY L. HART.	H. M. KNUDSON.
BURL N. RIDOUT.	DEVERE WATSON.
ALDEN L. DOUD.	W. ELDON WALTER.
PHIL HEDIN.	SHERMAN WEST.
	F. M. ROBERTS.

Senator Elthon asked unanimous consent that the Senate proceed with the consideration of Senate File 66 and other bills on the regular calendar until such time as the call of the Senate is completed.

Objection was raised.

Senator Jacobson asked and received unanimous consent that the Senate proceed with the consideration of Senate File 66.

### THIRD READING OF BILLS

On motion of Senator West, Senate File 66, a bill for an act relating to witness fees and mileage in courts of record and to amend section six hundred twenty-two point sixty-nine (622.69), Code 1950, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator West moved that the bill be read a third 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:

Anderson	Hart	Molison	Utzig
Augustine	Hattery	Myrland	Van Eaton
Bateson	Hedin	Nesmith	Van Patten
Bekman	Henningsen	Oltman	Vest
Berg	Hultman	O'Malley	Walter
Byers	Jacobson	Parker	Watson of
Colburn	Knudson	Prentis	O'Brien
Dailey	Linnevold	Ridout	Watson of
Doud	Lord	Risk	Pottawattamie
Elthon	Lynes	Roberts	Weichman
Fishbaugh	McCarville	Sharp	West
Fletcher	Mercer	Tudor	Whitehead
Gillespie			

#### Nays, 1:

Zastrow

#### Absent or not voting, 2:

Dykhouse                  Humbert

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

Senator Colburn called up for consideration House File 602.

Objection was raised.

Senator Henningsen moved that the Senate proceed with the bills on the regular calendar.

The Chair ruled that appropriations bills were subject to consideration at the call of the chairman at any time.

Senator Elthon moved as a substitute that the "Call of the Senate" be lifted and that the Senate proceed with the consideration of House File 422 which motion prevailed.

Senator Augustine moved that the Senate adjourn until 10:00 a.m., Thursday, March 29, 1951.

Roll call was demanded.

On the question "Shall the Senate adjourn?" the vote was:

Rule 8 was invoked.

**Ayes, 16:**

Colburn	Jacobson	Roberts	Weichman
Doud	McCarville	Tudor	Whitehead
Fishbaugh	Myrland	Watson of	Zastrow
Fletcher	Parker	Pottawattamie	
Gillespie	Ridout		

**Nays, 32:**

Anderson	Hart	Lynes	Utzig
Augustine	Hattery	Mercer	Van Eaton
Bateson	Hedin	Molison	Van Patten
Bekman	Henningsen	Nesmith	Vest
Berg	Hultman	Oltman	Walter
Byers	Knudson	O'Malley	Watson of
Dailey	Linnevold	Risk	O'Brien
Dykhouse	Lord	Sharp	West
Elthon			

**Absent or not voting, 2:**

Humbert	Prentis
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The motion was lost.

### UNFINISHED BUSINESS

On motion of Senator Weichman, House File 422, a bill for an act to amend chapter three hundred forty (340) and sections three hundred thirty-one point twenty-two (331.22), three hundred thirty-one point twenty-three (331.23) and four hundred forty-one point six (441.6), Code 1950, all relating to the compensation of county officers and deputies, assistants and clerks, county attorneys and assistant county attorneys and county assessors, and providing for annual adjustment of such compensation, was taken up for further consideration.

Senator Weichman asked and received unanimous consent to withdraw divisions 13 and 14 of the committee amendment found on page 818 of the Senate Journal.

Senator Jacobson asked and received unanimous consent to withdraw the following amendment:

Amend the committee amendment to House File 422, found on page 721 of the Senate Journal, by striking the period (.) after subsection 11 and substituting in lieu thereof the following: "except lines 1 to 32 thereof."

On motion of Senator Weichman, divisions 11 and 12 of the committee amendment on page 818 of the Senate Journal were adopted.

Senator McCarville offered the following amendment by Senators McCarville and Dailey to the committee amendment and moved its adoption:

Amend the committee amendment to House File 422 by striking division 30.

The amendment to the amendment was adopted.

On motion of Senator Weichman, division 31 of the amendment was adopted.

Senator Vest offered the following amendment to the committee amendment and moved its adoption:

Amend the amendment by striking division 33.

The amendment was lost.

On motion of Senator Weichman, divisions 32, 33 and 34 were adopted.

On motion of Senator Weichman, division 36 of the amendment was adopted.

Senator Dykhouse offered the following amendment by Senators Dykhouse and Hattery and moved its adoption:

Amend House File 422 by striking from section 6, line 7, the word "seventy-five" and inserting in lieu thereof the word "eighty-five".

The amendment was adopted.

Senator Weichman offered the following amendment and moved its adoption:

Amend House File 422, section 6, line 8, by striking the period (.) after the word sheriff and adding the following: ", as fixed by the board of supervisors."

The amendment was adopted.

Senator Fletcher asked and received unanimous consent to withdraw the following amendments:

Amend the amendment by the committee on compensation of public officers and employees to House File 422 by striking lines 93, 94, 95 and 96.

Amend the amendment by the committee on compensation of public officers and employees to House File 422 by inserting after the word "super-visors" in line 95 the following: ", treasurer, auditor, clerk of district court, recorder, sheriff, county attorney and county assessor" and by

adding after the word "shall" in line 95 the following: "constitute a committee, the chairman of the board of supervisors being the chairman thereof, to".

Senator Van Patten offered the following amendment and moved its adoption:

Amend House File 422 by adding the following section:

"This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in The Record-Herald and Indianola Tribune, a newspaper published at Indianola, Iowa, and The Perry Daily Chief, a newspaper published at Perry, Iowa."

The amendment was lost.

Senator Weichman offered the following amendment and moved its adoption:

Amend the title to House File 422 by striking the following in lines 3 and 4: "four hundred forty-one point six (441.6)".

Further amend the title by striking all after the word "clerks" in line 7 and all of lines 8 and 9.

The amendment was adopted.

Senator Weichman moved that the bill be read a third 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:

Anderson	Gillespie	Molison	Utzig
Augustine	Hart	Myrland	Van Eaton
Bateson	Hattery	Nesmith	Van Patten
Bekman	Hedin	Oltman	Vest
Berg	Henningsen	O'Malley	Walter
Byers	Hultman	Parker	Watson of
Colburn	Jacobson	Prentis	O'Brien
Dailey	Knudson	Ridout	Watson of
Doud	Linnevold	Risk	Pottawattamie
Dykhouse	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	Whitehead
Fishbaugh	McCarville	Tudor	Zastrow
Fletcher	Mercer		

Nays, 1:

West

Absent or not voting, 1:

Humbert

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

**COMMITTEE REPORT ON HOUSE FILE 313 REFILED**

Senator Byers asked and received unanimous consent to refile the report of the committee on House File 313.

**REPORT OF COMMITTEE**

Senator Byers submitted the following report:

**MR. PRESIDENT:** Your committee on judiciary 2 to which was referred **House File 313**, a bill for an act to amend chapter six hundred five (605), Code 1950, relating to certain requirements for district, superior and municipal judges, 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.

**PRESENTATION OF VISITORS**

Senator Nesmith asked and received unanimous consent to present to the Senate a former member of the Senate from Jasper County, the Honorable Fred Maytag II, who was present in the Senate chamber.

Senator Walter asked and received unanimous consent to present to the Senate a former member of the House of Representatives from Marshall County and a member of the state highway commission, the Honorable Fred Gilbert, who was present in the Senate chamber.

**REPORT OF JOINT COMMITTEE ON ENROLLED BILLS**

Senator Nesmith, 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 6, 171, 396 and 454.

**JAMES H. NESMITH, Chairman Senate Committee.**

**ELMER A. BASS, 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 6, 171, 396 and 454.

### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 27 the Governor had approved the following bills:

- Senate File 79, relating to the Iowa Dairy Industry Commission.
- Senate File 113, relating to the duties of the county assessor.
- Senate File 142, relating to the public archives.
- Senate File 250, relating to off street parking and issuance of revenue bonds.
- Senate File 302, relating to motor vehicles and law of the road.

### 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:

H. F. 320

S. F. 398

H. F. 355

H. F. 286

H. F. 441

H. F. 378

ALDEN L. DOUD, *Chairman.*

### REPORTS OF COMMITTEES

Senator Doud submitted the following report:

**MR. PRESIDENT:** Your committee on schools and educational institutions to which was referred **House File 420**, a bill for an act to establish a department of public instruction; and to amend certain sections of the Code 1950 relating thereto, 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 420 as passed by the House as follows:

1. Strike from section 3 all of lines 8 to 12, inclusive, and the words "board of public instruction districts" from line 13 and insert in lieu thereof the following: "in state board of public instruction districts, the boundaries of which shall be conterminous with the congressional districts of the state as they exist on July 4, 1951, and who shall take office on the second secular day in January following their election. Following the effective date of this act each of said districts shall proceed to elect members of the board as hereinafter provided".

2. Add to section 5, line 3, after the word "county" where it first appears the following: "of a state board district where an election is to be held for a member of the state board"; also strike from line 4 the word "congressional".

Further amend section 5 by striking from lines 11 and 12 the words "The first of such elections shall be held on the second Monday of June, 1951" and insert in lieu thereof the words "Said elections shall be held on the second Monday in June of odd-numbered years when necessary to fill vacancies or choose successors for members whose terms will expire".

Further amend section 5 by striking from line 15 the word "school".

Further amend section 5 by striking from line 17 the following: ", 1951," and inserting in lieu thereof ", each odd-numbered year,".

Further amend section 5 by striking all of line 19 and inserting the following: "state board of public instruction districts holding an election for board member, designating the date,".

Further amend section 5 by striking all of the sentence beginning with the words "In subsequent years" in line 22 and ending with the word "act" in line 27; also by striking from line 29 the word "congressional".

Further amend section 5 by striking all of line 35 and all of line 36 except the words "A quorum" and inserting in lieu thereof the following: "cause a secretary to be elected, and the convention shall then proceed to the election of a member of the state board from that district by a majority vote of those present."

Further amend section 5 by striking from lines 39 and 40 the sentence beginning with the word "Voting" and ending with the word "elected".

Further amend section 5 by striking from line 43 the word "congressional" and inserting in line 45 after the word "convention" the words "to be paid from the county board of education fund".

3. Strike from section 8, lines 2 and 3, the following: "which shall be scheduled on or before July 1 of each year" and insert in lieu thereof the words "each year the first of which shall be on the second secular day of January".

4. Strike from section 10 all of lines 25 to 29, inclusive, and insert in lieu thereof the following: "the appeals provided in chapter 290 of the Code as amended and any other appeal provided by law to the superintendent of public instruction."

Further amend section 10 by striking from line 64 the following: ", Code 1950," and inserting in lieu thereof the words "of the Code".

Further amend section 10 by striking from line 79 the following: ", Code 1950." and inserting in lieu thereof the following: "of the Code."

5. Strike from section 11, lines 2 and 3, the following: "for an indefinite term, each term not to exceed six years,".

6. Strike from line 3 of section 13 and line 3 of section 14 the following: ", Code 1950" and insert in each instance the words "of the Code".

7. Strike from section 18, line 4, the word "areas" and insert in lieu thereof the word "categories".

Further amend section 18 by striking from subsection 10 all after the words "state law" in line 60 of said section.

8. Strike from section 24, line 17, the following: ", Code 1950," and insert in lieu thereof the words "of the Code".

9. Strike all of section 25 and insert in lieu thereof the following:

"Sec. 25. On the effective date of sections 26 to 30, inclusive, of this act the state board of public instruction shall succeed to all the property, funds, records, correspondence, files and equipment of the former boards of educational examiners and vocational education."

10. Insert in section 37, in line 2, after the number (286A.6) the following: ", Code 1950,".

11. Strike from line 2 of section 27, line 2 of section 29 and line 10 of section 30 the figures "1953" and insert in each instance the figures "1952".

12. Strike all of section 42 and insert in lieu thereof the following:

"Sec. 42. Sections 31 to 39, inclusive, of this act shall become effective from and after the second secular day in January, 1952."



13. Section 6 of House File 420 is hereby amended by adding at the end thereof the following: "There is hereby appropriated from the general fund of the state the sum of seventy-five hundred dollars (\$7500) for the biennium ending June 30, 1953, to pay the per diem and expenses of the state board of public instruction as provided herein."

14. Add to House File 420 a new section as follows:

"Sec. 46. Certain sections of this act being deemed of immediate importance, the act except as otherwise noted therein shall be in full force and effect after publication in the Bremer County Independent, a newspaper published at Waverly, Iowa, and The Record-Republican, a newspaper published at Bonaparte, Iowa."

A. L. DOUD, *Chairman.*

Ordered passed on file.

Senator Hultman submitted the following report:

MR. PRESIDENT: Your committee on conservation to which was referred **Senate File 370**, a bill for an act relating to the prohibited destructive acts on lands or waters of the state and to amend chapter one hundred eleven point thirty-five (111.35), Code 1950, 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.

Also:

MR. PRESIDENT: Your committee on conservation to which was referred **House File 426**, a bill for an act to amend section one hundred ten point eighteen (110.18), Code 1950, relating to public nuisance in regard to fish and game regulations, 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 Fishbaugh submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **House File 355**, a bill for an act to amend, revise and codify chapter five hundred ninety-one (591), Code 1950, relating to the legalization of acts concerning corporations, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL C. FISHBAUGH, JR., *Chairman.*

Ordered passed on file.

Senator Lord submitted the following report:

MR. PRESIDENT: Your committee on social security to which was referred **Senate File 339**, a bill for an act relating to the old age and survivors' insurance system, prescribing a method by which public employees after termination of public employment may maintain both current and full coverage thereunder, and to amend section ninety-seven point forty-

five (97.45), Code 1950, relating thereto, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HERMAN B. LORD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on social security to which was referred **Senate File 462**, a bill for an act to amend sections ninety-seven A point one (97A.1) and ninety-seven A point three (97A.3), Code 1950, relating to the radio communications division in the department of public safety, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HERMAN B. LORD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on social security to which was referred **House Joint Resolution 10**, a joint resolution creating a special committee to make a study of the operations of the Iowa old age and survivors' insurance system, to investigate into the proposal of substituting the Iowa old age and survivors' system for the federal social security system, and providing that such committee shall make a report of its findings to the Governor of Iowa and to the Fifty-fifth General Assembly, and appropriating the sum of ten thousand dollars (\$10,000) or so much thereof as may be necessary to carry out the provisions of this joint resolution, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HERMAN B. LORD, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 331 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section three hundred ninety-seven point twenty-nine (397.29), Code 1950, is amended by adding at the end thereof the following:

"The question submitted to the voters may provide that the management and control of any or all of said utilities may be placed in the hands of one board of trustees to be appointed by the mayor and approved by a majority of the council or elected as shall be stated in the petition or motion of the council. The question of abolishing an existing board of trustees may also be initiated and submitted in like manner in which case, if abolished, such management and control shall revert to the council."

Sec. 2. Section three hundred ninety-seven point thirty-one (397.31), Code 1950, is repealed and the following enacted

in lieu thereof:

"The question submitted shall be in substantially the following form: 'Shall the city (or town) of ..... place the management and control of its waterworks (or heating plant, or gasworks, or electric light or electric power plant or any or all of said utilities as shall be indicated) in the hands of an appointed (or elected, whichever is stated in the petition or motion) board of trustees?'"

Sec. 3. Section three hundred ninety-seven point thirty-two (397.32), Code 1950, is amended by inserting in line eleven (11) after the word "appointed" the following: "(or elected, whichever was indicated in the question submitted to the voters)".

Also amend said section by inserting in line sixteen (16) after the word "year" the following: "for each utility under the management of the board".

Sec. 4. Section three hundred ninety-seven point thirty-four (397.34), Code 1950, is amended by adding at the end thereof the following:

"In addition thereto the board may employ a competent engineer or superintendent and fix his compensation. Said employee shall be subject to discharge for cause at any time."

Sec. 5. Section three hundred ninety-seven point thirty-nine (397.39), Code 1950, is amended by inserting in line two (2) after the word "charter" the following: "or the board of trustees in control of any municipally owned utility on request of the council".

Further amend the title to Senate File 331 by striking all after the word "amend" in line 2 and inserting in lieu thereof the following: "various sections of the Code 1950 relating thereto."

JOHN P. BERG.

Amend Senate File 354 by striking from section 3, line 9, the word "communications" and inserting in lieu thereof the following: "telephone, telegraph and radio".

CHAS. S. VAN EATON.

Amend Senate File 453, section 1, line 26, by striking the words "a majority" and inserting in lieu thereof the words "sixty (60) per centum".

Further amend section 1 by striking all after the word "employment" in line 30 and inserting in lieu thereof the following: "of all employees who thereafter enter his or its employment, membership in such labor organization on or after the".

Further amend section 1 by striking the word "thirtieth (30th)" in line 31 and inserting in lieu thereof the word "ninetieth (90th)".

Further amend section 1 by adding thereto the following new paragraph: "Provided further that the individual worker shall be protected against arbitrary expulsion from the union,

and consequent loss of his job, by the mere whim or opinion of any union officer or officers or by pressure or intimidation from any fellow employee who may happen to disagree with him."

LOYD VAN PATTEN.  
LEO ELTHON.  
ALDEN L. DOUD.

Amend Senate File 485 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section one hundred thirty-five point eleven (135.11), subsection four (4), Code 1950, is amended by inserting after the word 'surveys' in line one (1) the following: 'when requested by local health authorities or a representative of the department of agriculture'."

LOYD VAN PATTEN.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 29, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Stanley A. Kruschwitz, pastor of the Methodist Church, Denison, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Colburn, from residents of Cass County favoring passage of Senate File 172 and 173, relating to teachers' contracts.

By Senator Parker, from residents of Ida County favoring passage of Senate File 172, relating to teachers' contracts.

## INTRODUCTION OF BILLS

Senate File 498, by committee on conservation, a bill for an act providing for the payment by the State of Iowa of a portion of the cost of construction of sanitary facilities, disposal plants and other necessary sewer facilities by the sanitary districts of Clear Lake in Cerro Gordo County and of the Great Lakes sanitary district, including Spirit Lake, East Okoboji Lake, West Okoboji Lake and other state owned waters in Dickinson County, Iowa.

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

Senate File 499, by committee on conservation, a bill for an act to amend sections three hundred fifty-eight point sixteen (358.16), three hundred fifty-eight point eighteen (358.18), three hundred fifty-eight point twenty (358.20), three hundred fifty-eight point twenty-one (358.21) and three hundred fifty-eight point twenty-two (358.22), Code 1950, providing for the imposition of a tax for the retirement of bonds of a sanitary district, and in general relating to the powers and financing of sanitary districts organized under the provisions of chapter three hundred fifty-eight (358), Code 1950.

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

Senate File 500, by committee on public health, a bill for an act to amend section four hundred forty-four point twelve (444.12), Code 1950, relating to county psychiatric treatment.

Read first and second times, and referred to the sifting committee.

Senator Knudson asked unanimous consent to have a communication with reference to anticipated state revenues printed in the Senate Journal.

Objection was raised.

Senator Knudson moved that the communication be printed in the Senate Journal.

Senator Bekman moved as a substitute motion that the communication be mimeographed and a copy of same be placed on the desks of the members of the Senate, the representatives of the press and the President of the Senate.

The substitution was made and the motion adopted.

#### PRESENTATION OF VISITORS

Senator Elthon asked and received unanimous consent to present to the Senate a former member of the Senate from Sioux County, the Honorable Garritt Roelofs, who was present in the Senate chamber.

Senator Elthon announced that there also was present in the Senate chamber twelve members of the Parliament of the Supreme legislative body of Japan, and asked and received unanimous consent that Mr. Roelofs be permitted to present the members of the delegation and that Kotaro Mori, chairman, be permitted to address the Senate. Kotaro Mori's address was translated to the members of the Senate by Kazuo Ichihaski.

#### ANNOUNCEMENT

Senator Walter asked and received unanimous consent to have the following remarks printed in the Senate Journal:

##### MR. PRESIDENT AND MEMBERS OF THE SENATE:

We have passed a resolution, House Concurrent Resolution 11, which authorized the appointment of eight members of the Senate and eight

members of the House to serve as a committee to study the provisions of House Resolution 4 and the transcript of the testimony as taken before the committee on retrenchment and reform, and report back to this General Assembly as soon as practical their findings and recommendations regarding the administration of the Iowa Liquor Control Act and the policies promulgated by certain members of the liquor control commission.

As chairman of this committee I wish to report that the committee is functioning. We have studied the material placed before us, a sub-committee has been appointed to make additional study and report back to the committee as to its findings and recommendations, and we expect to receive this report immediately.

Charges have been made against the committee by a member of the House of Representatives to the effect that members of the committee have neglected the responsibility placed upon them, the purpose of this neglect being the prevention of further action by this legislature in conducting an investigation into the administration of the Iowa Liquor Control Act. In answer to these charges I have released the following statement to the press:

"The investigating committee appointed by the presiding officers of both houses of the legislature has had under consideration the question of whether or not there should be a thorough investigation. This committee has no power to conduct the investigation.

"So far the only information that has come to my attention which might justify an investigation has been based solely upon rumor, and without any substantiating facts, and the accusations made have been more in the form of accusation, innuendo, and rumor.

"An eminent member of the Democratic Party, who is at the present time a state senator, made the statement on the Senate floor that the whole thing was a matter of political maneuver and that since the election was over the whole matter should be dropped.

"There is no question but that there has been an attempt by certain interests to assassinate the character of certain public officials. If they have any facts let them bring them into the open.

"If any person in or out of the State of Iowa will make a written statement under oath stating facts which would constitute grounds for prosecution of any public official for maladministration or dishonesty in office, his charges will be brought before the joint liquor investigation committee and then turned over to the proper authorities for action."

W. ELDON WALTER, *Chairman*  
Committee Appointed Under House  
Concurrent Resolution 11.

#### UNFINISHED BUSINESS

Senator Watson of O'Brien called up for further consideration Senate File 258, a bill for an act to amend chapter one hundred seventy-six (176), Code 1950, relating to farm aid associations and

amending the law relative to the annual meetings of such associations, the amounts to be appropriated for such associations and the method of disbursing the money appropriated.

Senator Watson of O'Brien called up the amendment to Senate File 258, filed by Senator Knudson, and found on pages 791 and 792 of the Senate Journal, also the point of order raised by Senator Elthon.

President Nicholas ruled the point well taken and that the amendment by Senator Knudson was out of order for the reason that if adopted it would strike all of the paragraph to which the amendment by Senator Doud already adopted applied. Should the vote on the amendment by Senator Doud be reconsidered then the amendment by Senator Knudson would be in order.

Senator Knudson offered the following amendment:

Amend Senate File 258 by striking in line 4 of section 3 the word "shall" and substituting therefor the word "may".

Further amend by adding after the word "association" in line 5 the words "not to exceed".

Senator Knudson asked and received unanimous consent to withdraw the amendment.

Senator Jacobson took the chair at 11:30 a.m.

Senator Molison offered the following amendment:

Amend Senate File 258 by striking from line 7, section 2, all after the word "disbursed" and inserting in lieu thereof the following words: "semi-annually or quarterly at the discretion of the county board of supervisors."

Senator Molison offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking in lines 3 and 4 the words "at the discretion of" and inserting in lieu thereof the word "by".

The amendment to the amendment was adopted.

On the motion of Senator Molison, the amendment as amended was adopted.

Senator Doud asked and received unanimous consent to withdraw the amendment to the amendment filed by Senator Knudson filed by him and found on page 805 of the Senate Journal.



Senator Watson of O'Brien moved that the bill be read a third 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:**

Anderson	Gillespie	Molison	Van Eaton
Augustine	Hart	Myrland	Van Patten
Bateson	Hattery	Nesmith	Vest
Bekman	Henningsen	Oltman	Walter
Berg	Hultman	O'Malley	Watson of
Byers	Humbert	Prentis	O'Brien
Colburn	Jacobson	Ridout	Watson of
Dailey	Knudson	Risk	Pottawattamie
Doud	Linnevold	Roberts	Weichman
Dykhouse	Lord	Sharp	West
Elthon	Lynes	Tudor	Whitehead
Fishbaugh	McCarville	Utzig	Zastrow
Fletcher	Mercer		

**Nays, 1:**

Parker

**Absent or not voting, 1:**

Hedin

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

Senator Lynes asked and received unanimous consent that Senate File 258 be immediately messaged to the House, which request was complied with.

### THIRD READING OF BILLS

On motion of Senator Roberts, Senate File 393, a bill for an act authorizing a patent to issue to the southeast quarter (SE $\frac{1}{4}$ ) of the southeast quarter (SE $\frac{1}{4}$ ) of section nine (9), township seventy-one (71) north, range eighteen (18), west of the fifth (5th) principal meridian, Monroe County, Iowa, 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, 43:**

Anderson	Berg	Elthon	Hart
Augustine	Byers	Fishbaugh	Hattery
Bateson	Dailey	Fletcher	Hedin
Bekman	Doud	Gillespie	Henningsen

Hultman	Myrland	Roberts	Watson of
Humbert	Nesmith	Sharp	O'Brien
Jacobson	O'Malley	Utzig	Watson of
Linnevold	Parker	Van Eaton	Pottawattamie
Lord	Prentis	Van Patten	West
Lynes	Ridout	Vest	Whitehead
McCarville	Risk	Walter	Zastrow
Molison			

Nays, none.

Absent or not voting, 7:

Colburn	Knudson	Oltman	Weichman
Dykhouse	Mercer	Tudor	

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

On motion of Senator Parker, House File 236, a bill for an act to legalize and validate the proceedings of the board of directors of the Independent School District of Cherokee, Iowa, with reference to the conveyance of real estate acquired by virtue of the provisions of section two hundred ninety-seven point three (297.3), Code 1950, and to authorize and direct the issuance of a patent to such real estate by the Governor and the Secretary of State, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 43:

Anderson	Hart	McCarville	Utzig
Augustine	Hattery	Molison	Van Eaton
Bateson	Hedin	Myrland	Van Patten
Bekman	Henningsen	Nesmith	Vest
Berg	Hultman	O'Malley	Watson of
Byers	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Elthon	Linnevold	Risk	West
Fishbaugh	Lord	Roberts	Whitehead
Fletcher	Lynes	Sharp	Zastrow
Gillespie			

Nays, none.

Absent or not voting, 7:

Colburn	Mercer	Tudor	Weichman
Dykhouse	Oltman	Walter	

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

On motion of Senator Roberts, House File 320, a bill for an act to make permanent a certain temporary transfer of funds of Monroe County, Iowa, made by authority of the state comptroller, was taken up, and considered.

Senator Roberts moved that the bill be read a third 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:

Anderson	Gillespie	McCarville	Utzig
Augustine	Hart	Mercer	Van Eaton
Bateson	Hattery	Molison	Van Patten
Bekman	Hedin	Myrland	Vest
Berg	Henningsen	Nesmith	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevoed	Risk	West
Elthon	Lord	Roberts	Whitehead
Fishbaugh	Lynes	Sharp	Zastrow
Fletcher			

Nays, none.

Absent or not voting, 3:

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

#### PRESENTATION OF VISITORS

Senator Bekman asked and received unanimous consent to present to the Senate a member of Congress from the Fourth District and a former member of the Senate, the Honorable K. M. LeCompte, who was present in the Senate chamber.

Senator Fishbaugh asked and received unanimous consent to present to the Senate a former member of the House of Representatives from Mills County, the Honorable J. R. Hall, who was present in the Senate chamber.

Senator Gillespie asked and received unanimous consent to present to the Senate the members of the government class of the Winterset High School who were present in the balcony with their instructor, Mr. Waters.

Senator O'Malley asked and received unanimous consent to present to the Senate three hundred members of the 9B and 9A

classes of the Washington Irving School of Des Moines who were present in the balcony with their principal, Mr. Mastin.

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

### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Weichman for the balance of the day on account of illness, on request of Senator Berg.

### THIRD READING OF BILLS

On motion of Senator Parker, House File 378, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance of bonds by the Consolidated School District of Union Township, in the county of Plymouth, State of Iowa, for the purpose of building an addition to and making alterations in the existing school building of said school district, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 49:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhous	Linnevold	Risk	West
Elthon	Lord	Roberts	Whitehead
Fishbaugh	Lynes	Sharp	Zastrow
Fletcher	McCarville	Tudor	

Nays, none.

Absent or not voting, 1:

Weichman

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

## MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File 87, a bill for an act relating to permits for excess size and weight.

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

House File 154, a bill for an act relating to the height of vehicles.

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

House File 365, a bill for an act relating to secondary roads.

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

House File 449, a bill for an act relating to taxation of motor vehicle certificated carriers.

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

House File 485, a bill for an act relating to control of noxious weeds.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE MESSAGES CONSIDERED

House File 154, a bill for an act to amend section three hundred twenty-one point four hundred fifty-six (321.456), Code 1950, relating to the height of vehicles.

Read first and second times, and referred to the sifting committee.

House File 449, a bill for an act to regulate motor carriers and to set certain standards with reference to liability insurance by amending sections three hundred twenty-five point twenty-six (325.26), three hundred twenty-seven point one (327.1), three hundred twenty-seven point three (327.3), three hundred twenty-seven point four (327.4), three hundred twenty-seven point six (327.6), three hundred twenty-seven point fifteen (327.15) and three hundred twenty-seven point eighteen (327.18), Code 1950. Also amend section three hundred twenty-six point two (326.2), Code 1950, relating to taxation of motor vehicle certificated carriers.

Read first and second times, and referred to the sifting committee.

## SENATE CONCURRENT RESOLUTION 15

By Elthon

*Be It Resolved by the Senate, the House Concurring,* that the Fifty-fourth General Assembly adjourn sine die at twelve o'clock noon, Saturday, April 14, 1951.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 110 and 166; House Files 399, 453 and 492.

JAMES H. NESMITH, *Chairman Senate Committee.*

ELMER A. BASS, *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 110 and 166; House Files 399, 453 and 492.

## BILLS SENT TO THE GOVERNOR

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

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 29th day of March, 1951, sent to the Governor for his approval: Senate Files 110 and 166.

JAMES H. NESMITH, *Chairman.*

Passed on file.

## EXECUTIVE SESSION

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

The Senate, in executive session, confirmed the following appointments:

Henry W. Burma of Butler County as a member of the board of control for the regular term ending June 30, 1957.

Rolla R. Glenn of Clarke County as a member of the state board of social welfare for the regular term ending June 30, 1957.

John R. Hattery of Story County as a member of the state highway commission for the regular term ending June 30, 1955.

Robert Keir of Clay County as a member of the state highway commission for the regular term ending June 30, 1955.

Frank R. Kerrigan of Dubuque County as a member of the state highway commission for the unexpired term ending June 30, 1953.

Harold E. Wolfe of Cerro Gordo County as a member of the liquor control commission for the regular term ending June 30, 1957.

Sanford Zeigler of Jefferson County as a member of the state highway commission for the regular term ending June 30, 1955.

The Senate arose from executive session and resumed regular session.

#### REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

H. F. 606	H. F. 238	S. F. 185
H. F. 154	H. F. 179	S. F. 403
S. F. 493	S. F. 370	S. F. 447
H. F. 594	S. F. 184	H. F. 94

#### AMENDMENTS FILED

Amend the amendment by Watson of Pottawattamie filed March 26, 1951, to Senate File 279 by adding thereto an additional section as follows:

Section 4. Section four hundred twenty-two point five (422.5), Code 1950, is hereby amended by adding the following subsection:

6. On all income derived from gambling, one hundred per cent.

JOHN R. HATTERY.

Amend Senate File 477, section 11, by striking from line 15 after the word "hereby" the following: "allocated from capital improvement" and striking all of line 16 and inserting in lieu thereof "appropriated out of the general fund of the State of Iowa to the State Board of Education for Oakdale."

LEROY S. MERCER.

Amend Senate File 370 by adding thereto the following new section:

Sec. 3. Section one hundred eleven point four (111.4), Code 1950, is amended by adding thereto a new paragraph as follows:

"No person, association or corporation shall operate any commercial concession on any state owned lands or waters without first obtaining from the conservation commission a permit therefor. The commission may issue such permits and charge appropriate fees therefor within its discretion and may cancel said permits for cause and make refunds of any equitable portion of the amount paid."

Further amend said Senate File 370 by striking from the title all after the word "act" and inserting the following: "relating to prohibited acts on lands and waters

of the state and fees for appropriate use of such lands and waters and to amend certain sections of the Code 1950 relating thereto."

J. T. DYKHOUSE.

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



# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 30, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Doctor Walter L. Tierney, pastor of the Union Presbyterian Church, Fort Madison, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Watson of Pottawattamie for the day on request of Senator O'Malley; Senator Nesmith for the day on request of Senator Doud.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Berg, from members of the Iowa Pharmaceutical Association, Des Moines, in opposition to Senate File 375, transferring certain duties of the pharmacy department to the secretary of state; also, from members of the city council of Waterloo, Black Hawk County, urging passage of the building code bill.

By Senator Dailey, from members of the Kiwanis Club and the Burlington Junior Chamber of Commerce favoring increasing the number of highway patrolmen.

By Senator Henningsen, from members of the Clinton High School faculty, favoring passage of Senate File 172, relating to teachers' contracts.

By Senator Knudson, from residents of Cerro Gordo County favoring passage of Senate Files 172 and 173, relating to teachers' contracts.

## PROOF OF PUBLICATION

Published copy of House File 594 and verified proof of publication of said bill in the Howard County Times, Cresco, on February 28, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE, *Secretary of Senate.*

## PRESENTATION OF VISITORS

Senator Hattery asked and received unanimous consent to present to the Senate a group of students from the Oak Park Academy of Nevada, Story County, who were present in the balcony with their superintendent, M. E. Smith.

Senator Oltman asked and received unanimous consent to present to the Senate thirty-five members of the American government class of the Lorenz High School who were present in the balcony with their superintendent, Donald Henderson.

Senator Van Patten asked and received unanimous consent to present to the Senate seventy members of the American government and economics classes of the Indianola High School who were present in the balcony with their instructors, Mr. Tollefson and Mr. Tannatt.

Senator Myrland asked and received unanimous consent to present to the Senate sixteen students of the Persia High School who were present in the balcony with their superintendent, O. R. Fenton.

## 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 12, providing for the payment of legislative expense.

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

House File 64, a bill for an act relating to fees for operator's and chauffeur's licenses.

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

House File 483, a bill for an act relating to the handling and sale of market milk.

Also: I am directed to request the return of House File 64, a bill for an act relating to fees for operator's and chauffeur's licenses, for the reason that a motion to reconsider has been filed.

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

House File 614, a bill for an act making an appropriation for state aid to agricultural societies.

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

House File 615, a bill for an act making an appropriation for the state soil conservation committee.

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

House File 616, a bill for an act making an appropriation for the state comptroller.

A. C. GUSTAFSON, *Chief Clerk.*

### HOUSE MESSAGES CONSIDERED

House File 64, a bill for an act to amend section three hundred twenty-one point one hundred ninety-one (321.191), Code 1950, relating to fees for operator's and chauffeur's licenses.

Read first and second times, and referred to the sifting committee.

House File 365, a bill for an act to amend section three hundred eleven point seven (311.7), Code 1950, relating to secondary roads.

Read first and second times, and referred to the sifting committee.

House File 483, a bill for an act to amend chapter one hundred ninety-two (192), and section one hundred ninety-five point seven (195.7), Code 1950, relating to the handling and sale of market milk.

Read first and second times, and referred to the sifting committee.

House File 485, a bill for an act to amend section three hundred seventeen point four (317.4) and section three hundred seventeen point three (317.3), Code 1950, relating to the control and destruction of noxious weeds, and the employment and compensation of the county weed commissioner.

Read first and second times, and referred to the sifting committee.

House File 614, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1951, and ending June 30, 1953, to the state fair board for the purpose of state aid to agricultural societies.

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

House File 615, a bill for an act to appropriate from the general fund of the State of Iowa to the state soil conservation committee the sum of six hundred thousand dollars (\$600,000) to carry on soil conservation work in soil conservation districts as provided in chapter four hundred sixty-seven A (467A), Code 1950.

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

House File 616, a bill for an act to appropriate funds to the state comptroller from the motor vehicle fuel tax fund.

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

### SENATE CONCURRENT RESOLUTION

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

### SENATE CONCURRENT RESOLUTION 15

By Elthon

*Be It Resolved by the Senate, the House Concurring, that the Fifty-fourth General Assembly adjourn sine die at twelve o'clock noon, Saturday, April 14, 1951.*

The motion prevailed and the resolution was adopted.

Senator Elthon asked and received unanimous consent that the resolution be immediately messaged to the House, which request was complied with.

### THIRD READING OF BILLS

On motion of Senator Walter, House File 491, a bill for an act making appropriation to defray expense of inaugural ceremonies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Walter moved that the bill be read a third 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:

Anderson	Hart	Mercer	Tudor
Bekman	Hattery	Molison	Utzig
Berg	Hedin	Myrland	Van Eaton
Byers	Henningsen	Oltman	Van Patten
Colburn	Hultman	O'Malley	Vest
Dailey	Humbert	Parker	Walter
Doud	Jacobson	Prentis	Watson of
Dykhouse	Knudson	Ridout	O'Brien
Elthon	Linnevold	Risk	Weichman
Fishbaugh	Lord	Roberts	West
Fletcher	Lynes	Sharp	Whitehead
Gillespie	McCarville		

Nays, none.

**Absent or not voting, 5:**

Augustine	Nesmith	Watson of	Zastrow
Bateson		Pottawattamie	

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

On motion of Senator Fishbaugh, House File 355, a bill for an act to amend, revise and codify chapter five hundred ninety-one (591), Code 1950, relating to the legalization of acts concerning corporations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Vest moved that the bill be read a third 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:**

Anderson	Fletcher	Lynes	Sharp
Augustine	Gillespie	McCarville	Tudor
Bateson	Hart	Mercer	Utzig
Bekman	Hattery	Molison	Van Eaton
Berg	Hedin	Myrland	Vest
Byers	Henningsen	Oltman	Walter
Colburn	Hultman	O'Malley	Watson of
Dailey	Humbert	Parker	O'Brien
Doud	Jacobson	Prentis	Weichman
Dykhouse	Knudson	Ridout	West
Elthon	Linnevold	Risk	Whitehead
Fishbaugh	Lord	Roberts	Zastrow

**Nays, 1:**

Van Patten

**Absent or not voting, 2:**

Nesmith	Watson of
	Pottawattamie

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

On motion of Senator Colburn, House File 602, a bill for an act making an additional appropriation for the payment of the cost of printing for the Fifty-fourth General Assembly, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bateson moved that the bill be read a third 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:**

Anderson	Gillespie	McCarville	Tudor
Augustine	Hart	Mercer	Utzig
Bateson	Hattery	Molison	Van Eaton
Bekman	Hedin	Myrland	Van Patten
Berg	Henningsen	Oltman	Vest
Byers	Hultman	O'Malley	Walter
Colburn	Humbert	Parker	Watson of
Dailey	Jacobson	Prentis	O'Brien
Doud	Knudson	Ridout	Weichman
Dykhouse	Linnevold	Risk	West
Elthon	Lord	Roberts	Whitehead
Fishbaugh	Lynes	Sharp	Zastrow
Fletcher			

**Nays, none.****Absent or not voting, 2:**

Nesmith	Watson of Pottawattamie
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The bill having received a constitutional and two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Hart, House File 441, a bill for an act to legalize certain issues of capital stocks of Iowa corporations, upon compliance herewith, was taken up, and considered.

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

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

**Ayes, 46:**

Anderson	Gillespie	McCarville	Tudor
Augustine	Hart	Mercer	Utzig
Bateson	Hattery	Molison	Van Eaton
Bekman	Hedin	Myrland	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Doud	Jacobson	Prentis	Weichman
Dykhouse	Knudson	Ridout	West
Elthon	Linnevold	Risk	Whitehead
Fishbaugh	Lord	Roberts	Zastrow
Fletcher	Lynes	Sharp	

**Nays, none.****Absent or not voting, 4:**

Dailey	Nesmith	Van Patten	Watson of Pottawattamie
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lynes asked and received unanimous consent to take up for consideration House File 154, a bill for an act to amend section

three hundred twenty-one point four hundred fifty-six (321.456), Code 1950, relating to the height of vehicles.

Senator Henningsen took the chair at 10:55 a.m.

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:**

Anderson	Hattery	Mercer	Utzig
Augustine	Hedin	Molison	Van Eaton
Bateson	Henningsen	Myrland	Van Patten
Bekman	Hultman	Oltman	Vest
Colburn	Humbert	O'Malley	Walter
Dailey	Jacobson	Prentis	Watson of
Dykhousc	Knudson	Ridout	O'Brien
Elthon	Linnevold	Risk	Weichman
Fletcher	Lord	Roberts	West
Gillespie	Lynes	Sharp	Whitehead
Hart	McCarville	Tudor	Zastrow

**Nays, 1:**

Fishbaugh

**Absent or not voting, 6:**

Berg	Doud	Parker	Watson of
Byers	Nesmith		Pottawattamie

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

Senator Bekman asked and received unanimous consent to take up for consideration House File 238, a bill for an act relating to individual accident and sickness insurance policies, making uniform the law relating thereto, to repeal section five hundred eleven point thirty-six (511.36), Code 1950, also relating to accident or health insurance.

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:**

Anderson	Fletcher	McCarville	Tudor
Augustine	Gillespie	Mercer	Utzig
Bateson	Hart	Molison	Van Eaton
Bekman	Hedin	Myrland	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Prentis	O'Brien
Dailey	Jacobson	Ridout	Weichman
Doud	Linnevold	Risk	West
Dykhousc	Lord	Roberts	Whitehead
Elthon	Lynes	Sharp	Zastrow

Nays, none.

Absent or not voting, 7:

Fishbaugh	Knudson	Parker	Watson of
Hattery	Nesmith	Van Patten	Pottawattamie

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

Senator Linnevold asked and received unanimous consent to take up for consideration House File 594, a bill for an act to legalize the proceedings of the board of supervisors of Howard County in paying for the purchase and construction of an elevator at the county home, from the county poor fund.

Senator Linnevold moved that the bill be read a third 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:

Anderson	Gillespie	Molison	Utzig
Augustine	Hedin	Myrland	Van Eaton
Bateson	Henningsen	Oltman	Van Patten
Bekman	Humbert	O'Malley	Vest
Berg	Jacobson	Prentis	Walter
Colburn	Linnevold	Ridout	Watson of
Doud	Lord	Risk	O'Brien
Elthon	Lynes	Roberts	West
Fishbaugh	McCarville	Sharp	Whitehead
Fletcher	Mercer	Tudor	Zastrow

Nays, none.

Absent or not voting, 11:

Byers	Hart	Knudson	Watson of
Dailey	Hattery	Nesmith	Pottawattamie
Dykhous	Hultman	Parker	Weichman

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

Senator Zastrow asked and received unanimous consent to take up for consideration House File 179, a bill for an act to amend section ninety-two point eleven (92.11), Code 1950, relating to employment of persons under sixteen (16) years of age, with report of committee recommending passage.

On motion of Senator Jacobson, the report of the committee was adopted.

Senator Fishbaugh offered the following amendment and moved its adoption:



Amend House File 179 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Amend section ninety-two point eleven (92.11), Code 1950, by adding after paragraph one (1) the following: 'Provided, however, boys under 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 ninety-two point six (92.6), Code 1950.'"

The amendment was 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, 43:**

Anderson	Gillespie	McCarville	Tudor
Augustine	Hattery	Mercer	Utzig
Bateson	Hedin	Molison	Van Eaton
Bekman	Henningsen	Myrland	Van Patten
Colburn	Hultman	Oltman	Walter
Dailey	Humbert	O'Malley	Watson of
Doud	Jacobson	Prentis	O'Brien
Dykhouse	Knudson	Ridout	Weichman
Elthon	Linnevold	Risk	West
Fishbaugh	Lord	Roberts	Whitehead
Fletcher	Lynes	Sharp	Zastrow

**Nays, none.**

**Absent or not voting, 7:**

Berg	Hart	Parker	Watson of
Byers	Nesmith	Vest	Pottawattamie

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

### BILL WITHDRAWN

Senator Zastrow asked and received unanimous consent that Senate File 182 be withdrawn from further consideration of the Senate.

### HOUSE FILE 64 RETURNED TO THE HOUSE

Senator Elthon asked and received unanimous consent that the Secretary be instructed to return House File 64 to the House.

### REASSIGNMENT

The President of the Senate announced that Senate File 148 and House Joint Resolution 10 had been reassigned to the committee on appropriations.

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

## AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Parker for the balance of the day on request of Senator Elthon.

## 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 1, 2, 4, 6 and 8; has refused to concur in Senate amendments 5 and 7; and has amended and concurred in Senate amendments 3 and 9, all to House File 421, a bill for an act relating to the additional cost of issuing hunting, fishing and trapping licenses.

Also: That the House has refused to concur in Senate amendments to House File 422, a bill for an act relating to the compensation of county officers.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO  
SENATE AMENDMENTS TO HOUSE FILE 421

Amend Senate amendment 3 by striking from line 11 the word "now".  
Amend Senate amendment 9 by striking therefrom all of paragraph "c".

## THIRD READING OF BILLS

Senator Dykhouse asked and received unanimous consent to take up for consideration Senate File 370, a bill for an act relating to the prohibited destructive acts on lands or waters of the state and to amend chapter one hundred eleven point thirty-five (111.35), Code 1950, with report of committee recommending passage.

On motion of Senator Dykhouse, the report of the committee was adopted.

Senator Dykhouse offered the following amendment and moved its adoption:

Amend Senate File 370 by adding thereto the following new section:

Sec. 3. Section one hundred eleven point four (111.4), Code 1950, is amended by adding thereto a new paragraph as follows:

"No person, association or corporation shall operate any commercial concession on any state owned lands or waters without first obtaining

from the conservation commission a permit therefor. The commission may issue such permits and charge appropriate fees therefor within its discretion and may cancel said permits for cause and make refunds of any equitable portion of the amount paid."

Further amend said Senate File 370 by striking from the title all after the word "act" and inserting the following: "relating to prohibited acts on lands and waters of the state and fees for appropriate use of such lands and waters and to amend certain sections of the Code 1950 relating thereto."

The amendment was adopted.

Senator Dykhouse offered the following amendment and moved its adoption:

Amend Senate File 370 by adding the following new section:

"Sec. 4. This act being deemed of immediate importance shall be in full force and effect from and after its publication in The Milford Mail, a newspaper published at Milford, Iowa, and in The Spirit Lake Beacon, a newspaper published at Spirit Lake, Iowa."

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, 45:**

Anderson	Hart	Mercer	Utzig
Augustine	Hattery	Molison	Van Eaton
Bateson	Hedin	Myrland	Van Patten
Bekman	Henningsen	Oltman	Vest
Berg	Hultman	O'Malley	Walter
Colburn	Humbert	Prentis	Watson of
Dailey	Jacobson	Ridout	O'Brien
Dykhouse	Knudson	Risk	Weichman
Elthon	Linnevold	Roberts	West
Fishbaugh	Lord	Sharp	Whitehead
Fletcher	Lynes	Tudor	Zastrow
Gillespie	McCarville		

**Nays, none.**

**Absent or not voting, 5:**

Byers	Nesmith	Parker	Watson of
Doud			Pottawattamie

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

Senator Lord asked and received unanimous consent to take up for consideration Senate File 184, a bill for an act to amend sections ninety-six point three (96.3) and ninety-six point seven (96.7),

Code 1950, relating to unemployment compensation, so as to increase weekly benefit amounts, and to reduce certain contribution rates to be paid by employers, with report of committee recommending passage.

On motion of Senator Lord, the report of the committee was adopted.

Senator Lord asked and received unanimous consent that House File 265 be substituted for Senate File 184.

On motion of Senator Lord, House File 265, a bill for an act to amend sections ninety-six point three (96.3) and ninety-six point seven (96.7), Code 1950, relating to unemployment compensation, so as to increase weekly benefit amounts, and to reduce certain contribution rates to be paid by employers, was taken up for consideration.

Senator Lord moved that the bill be read a third 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:**

Anderson	Gillespie	McCarville	Utzig
Augustine	Hart	Mercer	Van Eaton
Bateson	Hattery	Molison	Van Patten
Bekman	Hedin	Myrland	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Prentis	O'Brien
Dailey	Jacobson	Ridout	Weichman
Doud	Knudson	Risk	West
Elthon	Linnevold	Roberts	Whitehead
Fishbaugh	Lord	Sharp	Zastrow
Fletcher	Lynes	Tudor	

**Nays, none.**

**Absent or not voting, 4:**

Dykhous	Nesmith	Parker	Watson of Pottawattamie
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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 Lord asked and received unanimous consent to take up for consideration Senate File 185, a bill for an act to amend sections eighty-five point thirty-four (85.34), eighty-five point thirty-five (85.35), and eighty-five point thirty-seven (85.37), Code 1950, relating to workmen's compensation so as to increase benefit payments

for permanent total disability, for permanent partial disabilities, and so as to increase the weekly compensation amount, with report of committee recommending passage.

On motion of Senator Lord, the report of the committee was adopted.

Senator Lord asked and received unanimous consent that House File 264 be substituted for Senate File 185.

On motion of Senator Lord, House File 264, a bill for an act to amend sections eighty-five point twenty-seven (85.27), eighty-five point thirty-one (85.31), eighty-five point thirty-four (85.34), eighty-five point thirty-five (85.35), eighty-five point thirty-seven (85.37); and eighty-five point sixty-four (85.64), Code 1950, relating to workmen's compensation so as to increase medical and hospital allowances, to provide for furnishing prosthetic devices, to change method of paying dependent parents in the event of the death of minor employees, to increase benefit payments for permanent total disability and for permanent partial disability, to increase the weekly compensation amount, and to liberalize the provisions of the second injury fund, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Senator Lord moved that the bill be read a third 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:**

Anderson	Hart	Mercer	Utzig
Augustine	Hattery	Molison	Van Eaton
Bekman	Hedin	Myrland	Van Patten
Berg	Henningsen	Oltman	Vest
Byers	Hultman	O'Malley	Walter
Colburn	Humbert	Prentis	Watson of
Dailey	Jacobson	Ridout	O'Brien
Doud	Knudson	Risk	Weichman
Elthon	Linnevoild	Roberts	West
Fishbaugh	Lord	Sharp	Whitehead
Fletcher	Lynes	Tudor	Zastrow
Gillespie	McCarville		

**Nays, none.**

**Absent or not voting, 5:**

Bateson	Nesmith	Parker	Watson of
Dykhouse			Pottawattamie

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

## BILLS WITHDRAWN

Senator Lord asked and received unanimous consent that Senate Files 184 and 185 be withdrawn from further consideration of the Senate.

Senator McCarville asked and received unanimous consent to take up for consideration Senate File 403, a bill for an act to amend chapters eighty-five (85) and eighty-six (86), Code 1950, so as to provide a method of obtaining jurisdiction over nonresident employers under the workmen's compensation and occupational disease compensation laws, with report of committee recommending passage.

On motion of Senator Lord, the report of the committee was adopted.

Senator McCarville moved that the bill be read a third 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:

Anderson	Gillespie	Lynes	Tudor
Augustine	Hart	McCarville	Utzig
Bekman	Hattery	Mercer	Van Eaton
Berg	Hedin	Molison	Van Patten
Byers	Henningsen	Myrland	Vest
Colburn	Hultman	Oltman	Walter
Dailey	Humbert	O'Malley	Watson of
Doud	Jacobson	Prentis	O'Brien
Dykhouse	Knudson	Ridout	Weichman
Elthon	Linnevold	Roberts	Whitehead
Fishbaugh	Lord	Sharp	Zastrow
Fletcher			

Nays, none.

Absent or not voting, 6:

Bateson	Parker	Watson of	West
Nesmith	Risk	Pottawattamie	

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

Senator McCarville asked and received unanimous consent to take up for consideration Senate File 447, a bill for an act to amend section ninety-six point seven (96.7), Code 1950, relating to payments charged against an employer, with report of committee recommending passage.

On motion of Senator Lord, the report of the committee was adopted.

Senator McCarville offered the following amendment by Senators McCarville and Byers and moved its adoption :

Amend Senate File 447 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section ninety-six point seven (96.7), section three (3), paragraph a, subparagraph two (2), Code 1950, is hereby amended by inserting after the word 'period' and before the word 'in' in line three (3) thereof the following:

"', from whom the individual was separated during said base period,'".

The amendment was adopted.

Senator McCarville moved that the bill be read a third 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:**

Anderson	Hart	McCarville	Tudor
Augustine	Hattery	Mercer	Utzig
Bekman	Hedin	Molison	Van Eaton
Berg	Henningsen	Myrland	Van Patten
Byers	Hultman	Oltman	Vest
Colburn	Humbert	O'Malley	Walter
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	O'Brien
Elthon	Linnevold	Risk	Weichman
Fishbaugh	Lord	Roberts	Whitehead
Fletcher	Lynes	Sharp	Zastrow
Gillespie			

**Nays, none.**

**Absent or not voting, 6:**

Bateson	Nesmith	Watson of	West
Dykhouse	Parker	Pottawattamie	

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

Senator Weichman called up for consideration House File 422, a bill for an act to amend chapter three hundred forty (340) and sections three hundred thirty-one point twenty-two (331.22), three hundred thirty-one point twenty-three (331.23) and four hundred forty-one point six (441.6), Code 1950, all relating to the compensation of county officers and deputies, assistants and clerks, county attorneys and assistant county attorneys and county assessors, and providing for annual adjustment of such compensation, and moved that the Senate insist upon its amendments to House File 422, which motion prevailed.

### CONFERENCE COMMITTEE APPOINTED

President Nicholas announced the appointment of the following conference committee on the part of the Senate on House File 422: Senators Weichman, Byers, Myrland and O'Malley.

### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hart, in the absence of Senator Nesmith, 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 87 and House Files 236 and 320.

JAMES H. NESMITH, *Chairman Senate Committee.*

ELMER A. BASS, *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 87 and House Files 236 and 320.

### BILL SENT TO THE GOVERNOR

Senator Hart, in the absence of Senator Nesmith, submitted the following report:

**MR. PRESIDENT:** Your committee on enrolled bills respectfully reports that it has, on this 30th day of March, 1951, sent to the Governor for his approval: Senate File 87.

JAMES H. NESMITH, *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:

H. F. 322

H. F. 170

H. F. 96

H. F. 323

S. F. 408

S. F. 489

H. F. 418

S. F. 367

H. F. 232

H. F. 324

S. F. 395

S. F. 102

H. F. 319

H. F. 142

H. F. 360

ALDEN L. DOUD, *Chairman.*



## AMENDMENTS FILED

Amend Senate File 145 as follows:

1. By inserting in section 2, line 12, after the word "which" the following: "is to be a division of the office of the secretary of state and which".

2. By inserting in section 5, line 2, after the word "which" the following: "is to be a division of the office of the secretary of state and which".

JOHN P. BERG.

Amend Senate File 375 as follows:

By striking all of sections 23 to 83, inclusive.

JOHN P. BERG.  
EDWARD S. PARKER.  
R. J. OLTMAN.  
DON RISK.

Amend Senate File 477 by striking all of section 7 after the word "of" in line 4 and inserting in lieu thereof the following: "six million seven hundred thousand dollars (\$6,700,000) or so much thereof as may be necessary to be used in the following manner:

For general education.....	\$3,900,000.00
For research .....	1,625,000.00
For extension .....	975,000.00
For repairs, replacements or alterations .....	200,000.00

Total for the Iowa State College of Agriculture and Mechanic Arts.....\$6,700,000.00".

JOHN R. HATTERY.	ELMER K. BEKMAN.
J. M. TUDOR.	G. E. WHITEHEAD.
R. J. OLTMAN.	WM. LINNEVOLD.
RAY FLETCHER.	FRANK C. BYERS.
R. W. ZASTROW.	HARRY E. WATSON.
F. E. SHARP.	STANLEY L. HART.
DEVERE WATSON.	J. H. NESMITH.
W. ELDON WALTER.	ALAN VEST.
ARTHUR H. JACOBSON.	DON RISK.
CARL T. ANDERSON.	BURL N. RIDOUT.
W. C. MOLISON.	GEORGE E. O'MALLEY.
C. S. VAN EATON.	THOMAS J. DAILEY.
O. H. HENNINGSEN.	F. M. ROBERTS.
PHILIP T. HEDIN.	ERNEST L. HUMBERT.
PAUL E. MCCARVILLE.	RAYMOND R. GILLESPIE.

Amend Senate File 491 by inserting after the word "to" in line 2 of the title the words "excess and".

Further amend Senate File 491 by striking all of section 1 thereof and substituting therefor the following:

"Section 1. Section five hundred fifteen point one hundred twelve (515.112), Code 1950, is amended by adding after the word 'for' in line two (2) thereof the following: 'insurance in excess of a stipulated amount of loss; or for'."

E. K. BEKMAN.

Amend House File 27 by adding thereto the following:

Sec. 2. Amend section four hundred twenty-seven point one (427.1), subsection twenty (20), Code 1950, by inserting the word "domestic" before the word "telegraph" in line two (2).

Sec. 3. Amend section four hundred twenty-seven point one (427.1), subsection twenty (20), Code 1950, by striking the words "transmission line companies as defined in section four hundred thirty-seven point one (437.1)," in lines four (4) and five (5).

ARNOLD UTZIG.

Amend House File 94, section 1, by adding thereto the following: "For each groundhog, one dollar."

ERNEST L. HUMBERT.

Amend House File 94 by adding thereto a new section as follows: "Sec. 3. Section three hundred fifty point one (350.1), Code 1950, is hereby amended by adding thereto the following: 'The board of supervisors of any county may, on the written petition of 100 or more landowners of the county, appoint one resident thereof, who is a licensed pilot, as a bounty-hunter to hunt and kill wolves and foxes from an aircraft in flight, the provisions of section one hundred nine point one hundred twenty (109.120), Code 1950, to the contrary notwithstanding. Such bounty-hunter shall hunt only on such lands as he may be directed by the board of supervisors. Any landowner desiring said bounty-hunter to hunt on his land shall file a written request with the said board asking such relief, and the board shall authorize such hunting only on the lands of those who have filed such written request. The sole compensation of such bounty-hunter shall be such bounties as he may collect from the wolves and foxes he kills.'"

EARL C. FISHBAUGH, JR.

On motion of Senator Elthon, the Senate adjourned until 11:00 a.m., Monday, April 2, 1951.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 2, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend James D. Payne, pastor of the Methodist Church, Bayard, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Watson of Pottawattamie for the day on request of Senator O'Malley.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Anderson, from residents of Washington County in opposition to legislation relating to liquor by the drink.

By Senator Augustine, from residents of Mahaska County favoring legislation limiting the number of athletic contests between schools.

By Senator Hattery, from residents of Boone County favoring passage of Senate File 429, relating to the illegal sale of liquor, and the duties of the department of public safety.

By Senator Henningsen, from residents of Clinton County urging passage of Senate Files 172 and 173, relating to teachers' contracts.

By Senator Linnevold, from residents of Howard County favoring passage of Senate File 429, relating to the illegal sale of liquor, and the duties of the department of public safety.

By Senator Myrland, from residents of Harrison County urging the passage of Senate Files 172 and 173, relating to teachers' contracts.

By Senator Parker, from residents of Ida County in opposition to House File 442, relating to taxation on receipts of amusement devices.

By Senator Ridout, from members of the faculty of the Mallard

Consolidated School, Palo Alto County, favoring legislation relating to old age and survivors' insurance.

### 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 conference committee on the part of the House on House File 422, relating to compensation of county officers, Representatives Hanson of Lyon, Patrick of Sioux, Mallonee of Audubon and Crabb of Guthrie.

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

Senate Concurrent Resolution 11, memorializing Congress to call a convention to propose an amendment to the Constitution of the United States relating to the taxing powers of federal and state governments.

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

Senate File 258, a bill for an act relating to farm aid associations.

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 members of the Iowa highway safety patrol.

Also: That the House has concurred in Senate amendments to and passed House File 179, a bill for an act relating to employment of persons under 16 years of age.

A. C. GUSTAFSON, *Chief Clerk.*

### HOUSE MESSAGE CONSIDERED

House File 65, a bill for an act to amend section eighty point four (80.4), Code 1950, relating to members of the Iowa highway safety patrol.

Read first and second times, and referred to the sifting committee.

### PRESENTATION OF VISITORS

Senator Molison asked and received unanimous consent to present to the Senate forty-two members of the Poweshiek County Farm Bureau, district winners of the "Get Out the Vote" contest in the last general election, who were present in the balcony.

### THIRD READING OF BILLS

On motion of Senator Prentis, House File 606, a bill for an act relating to the adoption, amendment, revision, or repeal of rules

and regulations adopted by administrative agencies of the State of Iowa as defined herein and to the publication and distribution of said rules and regulations, was taken up, and considered.

Senator Prentis offered the following amendment and moved its adoption:

Amend House File 606 by placing a period in line 21 of section 2 after the word "therefor" and by striking the remainder of the sentence in lines 21, 22 and ending with the word "removed" in line 23 and inserting in lieu thereof the following:

"The administrative agency may then proceed to the adoption of the rule or regulation as above provided, however, a statement of the attorney general's objections shall be attached to and be published with the rule or regulation adopted."

The amendment was adopted.

On motion of Senator Elthon, Senate recessed until 1:00 p.m.

#### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

#### THIRD READING OF BILLS

The Senate resumed consideration of House File 606.

Senator West offered the following amendment:

Amend House File 606 by striking all of section 2 following the word "removed" in line 23.

Senator Van Patten moved that House File 606 be laid upon the table.

Senator Whitehead moved as a substitute that action on House File 606 be deferred and that the bill retain its place on the calendar.

Senator Whitehead asked and received unanimous consent to withdraw his substitute motion.

Senator Van Patten asked and received unanimous consent to withdraw his motion to lay House File 606 upon the table.

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

Senator Elthon offered the following amendment:

Amend House File 606 by striking subsection 2 of section 2.

Senator Elthon asked and received unanimous consent that action on House File 606 be deferred and that the bill retain its place on the calendar.

Senator Van Eaton asked and received unanimous consent to take up for consideration House File 322, a bill for an act relating to the number of lighted lamps required on a motorcycle and to amend section three hundred twenty-one point four hundred nineteen (321.419), Code 1950, with report of committee recommending passage.

On motion of Senator Van Eaton, the report of the committee was adopted.

Senator Van Eaton moved that the bill be read a third 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:

Anderson	Gillespie	McCarville	Sharp
Augustine	Hart	Mercer	Tudor
Bateson	Hattery	Molison	Utzig
Bekman	Hedin	Myrland	Van Eaton
Berg	Henningsen	Nesmith	Van Patten
Byers	Hultman	Oltman	Vest
Colburn	Humbert	O'Malley	Walter
Dailey	Jacobson	Parker	Watson of
Doud	Knudson	Prentis	O'Brien
Dykhouse	Linnevold	Ridout	Weichman
Elthon	Lord	Risk	Whitehead
Fishbaugh	Lynes	Roberts	Zastrow
Fletcher			

Nays, none.

Absent or not voting, 2:

Watson of	West
Pottawattamie	

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

#### BILL WITHDRAWN

Senator Van Eaton asked and received unanimous consent that Senate File 410 be withdrawn from further consideration of the Senate.

Senator Bekman asked and received unanimous consent to take up for consideration House File 323, a bill for an act relating to the duties of the township trustees and to amend section three

hundred fifty-nine point seventeen (359.17), Code 1950, with report of committee recommending passage.

On motion of Senator Byers, the report of the committee was adopted.

Senator McCarville took the chair at 2:15 p.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, 49:**

Anderson	Gillespie	Mercer	Tudor
Augustine	Hart	Molison	Utzig
Bateson	Hattery	Myrland	Van Eaton
Bekman	Hedin	Nesmith	Van Patten
Berg	Henningsen	Oltman	Vest
Byers	Hultman	O'Malley	Walter
Colburn	Humbert	Parker	Watson of
Dailey	Jacobson	Prentis	O'Brien
Doud	Knudson	Ridout	Weichman
Dykhouse	Linnevold	Risk	West
Elthon	Lord	Roberts	Whitehead
Fishbaugh	Lynes	Sharp	Zastrow
Fletcher	McCarville		

Nays, none.

Absent or not voting, 1:

Watson of  
Pottawattamie

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

**BILL WITHDRAWN**

Senator Bekman asked and received unanimous consent that Senate File 409 be withdrawn from further consideration of the Senate.

Senator Bekman asked and received unanimous consent to take up for consideration House File 418, a bill for an act relating to bonds of cities or towns for street improvements and their payment from the street construction fund and to amend section three hundred ninety-six point twenty-two (396.22), Code 1950.

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, 49:**

Anderson	Gillespie	Mercer	Tudor
Augustine	Hart	Molison	Utzig
Bateson	Hattery	Myrland	Van Eaton
Bekman	Hedin	Nesmith	Van Patten
Berg	Henningsen	Oltman	Vest
Byers	Hultman	O'Malley	Walter
Colburn	Humbert	Parker	Watson of
Dailey	Jacobson	Prentis	O'Brien
Doud	Knudson	Ridout	Weichman
Dykhouse	Linnevold	Risk	West
Elthon	Lord	Roberts	Whitehead
Fishbaugh	Lynes	Sharp	Zastrow
Fletcher	McCarville		

Nays, none.

Absent or not voting, 1:

Watson of  
Pottawattamie

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

**BILL WITHDRAWN**

Senator Bekman asked and received unanimous consent that Senate File 412 be withdrawn from further consideration of the Senate.

Senator Bekman asked and received unanimous consent to take up for consideration House File 324, a bill for an act relating to revocation of certificates of building and loan associations and to amend section five hundred thirty-four point one hundred one (534.101), Code 1950.

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, 49:**

Anderson	Gillespie	Mercer	Tudor
Augustine	Hart	Molison	Utzig
Bateson	Hattery	Myrland	Van Eaton
Bekman	Hedin	Nesmith	Van Patten
Berg	Henningsen	Oltman	Vest
Byers	Hultman	O'Malley	Walter
Colburn	Humbert	Parker	Watson of
Dailey	Jacobson	Prentis	O'Brien
Doud	Knudson	Ridout	Weichman
Dykhouse	Linnevold	Risk	West
Elthon	Lord	Roberts	Whitehead
Fishbaugh	Lynes	Sharp	Zastrow
Fletcher	McCarville		



Nays, none.

Absent or not voting, 1:

Watson of  
Pottawattamie

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

Senator Doud asked and received unanimous consent to take up for consideration House File 319, a bill for an act relating to examinations for school teachers and to amend sections two hundred fifty-seven point four (257.4) and two hundred sixty point four (260.4), Code 1950, with report of committee recommending passage.

On motion of Senator Doud, the report of the committee was adopted.

Senator Doud offered the following amendment and moved its adoption:

Amend House File 319 by adding the following new sections:

Sec. 3. For the purposes of section two hundred sixty point twelve (260.12), section two hundred sixty point thirteen (260.13) and section two hundred sixty point twenty-one (260.21), "professional spirit" shall consist of the following: 1. teaching experience based on classroom or administrative work; 2. professional ethics; 3. moral character; 4. cooperation with local school authorities; 5. fulfillment of contract obligations; 6. academic training.

Sec.4. Any teacher who may be denied a renewal of his certificate shall be entitled to a hearing before the board of educational examiners by making written request therefor and he shall receive not less than fifteen (15) days notice of such hearing. Any teacher who may be denied a renewal of his certificate after such hearing may appeal to the district court within thirty (30) days after notice that renewal of his certificate has been denied.

Amend the title to House File 319 by striking all after the word "act" and inserting in lieu thereof the following: "relating to examinations and renewal of certificates for school teachers and to amend sections two hundred fifty-seven point four (257.4), two hundred sixty point four (260.4), two hundred sixty point twelve (260.12), two hundred sixty point thirteen (260.13) and two hundred sixty point twenty-one (260.21), Code 1950."

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, 37:**

Anderson	Hattery	Nesmith	Van Eaton
Bateson	Hultman	Parker	Van Patten
Bekman	Humbert	Prentis	Vest
Byers	Jacobson	Ridout	Watson of
Doud	Knudson	Risk	O'Brien
Dykhouse	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	West
Fishbaugh	McCarville	Tudor	Whitehead
Gillespie	Molison	Utzig	Zastrow
Hart	Myrland		

**Nays, 2:**

Dailey	Fletcher
--------	----------

**Absent or not voting, 11:**

Augustine	Hedin	Mercer	Walter
Berg	Henningsen	Oltman	Watson of
Colburn	Linnevold	O'Malley	Pottawattamie

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended 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 Van Patten asked and received unanimous consent to take up for consideration House File 170, a bill for an act relating to certain vehicles pulling or towing four-wheel trailers and to amend section three hundred twenty-one point three hundred ten (321.310), Code 1950, with report of committee recommending passage.

On motion of Senator Van Eaton, the report of the committee was adopted.

President Nicholas took the chair at 2:55 p.m.

Senator Van Patten moved that the bill be read a third 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:**

Anderson	Dykhouse	Hultman	Molison
Augustine	Elthon	Humbert	Myrland
Bateson	Fishbaugh	Jacobson	Oltman
Bekman	Fletcher	Knudson	Parker
Berg	Gillespie	Linnevold	Prentis
Byers	Hart	Lord	Ridout
Colburn	Hattery	Lynes	Risk
Dailey	Hedin	McCarville	Roberts
Doud	Henningsen	Mercer	Sharp

Tudor  
Utzig  
Van Eaton

Van Patten  
Vest

Watson of  
O'Brien  
Weichman

West  
Whitehead  
Zastrow

Nays, none.

Absent or not voting, 4:

Nesmith

O'Malley

Walter

Watson of  
Pottawattamie

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

Senator Bekman asked and received unanimous consent to take up for consideration Senate File 367, a bill for an act relating to the deposit of fees collected from practitioners of cosmetology and the use of said fees and to amend sections one hundred fifty-seven point eight (157.8) and one hundred fifty-seven point fourteen (157.14), Code 1950, relating thereto, with report of committee recommending passage.

On motion of Senator Byers, the report of the committee was adopted.

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

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

Ayes, 39:

Anderson  
Bateson  
Bekman  
Berg  
Byers  
Dailey  
Doud  
Dykhoush  
Fishbaugh  
Fletcher

Gillespie  
Hart  
Hattery  
Hedin  
Henningsen  
Hultman  
Humbert  
Jacobson  
Linnevold  
Lord

Lynes  
Mercer  
Molison  
Myrland  
Oltman  
Parker  
Prentis  
Ridout  
Roberts

Sharp  
Tudor  
Utzig  
Van Eaton  
Van Patten  
Vest  
Watson of  
O'Brien  
West  
Zastrow

Nays, none.

Absent or not voting, 11:

Augustine  
Colburn  
Elthon  
Knudson

McCarville  
Nesmith  
O'Malley

Walter  
Watson of  
Pottawattamie

Weichman  
Whitehead

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

Senator Doud asked and received unanimous consent to take up for consideration Senate File 295, a bill for an act to amend section

two hundred forty-seven point twenty-three (247.23), Code 1950, relating to expenditures of the board of parole in caring for a court parolee, with report of committee recommending passage.

On motion of Senator Doud, the report of the committee 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, 42:

Anderson	Hart	Molison	Utzig
Augustine	Hattery	Myrland	Van Eaton
Bateson	Hedin	Nesmith	Van Fatten
Bekman	Henningsen	Oltman	Vest
Colburn	Hultman	Parker	Walter
Dailey	Humbert	Prentis	Watson of
Doud	Jacobson	Ridout	O'Brien
Dykhouse	Linnevold	Risk	Weichman
Fishbaugh	Lord	Roberts	West
Fletcher	Lynes	Sharp	Zastrow
Gillespie	Mercer	Tudor	

Nays, 2:

Byers O'Malley

Absent or not voting, 6:

Berg	Knudson	Watson of	Whitehead
Elthon	McCarville	Pettawattamie	

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

Senator Dykhouse asked and received unanimous consent to take up for consideration House File 96, a bill for an act to amend section three hundred twenty-one point three hundred sixty-one (321.361), Code 1950, relating to the parking of vehicles.

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, 35:

Anderson	Fishbaugh	Mercer	Utzig
Augustine	Fletcher	O'Malley	Van Eaton
Bateson	Gillespie	Parker	Van Fatten
Bekman	Hattery	Prentis	Vest
Byers	Hedin	Ridout	Walter
Colburn	Henningsen	Risk	Watson of
Dailey	Hultman	Roberts	O'Brien
Doud	Knudson	Sharp	Weichman
Dykhouse	Lord	Tudor	West

Nays, 2:

Hart                      Humbert

Absent or not voting, 13:

Berg	Lynes	Nesmith	Whitehead
Elthon	McCarville	Oltman	Zastrow
Jacobson	Molison	Watson of	
Linnevold	Myrland	Pottawattamie	

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

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File 191, a bill for an act relating to limitation of employment agency fee.

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 eminent domain for electric transmission lines.

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

Senate File 332, a bill for an act relating to continuance of musical education of children during vacation periods and to municipal bands.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 344, a bill for an act authorizing an auditorium fund and building fund for municipal corporations.

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 relating to school taxes.

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

House File 190, a bill for an act relating to divorce and annulment of marriages.

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

House File 191, a bill for an act relating to fire department maintenance fund and millage therein authorized.

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

House File 350, a bill for an act relating to official newspapers.

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

House File 351, a bill for an act relating to fees for publication.

A. C. GUSTAFSON, *Chief Clerk.*

**HOUSE AMENDMENT TO SENATE FILE 344**

Amend Senate File 344 by striking from lines 8, 9 and 10 the following: "and not exceeding three mills in cities and towns having a population of less than thirty-five thousand".

**HOUSE MESSAGES CONSIDERED**

House File 183, a bill for an act to amend section two hundred ninety-eight point one (298.1) and section two hundred ninety-eight point two (298.2), Code 1950, relating to school taxes.

Read first and second times, and referred to the sifting committee.

House File 190, a bill for an act to amend chapters five hundred ninety-eight (598), Code 1950, relating to divorce and annulment of marriages.

Read first and second times, and referred to the sifting committee.

House File 191, a bill for an act to amend section four hundred four point five (404.5), Code 1950, relating to fire department maintenance fund and millage therein authorized.

Read first and second times, and referred to the sifting committee.

House File 350, a bill for an act to amend section three hundred forty-nine point seventeen (349.17), Code 1950, relating to official newspapers.

Read first and second times, and referred to the sifting committee.

House File 351, a bill for an act to amend section six hundred eighteen point eleven (618.11), Code 1950, relating to fees for publication.

Read first and second times, and referred to the sifting committee.

**BILL SIGNED BY THE GOVERNOR**

A communication was received announcing that, on March 30, the Governor had approved the following bill:

Senate File 166, relating to the construction and maintenance of garages for storage, repair and servicing of motor vehicles and other equipment of cities and towns.

**BILL INDEFINITELY POSTPONED**

The Secretary of the Senate announced the following bill indefinitely postponed under Senate Rule 36:

House File 313, relating to certain requirements for district, superior and municipal court judges.

#### REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

S. F. 476

S. F. 341

ALDEN L. DOUD, *Chairman.*

#### AMENDMENTS FILED

Amend section 7, line 3, of Senate File 493 by striking the period (.) at the end thereof and adding the following: "except the first year when the certificate shall be made within thirty (30) days after the effective date of this act."

R. R. BATESON.

Amend House File 247 by adding to line 9 after the word and comma (,) "attached," the following: "and except those vehicles which have been registered less than six (6) times and have been driven less than twenty-five thousand (25,000) miles."

PAUL E. MCCARVILLE.

Amend House File 360 by striking the word "act" in line 48 of section 2 and inserting in lieu thereof the word "chapter".

HARRY E. WATSON.

Amend House File 449 by striking section 8.

HARRY E. WATSON.

Amend House File 606 by striking section 6.

ARTHUR H. JACOBSON.

Amend section 7 of House File 606 by striking the word "three" in line 4 and all of lines 5 and 6 and inserting in lieu thereof the following:

"two (2), three (3), four (4), five (5) and six (6)."

FRANK C. BYERS.

Amend House File 606 by striking from lines 6 and 7 of section 8 the words "having the force and effect of law".

ALDEN L. DOUD.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 3, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend M. Gonzales, pastor of the Methodist Church, Mystic, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Bateson, from residents of Hamilton County favoring passage of Senate File 429, relating to illegal sale of liquor and the duties of the department of public safety.

By Senator Berg, from residents of Black Hawk County favoring passage of Senate File 429, relating to illegal sale of liquor and the duties of the department of public safety.

By Senator Lynes, from residents of Butler County urging passage of Senate Files 172, 265, 415 and 416, relating to schools.

By Senator McCarville, from residents of Webster County favoring passage of Senate File 429, relating to the illegal sale of liquor, and the duties of the department of public safety.

By Senator Tudor, from residents of Jackson County in opposition to liquor by the drink; also, favoring proposed legislation relating to liquor law enforcement.

## HOUSE AMENDMENTS CONSIDERED

Senator Van Eaton called up for consideration Senate File 344, a bill for an act to amend section four hundred four point five (404.5), Code 1950, and to authorize an auditorium fund and an auditorium building fund for municipal corporations, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 344 by striking from lines 8, 9 and 10 the following: "and not exceeding three mills in cities and towns having a population of less than thirty-five thousand".

The Senate concurred in the House amendment.



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

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

**Ayes, 48:**

Anderson	Hart	Myrland	Van Eaton
Augustine	Hattery	Nesmith	Van Patten
Bateson	Hedin	Oltman	Vest
Bekman	Henningsen	O'Malley	Walter
Berg	Hultman	Parker	Watson of
Byers	Humbert	Prentis	O'Brien
Colburn	Jacobson	Ridout	Watson of
Dailey	Knudson	Risk	Pottawattamie
Dykhouse	Linnevold	Roberts	Weichman
Elthon	Lord	Sharp	West
Fishbaugh	Lynes	Tudor	Whitehead
Fletcher	McCarville	Utzig	Zastrow
Gillespie	Molison		

**Nays, none.**

**Absent or not voting, 2:**

Doud                      Mercer

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

#### PRESENTATION OF VISITORS

Senator Hattery asked and received unanimous consent to present to the Senate the pupils of the seventh and eighth grade classes of Milford Township Consolidated School of Story County who were present in the balcony with their instructor, Mrs. Jessie Peterson; also, Philip Allen, Rex Hughes and Milo Hadley.

Senator O'Malley asked and received unanimous consent to present to the Senate seventy pupils from Bird and Grant Schools who were present in the balcony with their instructors, Misses Rothman and Ellison, Mr. Schultz, and their principal, Robert Langerak.

Senator Mercer asked and received unanimous consent to present to the Senate seventy-seven junior and senior students of political science of the University High School of Iowa City together with seven teachers who were present in the balcony with Professor John Haifner.

Senator Molison asked and received unanimous consent to present to the Senate the members of the political science class of Grinnell

College who were present in the balcony with their instructors, Professors Welhelm and Gilmore.

Senator McCarville asked and received unanimous consent to present to the Senate the Honorable Hugh D. McMahon, mayor of Fort Dodge; Arthur H. Johnson, commander of the Fort Dodge American Legion Post; Edward J. Flattery, Herbert R. Bennett and Donald J. Mitchell, members of the Webster County Bar Association, who were present in the Senate chamber.

Senator Hart asked and received unanimous consent to present to the Senate a member of the Montana State Legislature, Senator Leo Cramer, of Big Timber, Montana, who was present in the Senate chamber.

Senator Cramer addressed the Senate briefly.

### THIRD READING OF BILLS

On motion of Senator Colburn, House File 573, a bill for an act to appropriate five hundred thousand dollars (\$500,000) from the general fund of the State of Iowa to the state board of control for the scientific observation, rechecking and treatment of mentally ill persons, 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, 48:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	O'Malley	Watson of
Byers	Hultman	Parker	O'Brien
Colburn	Humbert	Prentis	Watson of
Dailey	Jacobson	Ridout	Pottawattamie
Doud	Knudson	Risk	Weichman
Dykhouse	Linnevold	Roberts	West
Elthon	Lord	Sharp	Whitehead
Fishbaugh	Lynes	Tudor	Zastrow
Fletcher	McCarville		

Nays, none.

Absent or not voting, 2:

Oltman	Walter
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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 Colburn, House File 574, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1951, and ending June 30, 1953, to the board of control for support, maintenance, repairs, replacements or alterations of institutions under said board of control, 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, 49:**

Anderson	Hart	Molison	Van Eaton
Augustine	Hattery	Myrland	Van Patten
Bateson	Hedin	Nesmith	Vest
Bekman	Henningsen	Oltman	Walter
Berg	Hultman	O'Malley	Watson of
Byers	Humbert	Parker	O'Brien
Colburn	Jacobson	Prentis	Watson of
Dailey	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow
Gillespie	Mercer	Utzig	

Nays, none.

**Absent or not voting, 1:**

Doud

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

On motion of Senator Doud, Senate File 493, a bill for an act to provide for the establishment of a minimum foundation program for the State of Iowa for the purpose of equalizing educational opportunity and the equalization of the tax burden in the several school districts of the state; imposing a tax of fifteen (15) mills on all taxable, real and personal property in each county of the state, the benefits of such funds shall be allocated to the school districts of each county for the maintenance and support of such school district's appropriation; repealing section two hundred ninety-eight point ten (298.10), Code 1950, and amending section two hundred ninety-eight point eleven (298.11) and section four

hundred twenty-six point three (426.3), Code 1950, was taken up, and considered.

Senator Weichman took the chair at 11:10 a.m.

Senator Gillespie raised a point of order on the bill for the reason that the title of the bill was not germane to the subject matter of the bill.

The Chair ruled the point not well taken.

Senator Walter offered the following amendment:

Amend Senate File 493 as follows:

1. By adding the following new section as section 4: "Sec. 4. For the purposes of this act there shall be created what is known as an 'assessment unit' which shall be the territory in which property is assessed by the office of a single assessor."

2. By striking all after the word "state" in line 3, section 4, and substituting in lieu thereof the following: "a special school fund for each assessment unit within the county, which fund shall be known as the 'assessment unit equalization fund', and in those counties having more than one assessment unit, the name of the unit shall be clearly indicated thereon. Funds in the assessment unit equalization fund shall be kept in a separate account by the county treasurer of the respective counties."

3. By striking the words "county school equalization fund" in line 10, section 5; line 2, section 6; line 7, section 9; and lines 14, 15, 16 and 21, section 11; and substituting in lieu thereof the words "assessment unit equalization fund".

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

## AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Whitehead for the balance of the day on request of Senator Van Patten.

## PRESENTATION OF VISITORS

In the absence of Senator O'Malley, Senator Watson of Pottawattamie asked and received unanimous consent to present to the Senate Marilyn Blanchard, daughter of Maretta Blanchard, engraving clerk, and Eileen Evans of Dover, Delaware, junior students of Stephens College, Columbia, Missouri, who were present in the Senate chamber.

## 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 149, a bill for an act relating to salaries for justices of the peace and constables.

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

Senate File 186, a bill for an act relating to compensation and expense of shorthand reporters of the district courts.

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

Senate File 229, a bill for an act relating to compensation of building and loan examiners.

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

Senate File 230, a bill for an act relating to salaries of county, municipal and school examiners.

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

House File 115, a bill for an act relating to salaries of court reporters and the clerk and bailiff of the municipal court.

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

House File 123, a bill for an act relating to the compensation of sheriffs for feeding prisoners.

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

House File 263, a bill for an act relating to retirement systems for policemen and firemen.

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 county officers, etc.

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 permanent registration.

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

House File 388, a bill for an act relating to fees of justice.

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 appointment of a committee on interstate cooperation.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE CONCURRENT RESOLUTION 23

*Whereas*, in the Forty-ninth General Assembly of the State of Iowa House Concurrent Resolution 18 was adopted providing, among other things, for 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 Speaker of the House of Representatives was and is empowered to appoint seven (7) members of the House of Representatives for the House standing committee on interstate cooperation; and,

*Whereas*, under the provisions of the resolution the President of the Senate was and is empowered to appoint seven (7) members of the Senate for the Senate standing committee on interstate cooperation;

*Now, Therefore, Be It Resolved by the House of Representatives, the Senate Concurring:* That the Speaker of the House of Representatives appoint seven (7) members of the House to the House standing committee on interstate cooperation, designating one of the committee as chairman, and that the President of the Senate appoint seven (7) members of the Senate to the Senate standing committee on interstate cooperation, designating one of the committee as chairman.

## THIRD READING OF BILLS

The Senate resumed consideration of Senate File 493 and the amendment by Senator Walter.

The Chair recognized Senator Zastrow who spoke in opposition to the amendment by Senator Walter.

Senator Walter raised the point of order that Senator Zastrow was out of order for the reason that he was speaking on the bill rather than the amendment.

The Chair ruled the point not well taken.

Senator Walter moved the adoption of his amendment and requested a roll call.

On the question "Shall the amendment be adopted?" the vote was:

**Ayes, 8:**

Anderson	Molison	Watson of	West
Fletcher	Tudor	Pottawattamie	
Gillespie	Walter		

**Nays, 34:**

Augustine	Colburn	Hart	Jacobson
Bateson	Dailey	Hattery	Knudson
Bekman	Doud	Hedin	Linnevold
Berg	Elthon	Henningsen	Lord
Byers	Fishbaugh	Humbert	McCarville

Mercer	O'Malley	Roberts	Van Eaton
Myrland	Parker	Sharp	Vest
Nesmith	Prentis	Utzig	Zastrow
Oltman	Ridout		

Absent or not voting, 8:

Dykhousé	Risk	Watson of	Weichman
Hultman	Van Patten	O'Brien	Whitehead
Lynes			

The amendment was lost.

Senator Bateson offered the following amendment and moved its adoption:

Amend section 7, line 3, of Senate File 493 by striking the period (.) at the end thereof and adding the following: "except the first year when the certificate shall be made within thirty (30) days after the effective date of this act."

The amendment was adopted.

Senator McCarville offered the following amendment:

Amend Senate File 493 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Strike from lines three (3) and four (4) of section two hundred ninety eight point ten (298.10) the following: 'of not less than one-fourth ( $\frac{1}{4}$ ) nor more than three-fourths ( $\frac{3}{4}$ ) mill' and insert in lieu thereof the following: 'three (3) mills.'"

Senator Jacobson took the chair at 2:40 p.m.

President Nicholas took the chair at 2:50 p.m.

Senator McCarville moved the adoption of the amendment and requested a roll call.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 12:

Anderson	Lynes	O'Malley	Watson of
Fletcher	McCarville	Tudor	Pottawattamie
Gillespie	Molison	Van Eaton	West
Humbert			

Nays, 36:

Augustine	Elthon	Linnevold	Risk
Bateson	Fishbaugh	Lord	Roberts
Bekman	Hart	Mercer	Sharp
Berg	Hattery	Myrland	Utzig
Byers	Hedin	Nesmith	Van Patten
Colburn	Henningsen	Oltman	Vest
Dailey	Hultman	Parker	Walter
Doud	Jacobson	Prentis	Weichman
Dykhousé	Knudson	Ridout	Zastrow

Absent or not voting, 2:

Watson of                Whitehead  
O'Brien

The amendment was lost.

Senator Molison offered the following amendment by Senators Molison and Anderson, and moved its adoption:

Amend Senate File 493 as follows:

1. By striking all of section 5 and substituting in lieu thereof the following: "Sec. 5. There is hereby imposed upon real and personal property subject to taxation in each county of Iowa an annual tax of six (6) mills in rural independent and rural township districts, twelve (12) mills in consolidated districts and eighteen (18) mills in independent districts, proceeds from such taxes would be used for the purposes of equalizing the burden of school taxes between various school districts of the county as provided by this act. The board of supervisors of each county shall annually at its September session levy such taxes on real and personal property subject to taxation within the county and the proceeds of such taxes shall be credited to the county school equalization fund."

2. By striking from lines 7 and 8 in section 11 the words "fifteen (15) mill county school levy" and inserting in lieu thereof "the county equalization school levy".

The amendment was lost.

Senator West offered the following amendment:

Amend Senate File 493 as follows:

1. Strike section 4 and insert in lieu thereof the following:

"Sec. 4. For the purpose of implementing the provisions of this act, there is hereby created in the state treasury a special fund which fund shall be known as the state school equalization fund."

2. Strike from line 10 of section 5 the word "county" and insert in lieu thereof the word "state".

3. Strike section 6 and insert in lieu thereof the following:

"Sec. 6. The funds made available from the tax imposed for the benefit of the state school equalization fund shall be distributed from such fund by the state department to the respective school districts in each county in the ratio which the \$3800 classroom units of each school district bears to the total of \$3800 classroom units of the state; provided, however, that all \$2650 classroom units shall be converted to the equivalent \$3800 classroom units before the above apportionment is made."

4. Strike from line 7 of section 9 the word "county" and insert in lieu thereof the word "state".

5. Strike from section 12 all of the last sentence therein.

6. Strike from line 4 of section 14 the word "county" and insert in lieu thereof the word "state".

7. Strike all of sections 7 and 11 and renumber the following sections.



Senator Lord took the chair at 3:30 p.m.

Senator West moved the adoption of the amendment and requested a roll call.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 2:

Anderson	West
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Nays, 37:

Augustine	Gillespie	McCarville	Sharn
Bateson	Hart	Myrland	Tudor
Bekman	Hattery	Nesmith	Utzig
Berg	Hedin	Oltman	Van Eaton
Byers	Henningsen	O'Malley	Vest
Dailey	Hultman	Parker	Watson of
Doud	Jacobson	Prentis	Pottawattamie
Dykhouse	Knudson	Ridout	Weichman
Elthon	Linnevold	Roberts	Zastrow
Fishbaugh	Lord		

Absent or not voting, 11:

Colburn	Lynes	Risk	Watson of
Fletcher	Mercer	Van Fatten	O'Brien
Humbert	Molison	Walter	Whitehead

The amendment was lost.

Senator Gillespie offered the following amendment:

Amend the title to Senate File 493 by striking all after the word "act" in line 1 up to and including the word "imposing" in line 5, and inserting in lieu thereof the following: "to impose".

Further amend Senate File 493 by striking section 1.

Senator Gillespie moved the adoption of the amendment and requested a roll call.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, none.

Nays, 37:

Anderson	Gillespie	Mercer	Sharp
Augustine	Hart	Molison	Utzig
Bateson	Hattery	Myrland	Van Eaton
Berg	Hedin	Oltman	Vest
Byers	Henningsen	O'Malley	Watson of
Dailey	Hultman	Parker	Pottawattamie
Doud	Jacobson	Prentis	Weichman
Dykhouse	Linnevold	Risk	West
Elthon	Lord	Roberts	Zastrow
Fishbaugh	McCarville		

Absent or not voting, 13:

Bekman	Knudson	Tudor	Watson of
Colburn	Lynes	Van Patten	O'Brien
Fletcher	Nesmith	Walter	Whitehead
Humbert	Ridout		

The amendment was lost.

Senator Gillespie moved that the Senate adjourn.

Senator Watson of Pottawattamie moved as a substitute motion that the Senate adjourn until 10:00 a.m., Wednesday.

The substitution was lost.

The motion to adjourn was ruled out of order.

Senator Prentis moved the previous question on the bill.

President Nicholas took the chair at 4:15 p.m.

Senator McCarville moved as a substitute motion that Senate File 493 be re-referred to the committee on schools and educational institutions for further study and recommendation.

The motion by Senator Prentis prevailed.

The substitute motion by Senator McCarville was ruled out of order.

Senator Walter moved that the Senate adjourn until 10:00 a.m., Wednesday, which motion was lost.

Senator Bateson asked and received unanimous consent to amend the title as follows:

Amend the title to Senate File 493 by inserting after the first word "the" in line two "counties of the".

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

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

Ayes, 27:

Augustine	Dykhouse	Jacobson	Prentis
Bateson	Elthon	Knudson	Ridout
Bekman	Fishbaugh	Lord	Roberts
Berg	Hart	Mercer	Sharp
Byers	Hattery	Nesmith	Van Patten
Dailey	Hedin	Oltman	Zastrow
Doud	Henningsen	Parker	

## Nays, 18:

Anderson	Linnevold	Tudor	Watson of
Fletcher	McCarville	Utzig	Pottawattamie
Gillespie	Molison	Van Eaton	Weichman
Hultman	Myrland	Walter	West
Humbert	Risk	Watson of	
		O'Brien	

## Absent or not voting, 5:

Colburn	O'Malley	Vest	Whitehead
Lynes			

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

Senator Bateson moved that the 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 Nesmith, 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 154, 179, 265, 355, 378, 441, 491 and 602.

JAMES H. NESMITH, *Chairman Senate Committee.*

ELMER A. BASS, *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 154, 179, 265, 355, 378, 441, 491 and 602.

## BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 2 the Governor had approved the following bills:

Senate File 87, relating to permits for excess size and weight of vehicles.

Senate File 110, relating to publication of notices, reports of proceedings and similar matter.

## 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:

H. F. 430	H. F. 409	S. F. 417
H. F. 458	S. F. 491	H. F. 158
H. F. 408		

ALDEN L. DOUD, *Chairman.*

### AMENDMENTS FILED

Amend Senate File 354 by striking from section 3, line 9, the word "communications" and inserting in lieu thereof the following: "telephone, telegraph, radar and radio".

CHARLES S. VAN EATON.

Amend House File 606 as follows:

1. Strike from section 2 all of subsection 2 and insert in lieu thereof the following:

"2. Upon such approval by the attorney general the agency may adopt the rule or regulation and shall cause a copy thereof to be filed in the office of the secretary of state."

2. Strike from line 4 of section 5 the word "and" which follows the word "association" and insert in lieu thereof a comma (,).

Further amend said section by inserting in line 4 after the word "judge" the words ", and to any person requesting same".

3. Strike from lines 9 and 10 of section 6 the words "as provided in subsection two (2) of section two (2)".

Further amend said section by adding the following: "The agency shall give thirty days notice of the time and place of such hearing to said petitioners by registered mail."

X. T. PRENTIS.

Amend House File 360 as follows:

1. By inserting after the word "to" in line 25 of section 2 the words "resident or nonresident".

2. Strike the word "the" after the word "miles" in line 29 of section 2 and insert in lieu thereof the word "such".

3. Strike from line 30 of section 2 the words "subject to this section".

4. Insert after the period (.) in line 34 of section 2 the following:

"When a vehicle has been licensed in one of the reciprocating states under an agreement as provided herein, such vehicle shall not be subject to licensing in the other reciprocating state."

5. Strike from line 35 of section  
2 the words "subject to this section".

HARRY E. WATSON.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 4, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend William H. Slack, retired pastor of the Methodist Church, Muscatine, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Bateson, from residents of Hamilton and Wright Counties favoring Senate File 429, relating to the illegal sale of liquor, and the duties of the department of public safety.

By Senator Dailey, from H. A. Parmelee, secretary of the Burlington Chamber of Commerce, urging passage of House File 152, relating to the powers of local authorities.

By Senator Doud, from residents of Benton, Clay, Decatur, Emmet, Lee, Marion, Palo Alto, Polk, Warren and Webster Counties urging passage of Senate Files 183, 410, 420 and 430, school legislation.

By Senator Hultman, from members of the Lorraine Post 67, American Legion, Red Oak, Montgomery County, favoring legislation relating to the Soldiers' Home at Marshalltown.

By Senator McCarville, from residents of Webster County favoring Senate File 429, relating to the illegal sale of liquor, and the duties of the department of public safety.

By Senator Mercer, from residents of Iowa County in opposition to liquor by the drink; also, favoring liquor law enforcement.

By Senator Utzig, from J. A. Kerper, secretary, Dubuque Chamber of Commerce, urging passage of House File 152, relating to the powers of local authorities.

By Senator Watson, from residents of Pottawattamie County favoring House File 610, relating to the state highway commission.

## INTRODUCTION OF BILLS

Senate File 501, by committee on military affairs, a bill for an act to permit members of the armed forces to vote in the primary and general elections to be held in the year 1952, and to provide for the waiver of certain sections of the Code 1950, relating to election requirements.

Read first and second times, and referred to the sifting committee.

Senate File 502, by committee on military affairs, a bill for an act assenting to the provisions of the act of congress entitled "An act to provide for the acquisition, construction, expansion, rehabilitation, conversion, and joint utilization of facilities necessary for the administration and training of units of the Reserve components of the Armed Forces of the United States, and for other purposes", approved September 11, 1950, and to make an appropriation therefor.

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

## PRESENTATION OF VISITORS

Senator Nesmith asked and received unanimous consent to present to the Senate the members of the sixth, seventh and eighth grade classes of the Barrett Rural School of Jasper County who were present in the balcony with their instructor, Mrs. Nelson Murdock.

Senator Nesmith asked and received unanimous consent to present to the Senate the members of the social study class of the junior and senior classes of the Monroe High School who were present in the balcony with their instructor, Leland Cook.

Senator O'Malley asked and received unanimous consent to present to the Senate thirty-eight pupils of the eighth grade class of St. Augustin's School who were present in the balcony with their instructor, Sister Mary Clare Charles.

Senator O'Malley asked and received unanimous consent to present to the Senate ninety-six pupils of the ninth grade class of Valley High School who were present in the balcony with their instructors, Messrs. Patterson, Lane and Mahannah.

Senator Nesmith asked and received unanimous consent to present to the Senate the members of the American government class

of the Newton High School who were present in the balcony with their principal, H. A. Lynn.

Senator Bateson asked and received unanimous consent to present to the Senate fifteen members of the senior class of the Jewell High School who were present in the balcony with their superintendent, Alfred Fisher.

Senator Oltman asked and received unanimous consent to present to the Senate twenty members of the senior class of the Renwick High School who were present in the balcony with their superintendent, W. P. Wittmer, Lyle Opheim, Floyd Huffacket and Mrs. P. H. Sadler.

#### HOUSE MESSAGES CONSIDERED

House File 115, a bill for an act to amend section six hundred two point forty-six (602.46) and section six hundred two point forty-nine (602.49), Code 1950, relating to salaries of court reporters and the clerk and bailiff of the municipal court.

Read first and second times, and referred to the sifting committee.

House File 123, a bill for an act to amend section three hundred thirty-seven point eleven (337.11), subsection eleven (11), Code 1950, relating to the compensation of sheriffs for feeding prisoners.

Read first and second times, and referred to the sifting committee.

House file 294, a bill for an act to amend chapter three hundred forty-three (343), Code 1950, relating to county officers, county conference board and the county board of education.

Read first and second times, and referred to the sifting committee.

House File 263, a bill for an act to amend section four hundred eleven point six (411.6), Code 1950, relating to retirement systems for policemen and firemen and benefits thereunder.

Read first and second times, and referred to the sifting committee.

House File 388, a bill for an act to amend section six hundred one point one point twenty-eight (601.128), Code 1950, relating to fees of justice.

Read first and second times, and referred to the sifting committee.

House File 327, a bill for an act to amend sections forty-eight point seven (48.7), forty-eight point eleven (48.11), forty-eight



point twelve (48.12) and forty-eight point thirteen (48.13), Code 1950, relating to permanent registration.

Read first and second times, and referred to the sifting committee.

#### UNFINISHED BUSINESS

On motion of Senator Prentis, House File 606, a bill for an act relating to the adoption, amendment, revision, or repeal of rules and regulations adopted by administrative agencies of the State of Iowa as defined herein and to the publication and distribution of said rules and regulations, was taken up for consideration.

Senator Elthon asked and received unanimous consent to withdraw the amendment to House File 606 filed by him and found on page 891 of the Senate Journal.

Senator Prentis offered the following amendment and moved its adoption:

Amend House File 606 as follows:

1. Strike from section 2 all of subsection 2 and insert in lieu thereof the following:

"2. Upon such approval by the attorney general the agency may adopt the rule or regulation and shall cause a copy thereof to be filed in the office of the secretary of state."

2. Strike from line 4 of section 5 the word "and" which follows the word "association" and insert in lieu thereof a comma (,).

Further amend said section by inserting in line 4 after the word "judge" the words ", and to any person requesting same".

3. Strike from lines 9 and 10 of section 6 the words "as provided in subsection two (2) of section two (2)".

Further amend said section by adding the following: "The agency shall give thirty days notice of the time and place of such hearing to said petitioners by registered mail."

The amendment was adopted.

Senator Jacobson asked and received unanimous consent to withdraw the following amendment:

Amend House File 606 by striking section 6.

Senator Byers offered the following amendment and moved its adoption:

Amend section 7 of House File 606 by striking the word "three" in line 4 and all of lines 5 and 6 and inserting in lieu thereof the following:

"two (2), three (3), four (4), five (5) and six (6)."

The amendment was lost.

Senator Doud offered the following amendment and moved its adoption:

Amend House File 606 by striking from lines 6 and 7 of section 8 the words "having the force and effect of law".

The amendment was adopted.

Senator Elthon asked unanimous consent that the vote by which the amendment to House File 606 filed by Senator Prentis (by request), and found on page 891 of the Senate Journal, was adopted be reconsidered.

Objection was raised.

Senator Elthon moved that the vote by which the amendment was adopted be reconsidered, which motion prevailed.

Senator Prentis asked and received unanimous consent to withdraw the amendment.

Senator Prentis 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 11:20 a.m.

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

**Ayes, 48:**

Anderson	Gillespie	Mercer	Tudor
Augustine	Hart	Molison	Van Patten
Bateson	Hattery	Myrland	Vest
Bekman	Hedin	Nesmith	Walter
Berg	Henningsen	Oltman	Watson of
Byers	Hultman	O'Malley	O'Brien
Colburn	Humbert	Parker	Watson of
Dailey	Jacobson	Prentis	Pottawattamie
Doud	Knudson	Ridout	Weichman
Dykhouse	Linnevold	Risk	West
Elthon	Lord	Roberts	Whitehead
Fishbaugh	Lynes	Sharp	Zastrow
Fletcher	McCarville		

**Nays, none.**

**Absent or not voting, 2:**

Utzig                      Van Eaton

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

#### BILL WITHDRAWN

Senator Prentis asked and received unanimous consent that

Senate File 404 be withdrawn from further consideration of the Senate.

Senator Prentis asked and received unanimous consent that House File 606 be immediately messaged to the House, which request was complied with.

Senator McCarville asked and received unanimous consent to take up the following resolution and moved its adoption.

#### HOUSE CONCURRENT RESOLUTION 23

*Whereas*, in the Forty-ninth General Assembly of the State of Iowa House Concurrent Resolution 18 was adopted providing, among other things, for 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 Speaker of the House of Representatives was and is empowered to appoint seven (7) members of the House of Representatives for the House standing committee on interstate cooperation; and,

*Whereas*, under the provisions of the resolution the President of the Senate was and is empowered to appoint seven (7) members of the Senate for the Senate standing committee on interstate cooperation;

*Now, Therefore, Be It Resolved by the House of Representatives, the Senate Concurring:* That the Speaker of the House of Representatives appoint seven (7) members of the House to the House standing committee on interstate cooperation, designating one of the committee as chairman, and that the President of the Senate appoint seven (7) members of the Senate to the Senate standing committee on interstate cooperation, designating one of the committee as chairman.

The resolution was adopted.

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

#### EXECUTIVE SESSION

The Senate, in executive session, confirmed the following appointments:

Charles R. Fischer of Monona County as insurance commissioner for the regular term ending June 30, 1955.

M. L. Gilbert of Polk County as labor commissioner for the regular term ending June 30, 1953.

J. C. Blodgett of Linn County as a member of the employment security commission for the regular term ending June 30, 1957.

The Senate arose from executive session and resumed regular session.

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

### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

### PRESENTATION OF VISITORS

Senator Whitehead asked and received unanimous consent to present to the Senate twenty members of the American government class of the Adel High School who were present in the balcony with their principal, W. Bly.

Senator Knudson asked and received unanimous consent to present to the Senate thirty-two members of the senior class in American government of the Franklin Consolidated School who were present in the balcony with their superintendent, Professor Hackborth, and band instructor, Sidney Scott.

### UNFINISHED BUSINESS

On motion of Senator Hattery, Senate File 314, a bill for an act relating to special assessment of public improvements in municipal corporations, and to repeal chapters three hundred ninety-one (391), three hundred ninety-one A (391A), and four hundred seventeen (417), Code 1950, relating thereto, and to enact a substitute in lieu thereof, and to repeal certain other sections of the Code relating thereto and to amend certain sections of the Code relating thereto, was taken up for further consideration.

Senator Hattery offered the following amendment by Senators Hattery and Dykhouse and moved its adoption:

Amend Senate File 314 as follows:

1. Insert after the word "pay" in line 4 of section 22 the words "not to exceed".

2. Strike from section 33 all of lines 2 to 14, inclusive, and insert in lieu thereof the following:

"1. Issuance. After certification of the final assessment schedule the municipality shall, by resolution of the council, authorize and issue bonds in anticipation of the collection of unpaid special assessments, provided that the total principal amount of bonds issued for account of any public improvement shall not exceed the total amount of unpaid special assessments less the amount assessed for the default fund."

3. Strike from lines 1 to 4 of section 39 all of the words after the word "Interpretation." in line 1.

4. Strike all of section 40 to 42, inclusive.

5. Strike all of sections 44 to 63, inclusive.

6. Renumber the remaining sections.

7. Strike from the title all that follows the word "corporations" in line 2 and insert in lieu thereof the following: "and to repeal chapter three hundred ninety-one A (391A), Code 1950, and enact in lieu thereof a new alternate method for financing public improvements."

8. Strike from line 1 of the subenacting clause the words and figures "chapters three hundred ninety-one (391) and" and insert in lieu thereof the word "chapter".

Further amend the subenacting clause by striking from line 2 the word "are" and inserting in lieu thereof the word "is" and by striking from line 3 the word and figures "forty (40)" and inserting in lieu thereof the word and figures "thirty-nine (39)".

The amendment was adopted.

Senator Hattery offered the following amendment by Senators Hattery and Dykhouse and moved its adoption:

Amend Senate File 314 by inserting after "plants," in line 4 of section 2 the following: "waterworks, water mains and extensions,".

The amendment was adopted.

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

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

**Ayes, 44:**

Anderson	Fletcher	McCarville	Utzig
Augustine	Hart	Mercer	Van Eaton
Bateson	Hattery	Molison	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	O'Malley	Watson of
Byers	Hultman	Parker	O'Brien
Colburn	Humbert	Prentis	Watson of
Dailey	Jacobson	Ridout	Pottawattamie
Doud	Knudson	Roberts	West
Dykhouse	Linnevold	Sharp	Whitehead
Elthon	Lord	Tudor	Zastrow
Fishbaugh	Lynes		

**Nays, none.**

**Absent or not voting, 6:**

Gillespie	Oltman	Walter	Weichman
Myrland	Risk		

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

## THIRD READING OF BILLS

On motion of Senator Hultman, House File 94, a bill for an act to amend sections three hundred fifty point one (350.1), three hundred fifty point five (350.5) and three hundred fifty point six (350.6), Code 1950, relating to bounties on wild animals, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator McCarville offered the following amendment:

Amend House File 94 as follows:

1. Section 1, line 3, by inserting after the word "each" the word "adult".

2. Section 2, line 3, by inserting after the word "each" the word "adult".

## 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 149, a bill for an act relating to powers of local authorities to regulate the use of streets and highways.

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 changing the provisions governing medical examiners.

Also: That the House has refused to reconsider the vote by which the following bill passed the House, and returns the same herewith for the concurrence of the Senate:

House File 64, relating to fees for operator's and chauffeur's licenses.

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 the establishment of a state engineering and architectural library.

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

House File 450, a bill for an act relating to transfer of college credits.

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

House File 497, a bill for an act relating to motor vehicles and law of road.

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

House File 498, a bill for an act relating to motor vehicle definitions of words and phrases.

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

House File 592, a bill for an act to change the name of the state hospitals for insane to Mental Health Institutes.

A. C. GUSTAFSON, *Chief Clerk.*

### HOUSE MESSAGES CONSIDERED

House File 64, a bill for an act to amend section three hundred twenty-one point one hundred ninety-one (321.191), Code 1950, relating to fees for operator's and chauffeur's licenses.

Read first and second times, and referred to the sifting committee.

House File 149, a bill for an act to amend section three hundred twenty-one point two hundred thirty-six (321.236), Code 1950, relating to powers of local authorities, and to amend section three hundred eighty-nine point thirty-nine (389.39), Code 1950, relating to the powers of local authorities to regulate the use of streets and highways.

Read first and second times, and referred to the sifting committee.

House File 386, a bill for an act to amend chapter three hundred three (303), Code 1950, and to amend sections three hundred three point one (303.1), three hundred three point two (303.2), three hundred three point three (303.3), Code 1950, to establish a state engineering and architectural library and relating to state libraries.

Read first and second times, and referred to the sifting committee.

House File 450, a bill for an act to amend chapter two hundred sixty-four (264), Code 1950, by inserting therein a new section relating to transfer of college credits.

Read first and second times, and referred to the sifting committee.

House File 497, a bill for an act to amend chapter three hundred twenty-one (321), Code 1950, relating to motor vehicles and law of road.

Read first and second times, and referred to the sifting committee.

House File 498, a bill for an act to amend section three hundred twenty-one point one (321.1), Code 1950, relating to motor vehicle definitions of words and phrases.

Read first and second times, and referred to the sifting committee.

House File 592, a bill for an act to change the official designation of the four state hospitals for insane to Mental Health Institutes at the cities and towns wherein located.

Read first and second times, and referred to the sifting committee.

### SENATE CONCURRENT RESOLUTION 16

By Dailey

A resolution creating an investigating committee to investigate alleged irregularities on the part of the Liquor Control Commission of the State of Iowa, said committee to report its findings to the Fifty-fifth General Assembly.

*Whereas*, criticism has been made of the operation of the Iowa Liquor Control Act and the administration of said act by the Iowa Liquor Control Commission, and

*Whereas*, the public demands that legislative investigation be had, and

*Whereas*, there have been published reports in connection with the Iowa Liquor Control Commission, showing the business of the Iowa Liquor Control Commission has been handled in a very unbusinesslike manner, now, therefore,

*Be It Resolved by the Senate of the Fifty-fourth General Assembly of the State of Iowa, the House Concurring*: That an investigating committee of ten (10) members composed of five (5) members of the Senate and five (5) members of the House of the Fifty-fourth General Assembly of the State of Iowa be appointed by the President of the Senate and by the Speaker of the House, respectively, three (3) of each five (5) to be of the majority party of each body and two (2) of each such five (5) to be of the minority party, whose duty it shall be to investigate forthwith and without delay the administration of the Iowa Liquor Control Commission, and the official acts of the individual members of the said commission and any of the employees thereof, or any other people, and all of the acts and things done by said commission, its members and its employees, and make a written detailed report of its findings, together with its recommendations, to the Fifty-fifth General Assembly of the State of Iowa, or to the district court or grand jury of the appropriate county of this state, and

*Be It Further Resolved*: That said committee is hereby authorized and empowered to employ such attorneys, auditors, expert investigators and employees, as may be by it deemed necessary to a thorough and complete investigation, and

*Be It Further Resolved*: That the Iowa Liquor Control Commission, individual members thereof, and all employees of said commission, are hereby directed and ordered to deliver to said committee and to the employees thereof, all books, records and papers as may be deemed necessary by said committee in making such investigation, and

*Be It Further Resolved*: That said committee is hereby authorized and empowered to issue subpoenas for all witnesses and the production of books, papers and records, and to compel the attendance of witnesses at



any place within the State of Iowa where said committee may deem it advisable to hold hearings; and it shall take testimony in writing, under oath, and each member of said committee is hereby authorized and empowered to administer an oath; that it may take testimony of witnesses outside of the state; and any person refusing to answer a subpoena or refusing to give testimony may be punished for contempt in the same manner provided by the laws of the State of Iowa, and

*Be It Further Resolved:* That in the event any person, firm or corporation, or officer, agent or employee thereof, whether residing within or without the State of Iowa, fails or refuses to produce for the examination or inspection of this committee, any books, records or papers showing, or in any manner pertaining to, any transactions with the Iowa Liquor Control Commission, or fails or refuses to appear for examination before this committee, when requested or subpoenaed by it, such person, firm or corporation, or any officer, agent or employee thereof, so failing or refusing, and the principal of any officer, agent or employee so failing or refusing, shall be thereafter barred and prohibited from transacting any business with the Iowa Liquor Control Commission. The record of any such failing or refusing appearing in the record of this committee shall be notice to the Iowa Liquor Control Commission of such failure or refusal and the said commission, and each individual member thereof, shall be held responsible in seeing that no future transactions with such person, firm or corporation, or others so failing or refusing, shall be had, and

*Be It Further Resolved:* That said committee shall cause to be taken down in shorthand and transcribed all testimony taken by or for said committee, and shall on completion of the investigation file same with the Chief Clerk of the House of Representatives and the Secretary of the Senate, the same to be made a matter of public record, and

*Be It Further Resolved:* That all hearing, investigation, examinations of witnesses or records of whatever kind or character pursuant to this resolution shall be by public or open hearing.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 191, 258, 323 and 332; House Files 96, 170, 238, 264, 322, 323, 324, 418, 573 and 594.

JAMES H. NESMITH, *Chairman Senate Committee.*

ELMER A. BASS, *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

191, 258, 323 and 332; House Files 96, 170, 238, 264, 322, 323, 324, 418, 573 and 594.

### BILLS SENT TO THE GOVERNOR

Senator Nesmith, 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, 1951, sent to the Governor for his approval: Senate Files 191, 258, 323 and 332.

JAMES H. NESMITH, *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:

H. F. 350	H. F. 152	H. F. 65
H. F. 351	H. F. 117	H. F. 494
H. F. 183	S. F. 433	H. F. 495
S. F. 216	H. F. 64	

ALDEN L. DOUD, *Chairman*.

### REPORTS OF COMMITTEE

Senator Colburn submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 346**, a bill for an act to make appropriations to Fern E. Sharp, Elkader, Iowa; Otto H. Henningsen, Clinton, Iowa; Stanley L. Hart, Keokuk, Iowa; Lawrence Putney, Gladbrook, Iowa; Henry Siefkas, Osceola, Iowa; and Harvey J. Long, Clinton, Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAY C. COLBURN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 347**, a bill for an act to make appropriations to John R. Hattery, Nevada, Iowa; J. T. Dykhouse, Rock Rapids, Iowa; Morse E. Crosier, Coggon, Iowa; and Harold F. Nelson, Sioux City, Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAY C. COLBURN, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 348**, a bill for an act to make appropriations to De Vere Watson, Council Bluffs, Iowa; X. T. Prentis, Mount Ayr, Iowa; J. Kendall Lynes, Plainfield, Iowa; Leo Elthon, Fertile, Iowa; George Faul, Des Moines, Iowa; Robert Munger, Sioux City, Iowa; Gustav T. Kuester, Griswold, Iowa; George L. Paul, Brooklyn, Iowa; Carroll L. Brown, Oskaloosa, Iowa; and George Robb, Estherville, Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAY C. COLBURN, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 614**, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1951, and ending June 30, 1953, to the state fair board for the purpose of state aid to agricultural societies, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAY C. COLBURN, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 616**, a bill for an act to appropriate funds to the state comptroller from the motor vehicle fuel tax fund, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAY C. COLBURN, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations to which was referred **House Joint Resolution 10**, a joint resolution creating a special committee to make a study of the operations of the Iowa old age and survivors' insurance system, to investigate into the proposal of substituting the Iowa old age and survivors' system for the Federal social security system, and providing that such committee shall make a report of its findings to the Governor of Iowa and to the Fifty-fifth General Assembly, and appropriating the sum of ten thousand dollars (\$10,000) or so much thereof as may be necessary to carry out the provisions of this joint resolution, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAY C. COLBURN, *Chairman*.

Ordered passed on file.

## AMENDMENTS FILED

Amend Senate File 325 by striking the word and figure "one (1)" in line 2 of section 50 and inserting in lieu thereof the following: "one-half ( $\frac{1}{2}$ )".

Further amend Senate File 325 by striking the words "farm-to-market" in line 4 of section 72 and inserting in lieu thereof the word "secondary".

E. L. HUMBERT

Amend Senate File 354 by adding a new section:

"Sec. 31. Every person, who shall be in the employ of the State of Iowa or of any political subdivision thereof, other than those now holding elective office, shall be required, on or before ninety (90) days after the effective date of this act, to file a written statement which shall contain notice that it is subject to the penalties of perjury, that he or she does not advocate and is not a member of any organization which engages in or advocates, abets, or advises, activities intended to overthrow, destroy or alter, or to assist in the overthrow, destruction or alteration of, the constitutional form of government of the United States or of the State of Iowa, or of any political subdivision thereof, or either of them, by revolution, force or violence. Such statement shall be prepared and execution required by every person and every board, commission, council, department, court, or other agency of the State of Iowa or any political subdivision thereof responsible for the employment and supervision of employees under its jurisdiction. Any such person failing or refusing to execute such a statement or who admits he is a member of such an organization or advocates, abets, or advises activities intended to overthrow, destroy or alter the constitutional form of government of the United States or of the State of Iowa or of any political subdivision thereof by revolution, force or violence or assist in such activities, shall immediately be discharged."

Further amend Senate File 354 by renumbering the remaining sections.

ALDEN L. DOUD.

Amend Senate File 417 by striking all of subsection 2 thereof and inserting in lieu thereof the following:

"2. No purchase of liquor or wine shall be made from any vendor by the Iowa Liquor Control Commission or any warrant issued in payment thereof unless prior to such purchase a written agreement shall have been executed and filed with the Secretary of State wherein the vendor agrees, as a part of such sale and purchase, to file within ten (10) days after the close of each month a verified detailed monthly report, which report shall contain the following information:

"1. A statement of all sales made during such period to said commission.

"2. The sale price of such wine and liquor.

"3. Any commission, bonus or discount paid to any person, agent or the commission in connection with such sale or sales.

"4. A list of all contributions made to any person, agent, or organization because of such sale or sales.

"5. An agreement that the books and records of the vendor will be presented upon request and forthwith to the Attorney General, Department of Justice, or any other legally constituted investigating body for auditing and examination. Such written agreement shall be filed with the Secretary of State and shall not be available to anyone except the Governor, Attorney General, Department of Justice or any legally constituted investigating body of the State.

Further amend Senate File 417 by adding the following:

"Sec. 2. A failure to file such agreement or comply with the terms thereof or exhibit such books and records, when demanded, shall make such vendor ineligible to make any further sales to the Iowa Liquor Control Commission or receive warrants in payment of any sales until such time as said vendor shall perform the conditions of the agreement above set out."

Further amend the title to Senate File 417 by striking all after the word "Act" in line 1 and inserting in lieu thereof the following:

"to amend chapter one hundred twenty-three (123), Code 1950, to prevent the liquor control commission from discriminating against the citizens of Iowa and to require vendors to file reports and submit their books and records for examination."

HARRY E. WEICHMAN.  
LEO ELTHON.  
J. KENDALL LYNES.  
EARL C. FISHAUGH, JR.

1. Amend Senate File 477, lines 4 and 5 of section 11, by striking the words and figures "six hundred eighty-seven thousand dollars (\$687,000)" and inserting in lieu thereof "seven hundred seventy thousand dollars (\$770,000)".

2. Further amend section 11, line 8, by striking the figures "(\$677,000)" and inserting in lieu thereof "(\$760,000)".

3. Further amend section 11, line 14, by striking the figures "(\$687,000)" and inserting in lieu thereof "(\$770,000)".

THOMAS J. DAILEY.

Amend House File 247 by striking all after the enacting clause and inserting in lieu thereof the following:

Chapter three hundred twenty-one (321), Code 1950, is hereby amended by adding thereto the following new sections:

Section 1. Appointment of official inspection stations.

1. The commissioner is authorized to issue permits for and furnish instructions and all necessary forms to official inspection stations for the inspection of vehicles as herein required and the issuance of official certificates of inspection and approval.

2. Application for permit shall be made upon an official form and shall be granted only when the commissioner is satisfied that the station is properly equipped and has competent personnel to make such inspections and adjustments and will be properly conducted; no permit shall be granted to any business establishment until approved testing devices to conduct such tests as may be required by the commissioner have been installed and are in use and thoroughly understood by such establishment's personnel. Provided, however, that nothing herein contained shall be construed as granting authority to the commissioner to require the installation of any testing devices, other than those which may be currently in general and customary use and acceptance in this state, prior to the granting of a certificate of appointment. A fee of ten dollars shall be paid upon the filing of such application for a permit, and the commissioner before issuing a permit shall require the applicant to file a bond of one thousand dollars conditioned upon the faithful observance of the provisions of this act and of the rules and regulations issued hereunder by the commissioner. If the applicant desires a permit for more than one place of business within this state, a separate application shall be made, the fee paid, and a bond filed for each place of business. Provided, however, that any city or town which establishes and maintains a testing station under the provisions of section 321.238 shall, upon application to the department, and without payment of any fee or filing of any bond, but upon proof of meeting the other requirements of this act, be issued a permit to operate such testing station as an official inspection station under this act.

3. The commissioner, upon proper application, shall issue a certificate of appointment as an official inspection station to any person, association or corporation owning and operating more than twenty-five motor vehicles, for purposes other than the sale thereof, to make inspections of his or its own vehicles only, pursuant to such rules as may be issued by the commissioner. The commissioner, upon receipt of the fee required to be paid to him by this act, shall issue to such person, association or corporation a certificate of inspection and approval for each of his or its motor vehicles which such person, association or corporation certifies meets the inspection requirements of this act.

4. The commissioner shall properly supervise and cause inspections to be made of such official inspection stations, and upon a finding that any of the provisions of this act or that any of the rules and regulations of the commissioner issued hereunder are not being complied with, or that the business of

an official inspection station in connection with the corrections, adjustments, repairs, or inspection of vehicles is being improperly conducted, he may suspend or revoke the permit of any such official inspection station, order the bond forfeited, and require the immediate surrender and return of such permit together with all departmental forms; provided, however, that if a servant or employee of such official inspection station shall without the authorization, knowledge, or consent of his employer, violate any of the provisions of this act or any of the rules and regulations of the commissioner issued hereunder in reference to the inspection of vehicles, such violation or violations shall not be the cause of the suspension or revocation of such permit, as herein provided, but such employee shall be subject to prosecution as hereinafter provided. Any such suspension or revocation shall not be a bar to subsequent arrest and prosecution for any violation of this act. Any person whose permit is suspended or revoked under the provisions of this act, may, within fifteen days after notice thereof, file a petition in the district court of the county wherein such official inspection station is located for a trial de novo to determine whether such order or act of the commissioner is lawful and reasonable. The filing of such a petition shall not suspend the order or act of the commissioner unless a stay thereof shall be allowed by a judge of said court pending final determination of the matter. The court shall set the matter down for hearing upon thirty days' written notice to the commissioner and shall summarily hear the petition and make any appropriate order or decree.

Sec. 2. Operation of official inspection stations—  
inspection requirements—issuance and refusal of certificates—  
suspension of vehicle registration—voluntary inspections—  
fees—form of certificates—inspection of stations—records  
and reports.

1. No permit for an official inspection station shall be assigned or transferred or used at any location other than therein designated, and every said permit shall be posted in a conspicuous place at the location designated.

2. (a) Whenever the operator or owner of a vehicle is required by the provisions of this act to submit such vehicle to an inspection by an official inspection station and to obtain a certificate of inspection and approval therefor, the inspection and tests made and conducted by the official inspection station shall include the inspection and testing of the brakes, steering mechanism, wheels, lighting equipment, reflectors, horn and warning devices, mirrors, windshield wipers, and such other safety devices, appliances and equipment of such vehicle as shall be designated or required by the commissioner.

Any such inspection of a vehicle by an official inspection station shall include the inspection of the registration plates and the registration certificate or card issued for such vehicle

and also the inspection of the operator's or chauffeur's license of the person in charge of such vehicle at the time of such inspection. No certificate of inspection and approval shall be issued by such official inspection station unless all of the registration plates, registration certificate or card, and operator's or chauffeur's license shall be in order.

(b) If such inspection discloses the necessity for any adjustments, corrections, or repairs, the operator or owner of the vehicle, whenever required by the provisions of this act to obtain a certificate of inspection and approval, shall proceed to have such adjustments, corrections, and repairs made, and within fifteen days shall submit such vehicle to a reinspection at an official inspection station. If such vehicle is submitted to a reinspection at a different official inspection station from that where it failed to pass the first inspection, such operator or owner shall present to the person in charge of the second station the report of the original inspection.

(c) The commissioner may suspend the registration of any vehicle which he determines is in such unsafe condition as to constitute a menace to safety, or which after notice and demand is not equipped as required in this act and by the motor vehicle laws of this state, or for which a required certificate of inspection and approval has not been obtained.

3. Nothing herein contained shall be construed to prevent the owner or operator of a vehicle registered in this state or used on the highways of this state and not otherwise required to submit to an inspection from voluntarily submitting such vehicle for an inspection at an official inspection station, and upon such vehicle conforming with the inspection requirements of this act and the motor vehicle laws of this state, and upon the payment of the required inspection fee, obtaining a certificate of inspection and approval for such vehicle.

4. An official inspection station shall issue a certificate of inspection and approval for a vehicle only after such vehicle and its equipment shall have been officially inspected as herein provided and shall have been found to be in full conformity with the provisions of this act, the rules and regulations issued by the commissioner hereunder, and the motor vehicle laws of this state, otherwise no certificate of inspection and approval shall be issued. Such certificate of inspection and approval when issued shall be valid for a period of six months from the date of issuance appearing thereon, and shall be displayed at all times during such period on the vehicle for which it was issued in the manner prescribed by the commissioner.

The display on a vehicle of a current and valid certificate of inspection and approval shall constitute prima facie evidence that such vehicle has passed an official inspection. Provided, however, that the passing of an official inspection or the display of a current and valid certificate of inspection and approval



shall not be a bar to a prosecution for operating a vehicle which is unsafe as determined by the standards prescribed in this act or by the motor vehicle laws of this state.

5. The fee for an inspection shall be fifty cents for each vehicle inspected, of which the official inspection station making the inspection shall retain forty-five cents and shall remit to the commissioner the sum of five cents for each official certificate of inspection and approval issued. No additional fee shall be charged for a reinspection of a vehicle which has failed the official inspection tests by an official inspection station which made the original inspection tests. All funds received under the provisions of this act by the commissioner shall first be used for the administration of its provisions and any surplus remaining shall be used for the purpose of promoting highway safety in this state.

6. The commissioner shall issue to official inspection stations certificates of inspection and approval which shall be serially numbered, shall be of a form and contain such information as may be prescribed or required by the commissioner, and shall be displayed in accordance with such rules and regulations as may be made or adopted by the commissioner.

7. An official inspection station and its equipment may at any time be inspected by such peace officers or other employees of the department of public safety as the commissioner may authorize in writing. Such peace officers or other employees shall have access to all records relating to inspections and tests and to work done or parts sold as a result of such inspections and tests, to ascertain whether or not inspections and tests are properly, fairly and honestly made, and may examine the owner of any official inspection station or any operator, manager, officer, agent, servant or employee thereof under oath. Any refusal or failure on the part of the person in charge of such official inspection station to submit to such an inspection or to produce and submit for examination any record upon the demand of any such peace officer or departmental employee shall be grounds for the immediate suspension of the permit of such official inspection station.

Official inspection stations shall keep and maintain such records as may be prescribed or required by the commissioner, and shall make reports to the commissioner, on forms prescribed and furnished by him, on such matters and at such times as he may require or direct.

Sec. 3. City or town testing stations—requirements—validity of city issued certificates.

Any testing station established and maintained by a city or town under the provisions of section 321.248 which has been issued a permit as an official inspection station under the provision of this act, shall be operated in strict conformity with the rules, regulations, procedures, and standards of

inspection prescribed by the commissioner and shall maintain and submit to the commissioner such records and reports as he may require. Any vehicle which has been issued a certificate of inspection and approval by such city or town shall not, during the period of the validity of such city or town certificate, be required to obtain any other certificate of inspection and approval, except as provided in sections 7 and 8 of this act.

Sec. 4. Certain peace officers may require inspection—notice to driver or owner—compliance with inspection requirements—prohibited operation of vehicle.

1. The commissioner, members of the Iowa highway safety patrol, sheriffs, and such other peace officers as the commissioner shall authorize in writing, may require the driver of any vehicle or combination of vehicles to stop and submit such vehicle or combination of vehicles and the equipment thereof to an inspection and such tests with reference thereto as may be appropriate. No person operating a vehicle or combination of vehicles shall refuse to submit such vehicle or vehicles to an inspection and tests when required to do so by the commissioner, a member of the Iowa highway safety patrol, a sheriff or any peace officer so authorized by the commissioner.

2. In the event such vehicle or combination of vehicles is found to be in an unsafe condition or any required part or equipment is not present or is not in proper repair and adjustment, the peace officer shall give a written notice to the driver and shall send a copy to the department. Said notice shall require that such vehicle be placed in safe condition and its equipment in proper repair and adjustment specifying the particulars with reference thereto and that a certificate of inspection and approval for such vehicle be obtained from an official inspection station within fifteen days. Such notice given to the driver of such vehicle or combination of vehicles shall be deemed a notice to the owner or owners thereof. Every driver or owner upon receiving a notice as herein provided shall comply therewith and shall within fifteen days secure an endorsement upon such notice by an official inspection station that such vehicle is in safe condition and its equipment has been placed in proper repair and adjustment and otherwise made to conform to the requirements of this subsection, and shall surrender said notice as endorsed to such official inspection station for immediate forwarding to the department.

3. No person shall operate any vehicle after receiving a notice with reference thereto as provided in subsection 2 of this section, except as may be necessary to return such vehicle to the residence or place of business of the owner or operator, if within a distance of twenty miles, or to a garage, until said vehicle and its equipment has been placed in proper repair and adjustment and otherwise made to conform to the requirements of this act and an official certificate of inspection and approval shall be obtained

as promptly as possible thereafter.

4. Nothing contained in this section shall be so construed as to limit or impair the authority or duty of any peace officer in the enforcement of the motor vehicle laws of this state or any portion thereof.

Sec. 5. Inspection required of certain vehicles before registration or transfer.

After any vehicle has been registered five times, the department or the county treasurer, as the case may be, shall refuse each subsequent registration or any transfer of registration of such vehicle unless the applicant for such registration or transfer of registration shall furnish satisfactory evidence to said department or county treasurer that such vehicle has been inspected at an official inspection station and that a valid certificate of inspection and approval has been issued therefor. Such inspection shall be made and such certificate issued within six months prior to the application for such registration or transfer of registration.

Sec. 6. Inspection required for foreign vehicles before registration in state.

The department or county treasurer, as the case may be, shall withhold the registration in this state of any foreign vehicle which has been previously registered in another state, territory or country, until the applicant for registration of such foreign vehicle shall furnish satisfactory evidence to said department or county treasurer that a certificate of inspection and approval has been issued by an official inspection station certifying that such vehicle has been inspected and is in conformity with the inspection requirements and provisions of this act.

Sec. 7. Inspection of damaged vehicles required within twenty-four hours after return to service.

In the event that any vehicle subject to registration in this state shall become damaged in such a manner that such vehicle shall have become unsafe for operation upon the highways of this state as provided by chapter 321, it shall be unlawful for the owner or operator thereof to cause or knowingly permit such vehicle to be driven or moved upon any highway upon its return to service unless such owner or operator shall have presented such vehicle for inspection and shall have obtained a certificate of inspection and approval from an official inspection station within twenty-four hours after its return to service.

Sec. 8. School busses.

Every vehicle which shall be put into service as a school bus shall, in addition to any other inspection required by this act, conform to all of the provisions and requirements of section 321.374.

Sec. 9. Foreign vehicles—certificates of inspection and approval issued by foreign states.

The provisions of this act shall apply to any vehicles owned, operated or controlled by any nonresident within this state. The commissioner may authorize the acceptance in this state of a certificate of inspection and approval issued in another state having an inspection law similar to this act and establishing inspection requirements substantially equal to those provided for in this act.

Sec. 10. Periodic inspection required after July 1, 1953, of all vehicles registered in state.

After July 1, 1953, the commissioner shall at least once each year, but not more frequently than twice each year, require that every vehicle registered in this state, which is used on the highways of this state, be inspected and that an official certificate of inspection and approval be obtained for each vehicle.

Sec. 11. Repairs need not be made at official inspection stations.

Nothing in this act shall be construed as a suggestion or direction to any owner or operator of a vehicle to have repairs made or the adjustment of any equipment or appliance upon any vehicle done by any official inspection station, but all inspections must be made at an official inspection station in order to secure the issuance of a certificate of inspection and approval, and no certificate of inspection issued by any other than an official inspection station shall be deemed a compliance with the provisions of this act.

Sec. 12. Commissioner to administer act—authority to promulgate rules and regulations.

The commissioner shall administer and enforce the provisions of this act and is hereby authorized and empowered to make all rules and regulations necessary for its administration, the establishment of inspection procedures and standards of inspection, and all other matters relating to the conduct and operation of official inspection stations.

Sec. 13. Certain acts punishable as misdemeanors.

It is a misdemeanor punishable as provided in section 321.482, unless another punishment is provided, for any person:

1. To refuse to have a vehicle inspected when required under the provisions of this act, or after having such vehicle inspected to refuse to display a certificate of inspection and approval, if issued, upon such vehicle;

2. To fraudulently obtain a certificate of inspection and approval, or to display an official certificate of inspection and approval on any vehicle unless an official inspection of such vehicle and its equipment shall have been made and such vehicle and its equipment conforms to the provisions of this act;

3. To refuse to place a vehicle in proper condition, adjustment and repair as required by the provisions of this act

after having had such vehicle inspected at an official inspection station;

4. To fail or refuse to stop and submit any vehicle or combination of vehicles to an inspection and tests whenever directed to do so by the commissioner, a member of the Iowa highway safety patrol, a sheriff or any peace officer authorized under the provision of section 4 of this act;

5. To display or cause or permit to be displayed, any sign, mark, or advertisement as an official inspection station, or in any manner represent any place as an official inspection station, unless such place is operating under a valid permit issued by the commissioner;

6. To issue, furnish, give or sell to any operator or owner of a vehicle, or to place in or on any vehicle, a certificate of inspection and approval, unless an official inspection of such vehicle and its equipment shall have been made and the vehicle and its equipment conforms with the provisions of this act;

7. To furnish, loan, give or sell any certificate or certificates of inspection and approval to any official inspection station or any other person or persons, except those entitled to receive such certificates and as expressly permitted under the provisions of this act;

8. To assign, transfer, or attempt to assign or transfer, or to use at any location other than therein designated, any permit for an official inspection station, or to fail to conspicuously display a permit for an official station at the location therein designated;

9. To refuse to submit to the inspection of an official inspection station, or to fail or refuse to produce for examination any station record as specified in subsection 7 of section 2 of this act, upon demand of an authorized peace officer or employee of the department of public safety;

10. To in any manner violate or fail to conform to any of the provisions of this act unless such violation or failure to conform is by this act or any other law of this state declared to be a felony.

Sec. 14. Certain acts punishable as felonies.

It is a felony, punishable as provided in section 321.483, for any person to commit any of the following acts:

1. To falsely make, alter, forge or counterfeit, or cause to be falsely made, altered, forged or counterfeited, any certificate of inspection and approval issued pursuant or purporting to have been issued pursuant to the provisions of this act;

2. To hold or use or display any such certificate of inspection and approval knowing the same to have been falsely made, altered, forged or counterfeited.

Sec. 15. Constitutionality.

If any part or parts of this act shall be held unconstitu-

tional such unconstitutionality shall not affect the validity of the remaining parts of this act. The legislature hereby declares that it would have passed the remaining parts of this act if it had known that such part or parts thereof would be declared unconstitutional.

This act shall be in full force and effect beginning October 1, 1951.

PAUL E. MCCARVILLE.  
JOHN R. HATTERY.  
LOYD VAN PATTEN.  
HARRY S. WATSON.  
F. E. SHARP.

Amend House File 360 by inserting after the word "trailer" following the word "or" in line 6 of section 3 thereof the following:

"when operated by Iowa residents in any state or by residents of such state in Iowa when such state and Iowa have executed an agreement as provided in section two (2) of this act, and,".

EARL C. FISHBAUGH, JR.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 5, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Frederick Ludwig, pastor of the St. Paul Lutheran Church, Postville, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Robert for the day on request of Senator Dailey.

Senator Elthon asked and received unanimous consent to have the following communication printed in the Senate Journal:

## COMMUNICATION

Jefferson, Iowa,  
March 29, 1951.

Honorable W. H. Nicholas,  
Lieutenant Governor and  
President of the Senate,  
Des Moines, Iowa.

Dear Mr. President and Members of the Senate:

The beautiful azalea plant that you sent me at Easter-time expressed a tribute that I shall always remember. It signified that you had not forgotten one who spent twelve of the best years of his life with you in the legislature. It was at Easter-time last session that I was stricken from your midst with that depredator, commonly called cancer. You have helped to brighten one's outlook with that gracious attribute, thoughtfulness.

Even though circumstances separate us, one from another, such thoughtfulness spans all distances with a common bondage such as manifested in the heart-warming glow of Universal Love commemorated at Easter-time.

From the bottom of my heart I say thanks and Godspeed to you each and all.

Sincerely,  
RALPH E. BENSON.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Bekman, from members of the student council of the

State University of Iowa, Iowa City, urging the passage of the budget appropriations for the university and other state schools.

By Senator Byers, from members of the Dye-Benion Unit 297, American Legion Auxiliary, Center Point, Linn County, favoring legislation relating to the Soldiers' Home at Marshalltown.

By Senator Doud, from residents of Black Hawk County urging passage of Senate File 500, relating to county psychiatric treatment; also, from residents of Polk County urging passage of House Files 183 and 420, relating to schools.

By Senator Henningsen, from residents of Clinton County urging passage of Senate Files 172 and 173, relating to teachers' contracts.

#### PRESENTATION OF VISITORS

Senator Gillespie asked and received unanimous consent to present to the Senate the members of the junior high school civics and history class of the Earlham Consolidated School who were present in the balcony with their principal, Mr. Hemphill.

Senator Van Patten asked and received unanimous consent to present to the Senate fifty members of the American government class of Simpson College who were present in the balcony with their professor, F. T. Moat.

Senator Hedin asked and received unanimous consent to present to the Senate George Oxley, deputy in charge of automobile license department of Scott County, who was present in the Senate chamber.

#### UNFINISHED BUSINESS

On motion of Senator Hultman, House File 94, a bill for an act to amend sections three hundred fifty point one (350.1), three hundred fifty point five (350.5) and three hundred fifty point six (350.6), Code 1950, relating to bounties on wild animals, was taken up for further consideration.

Senator Elthon moved the previous question on all amendments and the main bill, which motion prevailed.

Senator McCarville moved that House File 94 be laid upon the table, which motion was lost.



Senator McCarville called up the following amendment:

Amend House File 94 as follows:

1. Section 1, line 3, by inserting after the word "each" the word "adult".

2. Section 2, line 3, by inserting after the word "each" the word "adult".

Senator Fishbaugh asked and received unanimous consent that Senator Fletcher be permitted to answer to all amendments in opposition to the bill; also, that Senator Doud be given five minutes to talk on the bill.

Senator McCarville moved the adoption of his amendment, and requested a roll call.

On the question "Shall the amendment be adopted?" the vote was:

**Ayes, 4:**

Gillespie	McCarville	Parker	Watson of Pottawattamie
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**Nays, 38:**

Anderson	Hart	Myrland	Van Patten
Augustine	Hattery	Oltman	Vest
Bateson	Henningesen	O'Malley	Walter
Bekman	Hultman	Prentis	Watson of
Colburn	Jacobson	Ridout	O'Brien
Doud	Knudson	Risk	Weichman
Dykhouse	Linnevold	Sharp	West
Elthon	Lord	Tudor	Whitehead
Fishbaugh	Lynes	Utzig	Zastrow
Fletcher	Molison	Van Eaton	

**Absent or not voting, 8:**

Berg	Dailey	Humbert	Nesmith
Byers	Hedin	Mercer	Roberts

The amendment was lost.

Senator Humbert offered the following amendment and moved its adoption:

Amend House File 94, section 1, by adding thereto the following: "For each groundhog, one dollar."

The amendment was lost.

Senator Fishbaugh offered the following amendment and moved its adoption:

Amend House File 94 by adding thereto a new section as follows: "Sec. 3. Section three hundred fifty point one (350.1), Code 1950, is hereby amended by adding thereto the following: 'The board of supervisors of any county may, on the written petition of 100 or more land-owners of the county, appoint one resident thereof, who is a licensed

pilot, as a bounty-hunter to hunt and kill wolves and foxes from an aircraft in flight, the provisions of section one hundred nine point one hundred twenty (109.120), Code 1950, to the contrary notwithstanding. Such bounty-hunter shall hunt only on such lands as he may be directed by the board of supervisors. Any landowner desiring said bounty-hunter to hunt on his land shall file a written request with the said board asking such relief, and the board shall authorize such hunting only on the lands of those who have filed such written request. The sole compensation of such bounty-hunter shall be such bounties as he may collect from the wolves and foxes he kills.' "

Senator Whitehead asked and received unanimous consent to file the following amendment to the amendment:

Amend the amendment by inserting after the word "pilot" in line 7 the words "and approved for the position by the Iowa Aeronautics Commission".

Senator Bateson raised the point of order that the amendment by Senator Fishbaugh was not germane to the bill.

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

Senator Bateson asked and received unanimous consent to withdraw his point of order.

Senator Fletcher moved that the bill be read a third 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:**

Anderson	Hart	Myrland	Van Patten
Augustine	Henningsen	Nesmith	Vest
Bekman	Hultman	Oltman	Walter
Berg	Humbert	O'Malley	Watson of
Colburn	Jacobson	Prentis	O'Brien
Doud	Linnevold	Risk	Weichman
Dykhousé	Lord	Sharp	West
Elthon	Lynes	Tudor	Whitehead
Fishbaugh	Molison	Van Eaton	Zastrow
Fletcher			

**Nays, 6:**

Bateson	McCarville	Utzig	Watson of
Gillespie	Parker		Pottawattamie

**Absent or not voting, 8:**

Byers	Hattery	Knudson	Ridout
Dailey	Hedin	Mercer	Roberts

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

## THIRD READING OF BILLS

On motion of Senator Colburn, House Joint Resolution 10, a joint resolution creating a special committee to make a study of the operations of the Iowa old age and survivors' insurance system, to investigate into the proposal of substituting the Iowa old age and survivors' system for the federal social security system, and providing that such committee shall make a report of its findings to the Governor of Iowa and to the Fifty-fifth General Assembly, and appropriating the sum of ten thousand dollars (\$10,000) or so much thereof as may be necessary to carry out the provisions of this joint resolution, with reports of committees recommending passage, was taken up, considered, and the reports of the committees adopted.

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

On the question "Shall the resolution be adopted?" the vote was:

**Ayes, 46:**

Anderson	Fletcher	Mercer	Utzig
Augustine	Gillespie	Molison	Van Eaton
Bateson	Hart	Myrland	Vest
Bekman	Hedin	Nesmith	Walter
Berg	Henningsen	Oltman	Watson of
Byers	Hultman	O'Malley	O'Brien
Colburn	Humbert	Parker	Watson of
Dailey	Knudson	Prentis	Pottawattamie
Doud	Linnevold	Ridout	Weichman
Dykhouse	Lord	Risk	West
Elthon	Lynes	Sharp	Whitehead
Fishbaugh	McCarville	Tudor	Zastrow

**Nays, none.**

**Absent or not voting, 4:**

Hattery	Jacobson	Roberts	Van Patten
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The resolution having received a constitutional and two-thirds majority was declared to have been adopted by the Senate and the title was agreed to.

On motion of Senator Colburn, Senate File 346, a bill for an act to make appropriations to Fern E. Sharp, Elkader, Iowa; Otto H. Henningsen, Clinton, Iowa; Stanley L. Hart, Keokuk, Iowa; Lawrence Putney, Gladbrook, Iowa; Henry Siefkas, Osceola, Iowa, and Harvey J. Long, Clinton, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hedin offered the following amendment filed by Senator Hattery and moved its adoption :

Amend Senate File 346 by striking section 8 and inserting in lieu thereof the following:

"Sec. 8. This act shall be in full force and effect from and after approval by the Governor, as provided by section three point eleven (3.11), Code 1950."

The amendment was adopted.

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

Senator Weichman took the chair at 11:40 a.m.

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

**Ayes, 45:**

Anderson	Fletcher	Molison	Van Patten
Augustine	Gillespie	Myrland	Vest
Bateson	Hedin	Nesmith	Walter
Bekman	Hultman	Oltman	Watson of
Berg	Humbert	O'Malley	O'Brien
Byers	Jacobson	Parker	Watson of
Colburn	Knudson	Prentis	Pottawattamie
Dailey	Linnevold	Ridout	Weichman
Doud	Lord	Risk	West
Dykhouse	Lynes	Tudor	Whitehead
Elthon	McCarville	Utzig	Zastrow
Fishbaugh	Mercer	Van Eaton	

**Nays, none.**

**Absent or not voting, 5:**

Hart	Henningsen	Roberts	Sharp
Hattery			

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

On motion of Senator Colburn, Senate File 347, a bill for an act to make appropriations to John R. Hattery, Nevada, Iowa; J. T. Dykhouse, Rock Rapids, Iowa; Morse E. Crosier, Coggon, Iowa, and Harold F. Nelson, Sioux City, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hedin moved that the bill be read a third 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:**

Anderson	Hart	Molison	Van Eaton
Augustine	Hedin	Myrland	Van Patten
Bateson	Henningsen	Nesmith	Vest
Bekman	Hultman	Oltman	Walter
Berg	Humbert	O'Malley	Watson of
Byers	Jacobson	Parker	O'Brien
Colburn	Knudson	Prentis	Watson of
Dailey	Linnevold	Ridout	Pottawattamie
Doud	Lord	Risk	Weichman
Elthon	Lynes	Sharp	West
Fishbaugh	McCarville	Tudor	Whitehead
Fletcher	Mercer	Utzig	Zastrow
Gillespie			

**Nays, none.**

**Absent or not voting, 3:**

Dykhouse                      Hattery                      Roberts

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

On motion of Senator Colburn, Senate File 348, a bill for an act to make appropriations to DeVere Watson, Council Bluffs, Iowa; X. T. Prentis, Mount Ayr, Iowa; J. Kendall Lynes, Plainfield, Iowa; Leo Elthon, Fertile, Iowa; George Faul, Des Moines, Iowa; Robert P. Munger, Sioux City, Iowa; Gustav T. Kuester, Griswold, Iowa; George L. Paul, Brooklyn, Iowa; Carroll L. Brown, Oskaloosa, Iowa, and George H. Robb, Estherville, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Watson of Pottawattamie offered the following amendment and moved its adoption:

Amend Senate File 348 by striking section 12 and inserting in lieu thereof the following:

"Sec. 12. This act shall be in full force and effect from and after approval by the Governor, as provided by section three point eleven (3.11), Code 1950."

The amendment was adopted.

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

President Nicholas took the chair at 11:55 a.m.

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

**Ayes, 44:**

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hedin	Myrland	Van Patten
Bekman	Henningsen	Nesmith	Vest
Berg	Hultman	Oltman	Walter
Byers	Humbert	O'Malley	Watson of
Colburn	Jacobson	Parker	O'Brien
Dailey	Knudson	Ridout	Weichman
Doud	Linnevold	Risk	West
Dykhouse	Lord	Sharp	Whitehead
Fishbaugh	McCarville	Tudor	Zastrow
Fletcher			

**Nays, none.**

**Absent or not voting, 6:**

Elthon	Lynes	Roberts	Watson of
Hattery	Prentis		Pottawattamie

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

### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File 202, a bill for an act relating to cost of care of persons in tuberculous hospitals.

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

Senate File 228, a bill for an act relating to school lunch programs in public schools in Iowa.

Also: That the House has failed to pass the following bill in which the concurrence of the House was asked:

Senate File 232, a bill for an act relating to the definition of "fireworks".

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

Senate File 441, a bill for an act relating to indebtedness by cities and towns for the elimination or separating of railroad grade crossings.

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

Senate File 440, a bill for an act relating to viaducts, underpasses and railroad grade separations in cities.

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

House File 286, a bill for an act relating to management of public utilities by boards of trustees.

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

House File 474, a bill for an act relating to assistance for blind persons.

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

House File 533, a bill for an act relating to county boards of education renting books and instructional aids to pupils of various districts.

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

House File 563, a bill for an act relating to specific powers and duties of the state comptroller.

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

House File 564, a bill for an act relating to school funds.

Also: That the House has concurred in Senate amendments to and passed House File 606, a bill for an act relating to rules and regulations adopted by administrative agencies 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 611, a bill for an act legalizing proceedings authorizing and providing for the issuance, sale and delivery of waterworks bonds by the town of Lidderdale, Carroll County.

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

House File 617, a bill for an act making an appropriation for the biennium beginning July 1, 1951, and ending June 30, 1953, for the various departments of state.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 202

Amend the title to Senate File 202 by striking from lines 2, 3 and 4 the following words and figures: "two hundred fifty-four point eight (254.8), two hundred seventy-one point fourteen (271.14)".

#### HOUSE MESSAGES CONSIDERED

House File 286, a bill for an act to amend section three hundred ninety-seven point twenty-nine (397.29), Code 1950, relating to management of public utilities by boards of trustees.

Read first and second times, and referred to the sifting committee.

House File 474, a bill for an act to amend section two hundred forty-one point three (241.3), Code 1950, relating to assistance for blind persons.

Read first and second times, and referred to the sifting committee.

House File 533, a bill for an act to amend section two hundred seventy-three point thirteen (273.13), Code 1950, with reference to county boards of education renting books and instructional aids to the pupils of the various districts.

Read first and second times, and referred to the sifting committee.

House File 563, a bill for an act to amend section eight point six (8.6), Code 1950, relating to specific powers and duties of the state comptroller.

Read first and second times, and referred to the sifting committee.

House File 564, a bill for an act to amend chapter three hundred two (302), Code 1950, relating to school funds.

Read first and second times, and referred to the sifting committee.

House File 611, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of waterworks bonds by the town of Lidderdale in Carroll County, Iowa, and the provisions made for the levy and collection of taxes to pay said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said town.

Read first and second times, and referred to the sifting committee.

House File 617, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1951, and ending June 30, 1953, funds for various departments and various divisions thereof, of the State of Iowa, for the purpose provided by law.

Read first and second times, and referred to the appropriations committee.

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

#### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hattery for the balance of the day on request of Senator Van Eaton.



## THIRD READING OF BILLS

On motion of Senator Fishbaugh, Senate File 408, a bill for an act for publication of the Rules of Civil Procedure and Supreme Court Rules and to amend section fourteen point three (14.3), Code 1950, was taken up, and considered.

Senator Fishbaugh moved that the bill be read a third 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:**

Anderson	Fletcher	Mercer	Van Eaton
Augustine	Gillespie	Molison	Van Patten
Bateson	Hart	Myrland	Vest
Bekman	Henningsen	Nesmith	Walter
Berg	Hultman	Oltman	Watson of
Byers	Humbert	O'Malley	O'Brien
Colburn	Jacobson	Parker	Watson of
Dailey	Knudson	Prentis	Pottawattamie
Doud	Linnevold	Ridout	Weichman
Dykhouse	Lord	Risk	West
Elthon	Lynes	Sharp	Whitehead
Fishbaugh	McCárville	Utzig	Zastrow

**Nays, none.**

**Absent or not voting, 4:**

Hattery	Hedin	Roberts	Tudor
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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 O'Malley, House File 142, a bill for an act to amend section three hundred twenty-one point two hundred thirty-six (321.236), Code 1950, relating to the powers of local authorities, and to amend section three hundred eighty-nine point thirty-nine (389.39), Code 1950, relating to powers of local authorities to regulate the use of streets and highways, was taken up, and considered.

Senator O'Malley offered the following amendment and moved its adoption:

Amend the title to House File 142 by striking the comma (,) following the word "authorities" in line 3 and inserting in lieu thereof a period (.) and by striking the remainder of line 3 and all of lines 4, 5 and 6.

The amendment was adopted.

Senator O'Malley moved that the bill be read a third 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:**

Anderson	Fletcher	Mercer	Van Eaton
Augustine	Gillespie	Molison	Van Patten
Bateson	Hart	Myrland	Vest
Bekman	Henningsen	Nesmith	Walter
Berg	Hultman	Oltman	Watson of
Byers	Humbert	O'Malley	O'Brien
Colburn	Jacobson	Parker	Watson of
Dailey	Knudson	Prentis	Pottawattamie
Doud	Linnevold	Ridout	Weichman
Dykhouse	Lord	Risk	West
Elthon	Lynes	Sharp	Whitehead
Fishbaugh	McCarville	Utzig	Zastrow

**Nays, none.**

**Absent or not voting, 4:**

Hattery	Hedin	Roberts	Tudor
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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.

**BILL WITHDRAWN**

Senator O'Malley asked and received unanimous consent that Senate File 475 be withdrawn from further consideration of the Senate.

Senator Fletcher asked and received unanimous consent that House File 497 be withdrawn from the sifting committee.

Senator Fletcher asked and received unanimous consent that House File 497 be substituted for Senate File 489.

• On motion of Senator Fletcher, House File 497, a bill for an act to amend chapter three hundred twenty-one (321), Code 1950, relating to motor vehicles and law of road, was taken up, and considered.

Senator Fletcher moved that the bill be read a third 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:**

Anderson	Dykhouse	Humbert	Molison
Augustine	Elthon	Jacobson	Myrland
Bateson	Fishbaugh	Knudson	Nesmith
Bekman	Fletcher	Linnevold	Oltman
Berg	Gillespie	Lord	O'Malley
Colburn	Hart	Lynes	Parker
Dailey	Henningsen	McCarville	Prentis
Doud	Hultman	Mercer	Ridout

Risk	Van Patten	Watson of	Weichman
Sharp	Vest	O'Brien	Whitehead
Utzig	Walter	Watson of	Zastrow
Van Eaton		Pottawattamie	

Nays, none.

Absent or not voting, 6:

Byers	Hedin	Tudor	West
Hattery	Roberts		

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

### BILL WITHDRAWN

Senator Fletcher asked and received unanimous consent that Senate File 489 be withdrawn from further consideration of the Senate.

On motion of Senator Van Eaton, House File 232, a bill for an act to amend section three hundred twenty-one point three hundred ninety-three (321.393), Code 1950, relating to the color and mounting of lighting devices and reflectors on motor trucks or trailers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Risk moved that the bill be read a third 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:

Anderson	Henningsen	Myrland	Van Patten
Augustine	Hultman	Nesmith	Vest
Bateson	Humbert	Oltman	Walter
Bekman	Jacobson	O'Malley	Watson of
Berg	Knudson	Parker	O'Brien
Dailey	Linnevold	Prentis	Watson of
Dykhouse	Lord	Ridout	Pottawattamie
Elthon	Lynes	Risk	Weichman
Fishbaugh	McCarville	Sharp	West
Fletcher	Mercer	Utzig	Whitehead
Gillespie	Molison	Van Eaton	Zastrow
Hart			

Nays, none.

Absent or not voting, 7:

Byers	Doud	Hedin	Tudor
Colburn	Hattery	Roberts	

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

## BILL WITHDRAWN

Senator Risk asked and received unanimous consent that Senate File 206 be withdrawn from further consideration of the Senate.

On motion of Senator Van Eaton, Senate File 102, a bill for an act to amend section one hundred sixteen point six (116.6) and section one hundred sixteen point eleven (116.11), Code 1950, relating to the practice of accountancy, 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 102 as follows:

1. Section 1, line 4, by inserting after the word "person" the word "who".

2. By striking all of section 2 and inserting in lieu thereof the following:

Sec. 2. Section one hundred sixteen point eleven (116.11), Code 1950, is amended by inserting in line sixteen (16) after the word "auditor of state" the following: "or file with the auditor of state a certificate issued by an insurance carrier stating that a policy has been issued to such person insuring his liability to the extent of said sum".

The amendment was adopted.

Senator Bekman asked and received unanimous consent to withdraw the following amendment:

Amend Senate File 102 by striking section 2 and inserting in lieu thereof:

"Sec. 2. Amend section one hundred sixteen point eleven (116.11) by striking the last paragraph thereof."

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

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

Ayes, 45:

Anderson	Fletcher	Mercer	Utzig
Augustine	Gillespie	Molison	Van Eaton
Bateson	Hart	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Watson of
Byers	Hultman	O'Malley	O'Brien
Colburn	Humbert	Parker	Watson of
Dailey	Jacobson	Prentis	Pottawattamie
Doud	Knudson	Ridout	West
Dykhouse	Linnevold	Risk	Whitehead
Elthon	Lynes	Sharp	Zastrow
Fishbaugh	McCarville	Tudor	

**Nays, 1:**

Lord

**Absent or not voting, 4:**

Hattery	Roberts	Walter	Weichman
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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 Colburn, House File 614, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1951, and ending June 30, 1953, to the state fair board for the purpose of state aid to agricultural societies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Tudor moved that the bill be read a third 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:**

Anderson	Gillespie	Molison	Van Eaton
Augustine	Hart	Myrland	Van Patten
Bateson	Hedin	Nesmith	Vest
Bekman	Henningsen	Oltman	Walter
Berg	Hultman	O'Malley	Watson of
Byers	Humbert	Parker	O'Brien
Colburn	Jacobson	Prentis	Watson of
Dailey	Knudson	Ridout	Pottawattamie
Doud	Linnevoid	Risk	Weichman
Dykhouse	Lord	Sharp	West
Elthon	Lynes	Tudor	Whitehead
Fishbaugh	McCarville	Utzig	Zastrow
Fletcher	Mercer		

**Nays, none.****Absent or not voting, 2:**

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

On motion of Senator Colburn, House File 616, a bill for an act to appropriate funds to the state comptroller from the motor vehicle fuel tax fund, 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.

child welfare fund, emergency relief fund and the old age assistance fund.

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

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

### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

### UNFINISHED BUSINESS

On motion of Senator Colburn, Senate File 354, a bill for an act to create a state civil defense agency in the executive branch; providing for a director thereof and an advisory council to the governor as head of the agency and defining the powers and duties of the governor, council and director; providing emergency powers for the governor; authorizing mobile support units and fixing the rights, duties and privileges of the personnel thereof; creating county defense councils and defining their powers and duties; authorizing cities and towns to establish local organizations for civil defense, contract for mutual aid, accept gifts and adopt ordinances relating to civil defense; authorizing counties, cities and towns to appropriate funds regardless of the local budget law and authorizing counties and certain cities to levy a tax to pay expenses of administration of defense councils; providing for the privileges and immunities of all civil defense personnel; providing for penalties for violations of provisions of the act and to increase penalties for certain crimes committed during blackouts or practice blackouts; repealing chapter sixty-one (61), Laws of the Fiftieth General Assembly, and section nine (9) of chapter sixty-three (63), Laws of the Fifty-first General Assembly, and providing for the appropriation of funds and the disbursement thereof to carry out the purpose of this act, was taken up for further consideration.

Senator Colburn asked and received unanimous consent to withdraw the committee amendment filed to Senate File 354 and found on page 720 of the Senate Journal.

Senator Fishbaugh offered the following amendment and moved its adoption:

amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Dykhouse took the chair at 2:45 p.m.

Senator Berg offered the following amendment and moved its adoption:

1. Amend Senate File 354 by striking from lines five and six of section fourteen the words "not less than one-fourth of one mill and".
2. Further amend Senate File 354 by striking from line thirty of section fourteen the words "not less than one-fourth of one mill and".

The amendment was adopted.

Senator Bateson offered the following amendment by Senators Bateson and Zastrow:

Amend Senate File 354 by striking section 18.

Senator Elthon arose on a point of personal privilege to speak on the adopted committee amendment.

Senator Van Eaton moved that the record on the consideration and adoption of the committee amendment be expunged.

Senator Fishbaugh moved as a substitute motion that action on Senate File 354 be deferred and that the bill retain its place on the calendar.

Division was called for.

The substitute motion was lost.

The motion by Senator Van Eaton to expunge the record was adopted.

Senator Bateson moved the adoption of his amendment and requested a roll call.

On the question "Shall the amendment be adopted?" the vote was:

Rule 8 was invoked.

Ayes, 22:

Anderson	Dykhouse	Jacobson	Nesmith
Augustine	Elthon	Linnevold	Prentis
Bateson	Fishbaugh	Lynes	Sharp
Byers	Fletcher	Mercer	Vest
Colburn	Hart	Myrland	Zastrow
Doud	Henningsen		

"Sec. 31. Every person, who shall be in the employ of the State of Iowa or of any political subdivision thereof, other than those now holding elective office, shall be required, on or before ninety (90) days after the effective date of this act, to file a written statement which shall contain notice that it is subject to the penalties of perjury, that he or she does not advocate and is not a member of any organization which engages in or advocates, abets, or advises, activities intended to overthrow, destroy or alter, or to assist in the overthrow, destruction or alteration of, the constitutional form of government of the United States or of the State of Iowa, or of any political subdivision thereof, or either of them, by revolution, force or violence. Such statement shall be prepared and execution required by every person and every board, commission, council, department, court or other agency of the State of Iowa or any political subdivision thereof responsible for the employment and supervision of employees under its jurisdiction. Any such person failing or refusing to execute such a statement or who admits he is a member of such an organization or advocates, abets, or advises activities intended to overthrow, destroy or alter the constitutional form of government of the United States or of the State of Iowa or of any political subdivision thereof by revolution, force or violence or assist in such activities, shall immediately be discharged."

Further amend Senate File 354 by renumbering the remaining sections.

Senator Hattery raised the point of order that the amendment was out of order for the reason that it was not germane to the main bill.

The Chair ruled that the amendment was germane to the bill for the reason that the bill in setting up a civil defense program provides for very broad powers to combat the possibility of an extreme emergency. The purpose of the act is to provide for immediate action in time of emergency, consequently, the procedure set up in the amendment will facilitate the operation of subsection "c" of section 7 of the act, as well as the operation of section 20 under emergency conditions. It is possible that in the application of the act the Governor, as head of the civil defense agency, will first call into operation section 20. It is in keeping with the spirit of the act that this personnel should have already taken an oath similar to that provided for in section 23 of the act, therefore the point of order was not well taken.

Senator Jacobson appealed from the ruling of the Chair and asked for a division.

Senator Fishbaugh asked unanimous consent for further discussion.



Senator Jacobson raised the point of order that an appeal from the Chair was not debatable.

The Chair ruled the point not well taken.

On the question "Shall the ruling of the Chair on the point of order by Senator Hattery be sustained?", roll call was demanded and the vote was:

Ayes, 30:

Augustine	Fletcher	Mercer	Roberts
Bateson	Gillespie	Myrland	Tudor
Bekman	Hedin	Oltman	Van Patten
Colburn	Henningsen	O'Malley	Watson of
Doud	Hultman	Parker	O'Brien
Dykhouse	Humbert	Prentis	Watson of
Elthon	Lord	Ridout	Pottawattamic
Fishbaugh	McCarville	Risk	Zastrow

Nays, 9:

Byers	Hattery	Molison	Sharp
Dailey	Jacobson	Nesmith	Vest
Hart			

Absent or not voting, 11:

Anderson	Linnevold	Van Eaton	West
Berg	Lynes	Walter	Whitehead
Knudson	Utzig	Weichman	

The ruling of the Chair was sustained.

#### 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 163, a bill for an act relating to the general powers of municipal corporations.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 165, a bill for an act relating to the forms of government, classification and fiscal year of municipal corporations.

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

House File 93, a bill for an act authorizing the executive council to sell certain land belonging to the State of Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENTS TO SENATE FILE 163

1. Amend the "repealing" section of the bill by inserting at the end thereof the following: "except sections three hundred sixty-eight point

five (368.5), three hundred sixty-eight point six (368.6), three hundred sixty-eight point seven (368.7) and three hundred sixty-eight point eight (368.8)".

2. Further amend by striking section 3.

3. Further amend by striking section 4.

4. Further amend by striking from lines 5 and 6 of section 5 the words "but shall in no way be limited by the enumeration in" and insert in lieu thereof the words "and in section".

Further amend said section by inserting before the word "enumeration" in line 7 the word "statutory".

5. Further amend by striking section 7.

6. Further amend by striking section 8.

7. Further amend by striking the word "licensing," from line 2 of section 9; also, further amend said section by inserting the word "major" before the word "repairs" in line 3.

8. Further amend section 11, line 3, by inserting after the word and comma "staff," the word "uniform".

9. Further amend section 15, line 3, by inserting after the word and comma "staff," the word "uniform".

10. Further amend section 16 by striking the words "Cities shall," in line 1 and inserting in lieu thereof the following: "All cities having a population of six thousand or more shall, and other cities".

11. Further amend Senate File 163 by adding at the end of section 25 the following new subsection:

"3. Municipal corporations having a population of less than fifty thousand are hereby authorized to place the management of municipally owned sewage works in the hands of a board of trustees. The provisions of sections three hundred ninety-seven point twenty-seven (397.27) to three hundred ninety-seven point thirty-five (397.35) shall be applicable to such boards."

12. Further amend section 29, line 13, by adding after the word and period "commission." the following:

"This section shall not apply to cities which have established permanent park boards, under the provisions of chapter 371, Code 1950, now or hereafter having a population of 125,000 or more according to the last federal census.

13. Further amend by inserting after section 38 the following new section:

"Right of appeal. Whenever the council of any municipal corporation enters into an agreement for the sale, lease, or disposal by other means of any municipal property, any elector of such municipal corporation shall have the right to appeal from the action of the council to the district court, within thirty days of the final action thereon by the council, on the ground that such agreement is not in the public interest. All such agreements shall be voidable pending the decision of the court."

14. Further amend by striking section 39.

15. Further amend by striking section 44.

16. Further amend by striking section 45.

17. Further amend by inserting after section 45 the following new section:

"Sec. 46. Section three hundred eighty-nine point nineteen (389.19), Code 1950, is hereby repealed."

18. Further amend by renumbering the remaining sections.

19. Further amend by striking from line 2 of section 61 the words and figures "four hundred twenty point sixty-one (420.61)" and inserting in lieu thereof the words and figures "four hundred twenty point fifty-eight (420.58)".

20. Further amend by striking section 62.

21. Further amend by adding a new section thereto as follows:

"Amend section three hundred sixty-three point sixty (363.60) by striking all following 'municipalities' in line four (4), up to and including 'dollars.' in line twenty-four (24), and inserting in lieu thereof the following: 'provided, however, that the sum total of annual dues collected by the league from municipalities shall not exceed thirty-five thousand dollars (\$35,000).'"

#### HOUSE AMENDMENTS TO SENATE FILE 165

1. Amend Senate File 165, section 2, by inserting after the word "government" in line 4 the words "and to elections in cities operating under chapters forty-four (44) and forty-five (45)".

2. Further amend section 9, line 2, by striking the word and figure "four (4)" and inserting in lieu thereof the word and figure "two (2)".

Further amend said section by adding at the end thereof the following:

"The electors of the municipal corporation may, upon petition and election in the same manner as provided for changes in form of government by sections thirty-five (35) to thirty-seven (37), provide that terms of office for all elective municipal officers shall be for four years, and may subsequently, in like manner, change the duration of such terms from four years to two years, provided, however, that the restrictions imposed on frequency of petition and election by sections thirty-eight (38) and thirty-nine (39) shall also apply to changes in length of term of office.

"For purposes of the first regular municipal election held under the provisions of this act the question of four year terms of office for all elective municipal officials may be decided at a special election held prior to such municipal election. The references in sections ten (10) to fourteen (14) hereof to 'longer' and 'shorter' terms shall be applicable only in the event that the results of such special election are in favor of four year terms."

3. Further amend section 11, line 1, by inserting after the words "election in" the words and figures "April, 1950, or".

Further amend said section by inserting after the words "held in" in line 4 the words "April, 1950, or".

4. Further amend section 12 by striking all after the word "hereof." in line 5 and inserting in lieu thereof the following:

"In municipal corporations where members of the council are elected at large their length of term shall be determined by the number of votes received by each such candidate at the municipal election. Those candi-

dates for council equal in number to one-half of the number of councilmen to be elected, or where an odd number are to be elected a bare majority of such number, who receive the greatest number of votes shall be elected for the longer term. In the event of a tie the mayor and clerk shall determine by lot which candidate or candidates shall receive the longer term."

5. Further amend section 33, line 2, by inserting after the word "corporation" the words "for which taxes are collected through the office of the county treasurer".

6. Further amend section 35 by inserting after the word "election" in line 7 the words ", the mayor".

7. Further amend section 76 by inserting after the word "repealed" in line 2 the words "and the following enacted in lieu thereof: 'In special charter cities holding a municipal primary election under the provisions of section forty-three point one hundred twelve (43.112) such primary shall be held on the first Monday in October of the year in which general municipal elections are held.'"

8. Further amend by adding after section 111 the following new section:

"Sec. 112. Section six hundred two point eleven (602.11), Code 1950, is amended by striking from lines three (3) and four (4) the word 'Monday' and inserting in lieu thereof the words 'day of January'."

9. Further amend by renumbering the remaining section.

#### HOUSE MESSAGE CONSIDERED

House File 93, a bill for an act to authorize the executive council to sell certain land belonging to the State of Iowa, situated in block three (3), H. Lyons Addition to the town of Demoinc, now included in and forming a part of the city of Des Moines, Polk County, Iowa.

Read first and second times, and referred to the sifting committee.

#### COMMUNICATION FROM STATE COMPTROLLER

The following communication was received from the office of the state comptroller:

OFFICE  
STATE COMPTROLLER

April 6, 1951. .

To the Secretary of the Senate and  
Chief Clerk of the House of Representatives.

In accordance with the provisions of chapter 25, Code 1950, there is submitted herewith a claim acted upon by the state appeal board April 6, 1951. The claim bears the recommendation of the board.

The claim of a general nature is number 186.

R. E. JOHNSON, *Chairman,*  
*State Appeal Board.*

No.	Name of Claimant and Nature of Claim	Amount of Claim
186	Carl Becker, Mount Vernon, Iowa— Damage to car and loss of use of car for 30 days which claimant uses in his business. Damage caused by National Guard truck.....	\$ 454.18

Passed on file.

#### BILLS SIGNED BY THE GOVERNOR

The following communication was received announcing that, on April 6, 1951, the Governor had approved the following bills:

Senate File 149, relating to salaries for justices of the peace and constables.

Senate File 156, relating to medical examiners.

Senate File 186, relating to shorthand reporters of the district courts.

Senate File 229, relating to building and loan examiners.

Senate File 230, relating to salary of examiners.

Senate File 344, relating to auditorium building fund for municipal corporations.

#### AMENDMENTS FILED

Amend the House amendment to Senate File 122 by striking the following from lines 3 and 4: "in cities and towns with a population of three thousand (3,000) or less."

ARTHUR H. JACOBSON.

HERMAN M. KNUDSON.

EDWARD S. PARKER.

1. Amend the Doud amendment to Senate File 354 by inserting the following in line 3 after the word "thereof"

"or who shall receive in any manner, either directly or indirectly, any public funds collected or disbursed by the State of Iowa, or of any political subdivision thereof or who shall hold a business permit, business or professional license of any kind whatsoever from the State of Iowa, its agencies or instrumentalities, or from any political subdivision thereof".

2. Further amend the Doud amendment by striking the period (.) in line 24 following the word "discharged"

and adding the following:

"or shall forfeit and return any public funds so received or the issuing authority shall forthwith cancel and revoke said permit or license".

THOMAS J. DAILEY.

Amend the Doud amendment, filed April 4, 1951, to Senate File 354 by striking all of line 4 after the comma (,) following the word "office". Further amend said amendment by striking lines 5 to

24, inclusive, and adding thereto the following: "or have otherwise been required and have subscribed to an oath, shall on or before ninety (90) days after the effective date of this act take and subscribe an oath as provided in section sixty-three point ten (63.10), Code 1950. Any such persons failing or refusing to execute such an oath shall immediately be discharged."

R. R. BATESON.  
R. W. ZASTROW.

Amend House File 65 by inserting after the words "two hundred" in line 3 the word "twenty-five".

JOHN R. HATTERY.

Amend House File 152 by adding thereto the following new sections:

Sec. 2. Section one hundred seventy-four point ten (174.10), Code 1950, is hereby amended by inserting a period (.) after the word "nature" in line 5 and striking all the rest of the section.

Sec. 3. Section one hundred seventy-four point eleven (174.11), Code 1950, is hereby amended by striking all of said section after the period (.) in line 10.

DEVERE WATSON.

Amend the amendment to House File 247 by McCarville, Hattery, Van Patten,

Watson of O'Brien and Sharp filed on April 4, 1951, as follows:

Strike all of paragraph 5 from said amendment and insert in lieu thereof the following:

"Sec. 5. It shall be unlawful to operate any motor vehicle, trailer or semitrailer on a highway after such vehicle has been registered five (5) times or has been driven twenty-five thousand (25,000) miles, as the case may be, unless the owner or operator shall furnish satisfactory evidence that such vehicle has been inspected at an official inspection station and that a valid certificate of inspection and approval has been issued therefor."

PAUL E. MCCARVILLE.

1. Amend House File 617 by striking line 7 of section 12.

2. Further amend House File 617, line 9, section 12, by striking the figures "\$74,000.00" and inserting in lieu thereof the figures "\$80,000.00".

CHARLES S. VAN EATON.

Senator Jacobson moved that the Senate adjourn until 11:00 a.m., Monday, which motion was lost.

Senator Jacobson moved that the Senate adjourn until 11:05 a.m., Monday, April 9, 1951, which motion prevailed.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 9, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Clyde C. Leeds, pastor of the Christian Church, Estherville, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Doud, from residents of Monroe County favoring legislation relating to salaries of clerks and bailiffs of municipal courts; also, from residents of Polk County urging passage of House Files 183 and 420, relating to school legislation.

By Senator Gillespie, from residents of Adair County urging passage of House Files 183 and 420, relating to school legislation.

By Senator Hattery, from residents of Boone County in opposition to liquor by the drink; also, favoring liquor law enforcement.

By Senator Hedin, from James R. Uhlinger, president of the board of directors, Mental Health Center, Davenport, urging passage of Senate File 500, relating to county psychiatric treatment; also, from residents of Scott County favoring legislation relating to the repeal of rent control.

By Senator Henningsen, from residents of Clinton County favoring legislation relating to teachers' contracts; also, favoring House File 49, relating to the payment of sales and use tax by tax certifying or levying bodies; also, from residents of Scott County in opposition to House File 414, relating to further control of the federal housing act.

By Senator McCarville, from residents of Calhoun County, in opposition to liquor by the drink; also, favoring liquor law enforcement.

By Senator Mercer, from residents of Johnson County urging passage of House File 610, relating to the state highway commission.

By Senator O'Malley, from members of the faculty of Park Avenue School, Des Moines, urging passage of House Files 183 and 420, relating to school legislation.

By Senator Prentis, from residents of Union County favoring passage of House File 294, relating to certain benefits for county employees.

By Senator Van Patten, from residents of Warren County in opposition to Senate File 15, relating to powers of municipal corporations to regulate the use of streets.

#### INTRODUCTION OF BILL

Senate File 503, by committee on claims, a bill for an act to make appropriations to Allert G. Olson, Osage, Iowa; Howard E. Brookings, Oakland, Iowa; Jacob Van Zwol, Paullina, Iowa; Gene Poston, Corydon, Iowa, and Morse E. Crosier, Coggon, Iowa, for services rendered as members of the house improvement committee.

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

#### COMMUNICATION

Senator Elthon asked and received unanimous consent that the following communication be printed in the Senate Journal:

Des Moines, Iowa,  
April 7, 1951.

The President of the Senate,  
Members and Employees,  
State House.

Dear Friends:

With sincere gratitude I wish to acknowledge your very thoughtful remembrance of my wife in her recent passing.

My son, Hugo, and my daughter, Olga, join me in thanking you for your very kind expression of sympathy.

Sincerely,  
EMIL SCHNABEL.

#### PRESENTATION OF VISITORS

Senator Augustine asked and received unanimous consent to present to the Senate fifty members of the Future Farmers of America, students of the Oskaloosa High School, who were present in the balcony with their instructor, Ted Collins.



## HOUSE AMENDMENTS CONSIDERED

Senator Jacobson called up for consideration Senate File 122, a bill for an act to amend chapter one hundred thirty-five B (135B), Code 1950, relating to licensure and regulation of hospitals, and chapter one hundred thirty-five C (135C), Code 1950, relating to the regulation of nursing homes, and to provide that county homes shall be exempt from the provisions thereof, amended by the House as follows:

Amend Senate File 122, section two (2), line five (5), by striking the words "five persons" and inserting in lieu thereof the words, "three persons in cities and towns with a population of three thousand (3,000) or less."

Senator Jacobson offered the following amendment to the House amendment by Senators Jacobson, Knudson and Parker and moved its adoption:

Amend the House amendment to Senate File 122 by striking the following from lines 3 and 4: "in cities and towns with a population of three thousand (3,000) or less."

The amendment to the amendment was adopted.

The House amendment as amended was adopted and concurred in by the Senate.

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

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

Ayes, 50:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevoid	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

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 Jacobson called up for consideration House File 421, a bill for an act to amend sections three hundred thirty-five point fourteen (335.14), five hundred forty-seven point three (547.3) and five hundred fifty-six point twenty (556.20), relating to fees to be charged by the county recorder; sections three hundred thirty-three point fifteen (333.15), five hundred fifty-eight point fifty-seven (558.57) and five hundred fifty-eight point sixty-six (558.66), Code 1950, relating to fees to be charged by the county auditor; section three hundred thirty-seven point eleven (337.11), Code 1950; relating to fees to be charged by the county sheriff; sections three hundred twenty-one point one hundred forty-five (321.145), three hundred twenty-one point one hundred fifty-two (321.152), four hundred forty-five point twenty-three (445.23), four hundred forty-five point twenty-six (445.26) and four hundred forty-six point twenty-nine (446.29), Code 1950, relating to fees to be charged by the county treasurer; section six hundred six point fifteen (606.15), Code 1950, relating to fees to be charged by the clerk of the district court; and to amend section one hundred ten point five (110.5), Code 1950, to provide that the counties shall be reimbursed for their expense incident to the issuance of hunting and fishing licenses for the state, by retaining a portion of the hunting and fishing license fees collected by the county, amended by the House.

Senator Jacobson announced that the House had concurred in Senate amendments 1, 2, 4, 6 and 8, and had refused to concur in Senate amendments 5 and 7. Also, that the House had amended and concurred in Senate amendments 3 and 9 as follows:

Amend Senate amendment 3 by striking from line 11 the word "now".

Amend Senate amendment 9 by striking all of paragraph "c".

Senator Jacobson moved that the Senate recede from Senate amendment 5, which motion prevailed.

Senator Jacobson moved that the Senate concur in the House amendment to Senate amendment 9, which motion prevailed.

Senator Jacobson moved that the Senate concur in the House amendment to Senate amendment 3, which motion prevailed.

Senator Jacobson moved that the Senate insist on Senate amendment 7 to House File 421, which motion prevailed.

## CONFERENCE COMMITTEE APPOINTED

President Nicholas appointed on the part of the Senate as members of a conference committee on House File 421 Senators Jacobson, Weichman, Dykhouse and Parker.

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

## AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

## PRESENTATION OF VISITORS

Senator Risk asked and received unanimous consent to present to the Senate the members of the American government class of the Jesup High School who were present in the balcony, accompanied by Alice Sperry and Paul Boysen.

Senator Linnevold asked and received unanimous consent to present to the Senate thirty members of the government class of the Cresco High School who were present in the balcony with their principal, John L. Yourd.

## 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 House amendments to, and passed, Senate File 122, a bill for an act relating to the regulation of nursing homes.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 28, a bill for an act relating to cities under the mayor-council form of government.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 32, a bill for an act relating to cities organized under special charter.

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 the ordinances of municipal corporations.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 93, a bill for an act relating to municipal corporations.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE AMENDMENT TO SENATE FILE 28

Amend Senate File 28 by inserting after the word "ward" in line 7 of section 2 the following: "; but if any city embraces within its limits the whole or part of two or more townships, two of which parts contain one thousand or more electors, only one councilman at large shall be chosen from any one township".

Further amend Senate File 28 by striking section 3 and inserting in lieu thereof the following:

"Sec. 3. Appointment of officers. The mayor shall appoint the following officers:

"1. A marshal, and such other police officers, including police matrons as may be provided by ordinance.

"2. Such other officers as the council may, by ordinance, direct him to appoint.

"The council shall elect all other officers.

"The prior civil service rights of any person appointed to any position under this section shall not be abridged by such appointment."

Further amend Senate File 28 by striking all of sections 4, 9 and 10 and renumbering the remaining sections.

## HOUSE AMENDMENT TO SENATE FILE 32

Amend Senate File 32 by inserting after the word "borrow" in line 52 of section 2 the words "and expend".

## HOUSE AMENDMENTS TO SENATE FILE 33 •

Amend Senate File 33 as follows:

1. Strike all of subsection 3 of section 4.
2. Further amend section 4 by striking from lines 35 and 36 the words and figures ", in cities having more than one hundred fifty thousand (150,000) population,".
3. Further amend section 4, line 45, by striking the word "and"; also further amend line 45 by striking the words "a newspaper" and inserting in lieu thereof the words "all newspapers".
4. Further amend section 4, line 46, by inserting after the word "circulation" the words "and commercial radio stations".
5. Further amend section 4 by inserting after the word "public" in line 51 the words ", upon request,".
6. Further amend by adding to subsection 6 of section 4 the following: "Provided, however, any new ordinances shall have first been published as provided by subsection one (1) hereof. Notice of the fact of such publication in bound or loose-leaf form shall be published in the manner provided for in subsection one (1) hereof."

## HOUSE AMENDMENT TO SENATE FILE 93

Amend Senate File 93 by striking from section 7, line 6, the word "Territory" and inserting in lieu thereof "Unincorporated territory".

## UNFINISHED BUSINESS

On motion of Senator Berg, Senate File 354, a bill for an act to create a state civil defense agency in the executive branch; providing for a director thereof and an advisory council to the governor as head of the agency and defining the powers and duties of the governor, council and director; providing emergency powers for the governor; authorizing mobile support units and fixing the rights, duties and privileges of the personnel thereof; creating county defense councils and defining their powers and duties; authorizing cities and towns to establish local organizations for civil defense, contract for mutual aid, accept gifts and adopt ordinances relating to civil defense; authorizing counties, cities and towns to appropriate funds regardless of the local budget law and authorizing counties and certain cities to levy a tax to pay expenses of administration of defense councils; providing for the privileges and immunities of all civil defense personnel; providing for penalties for violations of provisions of the act and to increase penalties for certain crimes committed during blackouts or practice blackouts; repealing chapter sixty-one (61), Laws of the Fiftieth General Assembly, and section nine (9) of chapter sixty-three (63), Laws of the Fifty-first General Assembly, and providing for the appropriation of funds and the disbursement thereof to carry out the purpose of this act, was taken up for further consideration.

Senator Doud called up the following amendment filed by him to Senate File 354:

Amend Senate File 354 by adding a new section:

"Sec. 31. Every person, who shall be in the employ of the State of Iowa or of any political subdivision thereof, other than those now holding elective office, shall be required, on or before ninety (90) days after the effective date of this act, to file a written statement which shall contain notice that it is subject to the penalties of perjury, that he or she does not advocate and is not a member of any organization which engages in or advocates, abets, or advises, activities intended to overthrow, destroy or alter, or to assist in the overthrow, destruction or alteration of, the constitutional form of government of the United States or of the State of Iowa, or of any political subdivision thereof, or either of them, by revolution, force or violence. Such statement shall be prepared and execution required by every person and every board, commission, council, department, court or other agency of the State of Iowa or any political subdivision thereof responsible for the employment and supervision of employees under its jurisdiction. Any such person failing or refusing to execute such a statement or who admits he is a member of such an organization or advocates, abets, or advises activities intended to over-

throw, destroy or alter the constitutional form of government of the United States or of the State of Iowa or of any political subdivision thereof by revolution, force or violence or assist in such activities, shall immediately be discharged."

Further amend Senate File 354 by renumbering the remaining sections.

Senator Elthon asked and received unanimous consent that the Senate proceed with the amendments to the amendment by Senator Doud.

Senator Dailey asked and received unanimous consent to withdraw the amendments to the amendment filed by him and found on page 977 of the Senate Journal.

Senator Bateson offered the following amendment by Senators Bateson and Zastrow to the amendment:

Amend the amendment by striking all of line 4 after the comma (,) following the word "office". Further amend said amendment by striking lines 5 to 24, inclusive, and adding thereto the following: "or have otherwise been required and have subscribed to an oath, shall on or before ninety (90) days after the effective date of this act take and subscribe an oath as provided in section sixty-three point ten (63.10), Code 1950. Any such persons failing or refusing to execute such an oath shall immediately be discharged."

Senator Byers moved the previous question on all amendments and the main bill which motion prevailed.

Senator Elthon took the chair at 3:10 p.m.

President Nicholas took the chair at 3:25 p.m.

On motion of Senator Bateson, the amendment to the amendment was adopted.

Senator Doud moved the adoption of his amendment as amended.

The amendment as amended was lost.

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, 41:

Anderson	Elthon	Humbert	Mercer
Bekman	Fishbaugh	Jacobson	Molison
Berg	Hart	Knudson	Myrland
Byers	Hattery	Linnevold	Oltman
Colburn	Hedin	Lord	O'Malley
Dailey	Henningsen	Lynes	Parker
Doud	Hultman	McCarville	Ridout

Risk	Utzig	Walter	Weichman
Roberts	Van Eaton	Watson of	West
Sharp	Van Patten	O'Brien	Whitehead
Tudor	Vest		

Nays, 9:

Augustine	Fletcher	Prentis	Zastrow
Bateson	Gillespie	Watson of	
Dykhousc	Nesmith	Pottawattamie	

Absent or not voting, none.

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

### SENATE CONCURRENT RESOLUTION 17

By Fishbaugh

*Whereas*, the units of the 132nd Fighter Wing of the Iowa-Nebraska Air National Guard are now stationed at Des Moines and Sioux City, Iowa, and at Lincoln, Nebraska, awaiting transfer to Dow Air Force Base at Bangor, Maine, having been inducted into the federal service on April 1, 1951; and

*Whereas*, the 132nd Fighter Wing is composed of men from Iowa and Nebraska and it is appropriate that the General Assembly, as the representatives of the people of the State of Iowa, extend to all personnel the heartfelt appreciation of our people for the service which they are performing to protect the United States from its enemies in these troubled times; and

*Whereas*, it is the desire of the General Assembly to wish all personnel a resounding Godspeed and to express the prayer that they be always in His keeping, and that they be returned, in due time, to their homes and loved ones,

*Now, Therefore, Be It Resolved by the Senate of the Fifty-fourth General Assembly, the House Concurring:*

That a delegation from the General Assembly, composed of five Senators to be appointed by the President and five Representatives to be appointed by the Speaker of the House of Representatives, call upon the Adjutant General of the State of Iowa to convey the sentiments of the General Assembly in accordance with this resolution, and

*Be It Further Resolved:* That enrolled copies of this resolution be presented to the Adjutant General of the State of Iowa, to be forwarded to the commanding officer of said 132nd Fighter Wing, and to the Adjutant General of the State of Nebraska.

### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 109.

228, 239, 337, 338, 346, 347, 348, 349, 393, 440 and 441; House Joint Resolution 10; House Files 142, 232, 497, 574, 606, 614 and 616.

JAMES H. NESMITH, *Chairman Senate Committee.*

ELMER A. BASS, *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 109, 228, 239, 337, 338, 346, 347, 348, 349, 393, 440 and 441; House Joint Resolution 10; House Files 142, 232, 497, 574, 606, 614 and 616.

#### BILLS SENT TO THE GOVERNOR

Senator Nesmith, 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, 1951, sent to the Governor for his approval: Senate Files 109, 228, 239, 337, 338, 346, 347, 348, 349, 393, 440 and 441.

JAMES H. NESMITH, *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:

H. F. 27

#### NON-CONTROVERSIAL CALENDAR

H. F. 483

S. F. 495

H. F. 485

S. F. 43

H. F. 5

H. F. 410

H. F. 31

H. F. 115

H. F. 437

S. F. 270

H. F. 155

S. F. 500

S. F. 469

H. F. 157

H. F. 357

S. F. 494

H. F. 401

H. F. 186

ALDEN L. DOUD, *Chairman.*

#### REPORTS OF COMMITTEE

Senator Colburn submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 498**, a bill for an act providing for the payment by the



State of Iowa of a portion of the cost of construction of sanitary facilities, disposal plants and other necessary sewer facilities by the sanitary districts of Clear Lake in Cerro Gordo County and of the Great Lakes sanitary district, including Spirit Lake, East Okoboji Lake, West Okoboji, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

JAY C. COLBURN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 499**, a bill for an act to amend certain sections of the Code and providing for the imposition of a tax for the retirement of bonds of a sanitary district, and in general relating to the powers and financing of sanitary districts organized under the provisions of chapter three hundred fifty-eight (358), Code 1950, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

JAY C. COLBURN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 617**, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1951, and ending June 30, 1953, funds for various departments and various divisions thereof, of the State of Iowa, for the purpose provided by law, begs leave to report it has had the same under consideration and recommends **the same do pass.**

JAY C. COLBURN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 628**, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1951, and ending June 30, 1953, to the social welfare department for the purpose of aid to blind fund, aid to dependent children fund, child welfare fund, emergency relief fund and the old age assistance fund, begs leave to report it has had the same under consideration and recommends **the same do pass.**

JAY C. COLBURN, *Chairman.*

Ordered passed on file.

## AMENDMENT FILED

Amend House File 617, section 14, by striking lines 7 to 14, inclusive, and inserting in lieu thereof the following:

The salary of secretary.....	\$ 6,000.00
For salaries, support, maintenance and miscellaneous purposes .....	\$45,300.00
	<hr/>
	\$51,300.00
For institutional roads.....	\$10,000.00
	<hr/>

Grand total of all appropriations for all purposes for each year of the biennium for the office of board of education.....\$61,300.00

ELMER K. BEKMAN.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 10, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Clarence Tomkins, pastor of the Methodist Church and director of Friendship Haven, Fort Dodge, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Van Patten for the morning on request of Senator Lord.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Anderson, from members of the Fortnightly Club of Washington favoring proposed legislation relating to children's boarding homes.

By Senator Colburn, from residents of Shelby County favoring House File 610, relating to the state highway commission.

By Senator Doud, from residents of Polk County favoring passage of House Files 183 and 420, relating to schools; also, from Delaware and Wright County employees favoring House File 294, relating to certain benefits for county officers.

By Senator Hattery, from members of the Story County Civic Loyalty League urging liquor law enforcement.

By Senator Linnevold, from residents of Polk and Scott Counties favoring repeal of rent control.

By Senator Lynes, from members of the Acker-Matthias Unit 653, Denver, Bremer County, favoring legislation relating to the Soldiers' Home at Marshalltown; also, in opposition to Senate File 384, the anti-subversive act.

By Senator Myrland, from residents of Harrison County favoring House File 610, relating to the state highway commission.

By Senator O'Malley, from residents of the state favoring House File 183 relating to the equalization of school taxes; also, from residents of Polk County in opposition to the repeal of rent control.

By Senator Utzig, from Alma Helbig, legislative chairman of the Dubuque County Education Association, favoring House File 420, relating to the reorganization of schools and general aid.

By Senator Walter, from residents of Clinton County favoring House File 172, relating to the regulation of life insurance agents.

#### PRESENTATION OF VISITORS

Senator Mercer asked and received unanimous consent to present to the Senate twenty-eight members of the Iowa City Republican Women's Club who were present in the Senate chamber with their chairman, Mrs. Ellis Crawford.

Senator Bateson asked and received unanimous consent to present to the Senate the members of the Explorer Scout Troop of Eldora who were present in the balcony with their leader, Doyle Felton.

Senator Parker asked and received unanimous consent to present to the Senate the members of the eighth grade classes of the rural schools of Ida County who were present in the balcony with their superintendent, Mr. McNelly.

Senator O'Malley asked and received unanimous consent to present to the Senate twenty-two members of the sixth, seventh and eighth grade classes of the Clive Independent School who were present in the balcony with their instructor, Joy Ross.

Senator O'Malley asked and received unanimous consent to present to the Senate eighty-six eighth grade students of Valley Junction High, West Des Moines, who were present in the balcony with their instructors, Mrs. Frances Seidel and Adelaide Miles, and their principal, Harriette Knapp.

Senator Walter asked and received unanimous consent to present to the Senate thirteen members of the American government class of the Beaman High School who were present in the balcony with their superintendent, Arthur Perry.

Senator Knudson asked and received unanimous consent to present to the Senate thirty-six members of the American government and history classes of the Ventura High School who were present

in the balcony with their principal, Mr. Messarli, and their coach, Mr. Graham.

#### INTRODUCTION OF BILL

Senate File 504, by committee on ways and means, a bill for an act to amend chapter three hundred twenty-four (324), Code 1950, relating to motor vehicle fuel tax.

Read first and second times, and referred to the sifting committee.

#### MOTION TO RECONSIDER WITHDRAWN

Senator McCarville asked and received unanimous consent to withdraw from further consideration of the Senate the motion to reconsider the vote by which House File 94 passed the Senate.

#### HOUSE AMENDMENTS CONSIDERED

Senator Bekman called up for consideration Senate File 202, a bill for an act to amend sections two hundred fifty-four point four (254.4), two hundred fifty-four point five (254.5), two hundred fifty-four point eight (254.8), two hundred seventy-one point fourteen (271.14) and four hundred forty-four point twelve (444.12), Code 1950, relating to cost of care of persons in tuberculous hospitals and inspection of tuberculous hospitals, amended by the House, and moved that the Senate concur in the following amendment:

Amend the title to Senate File 202 by striking from lines 2, 3 and 4 the following words and figures: “, two hundred fifty-four point eight (254.8), two hundred seventy-one point fourteen (271.14)”.

The Senate concurred in the House amendment.

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

On the question “Shall the bill pass?” the vote was:

**Ayes, 48:**

Anderson	Doud	Hedin	McCarville
Augustine	Dykhousé	Henningsen	Mercer
Bateson	Elthon	Hultman	Molison
Bekman	Fishbaugh	Humbert	Myrland
Berg	Fletcher	Jacobson	Nesmith
Byers	Gillespie	LinnevoId	Oltman
Colburn	Hart	Lord	O'Malley
Dailey	Hattery	Lynes	Parker

Prentis	Tudor	Watson of	Weichman
Ridout	Utzig	O'Brien	West
Risk	Van Eaton	Watson of	Whitehead
Roberts	Vest	Pottawattamie	Zastrow
Sharp	Walter		

Nays, none.

Absent or not voting, 2:

Knudson	Van Patten
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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 called up for consideration Senate File 50, a bill for an act to amend section four hundred fifty point fifty-nine (450.59), Code 1950, relating to jurisdiction of the court in the release of real or personal property from the lien of inheritance tax, amended by the House, and moved that the Senate concur in the following amendments:

Amend the title to Senate File 50 by inserting the following after the word "act" in line two (2) of said title: "to amend section four hundred fifty point fifty-nine (450.59), Code 1950,".

Further amend Senate File 50 by striking the word and figure "Section 1." and inserting the following:

"Section 1. Section four hundred fifty point fifty-nine (450.59), Code 1950, is amended by adding thereto the following:".

The Senate concurred in the House amendments.

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

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

Ayes, 47:

Anderson	Hart	Molison	Utzig
Augustine	Hattery	Myrland	Van Eaton
Bateson	Hedin	Nesmith	Vest
Bekman	Henningsen	Oltman	Walter
Berg	Hultman	O'Malley	Watson of
Byers	Humbert	Parker	O'Brien
Colburn	Jacobson	Prentis	Watson of
Dailey	Linnevoed	Ridout	Pottawattamie
Doud	Lord	Risk	Weichman
Dykhouse	Lynes	Roberts	West
Elthon	McCarville	Sharp	Whitehead
Fletcher	Mercer	Tudor	Zastrow
Gillespie			

Nays, none.

Absent or not voting, 3:

Fishbaugh            Knudson            Van Patten

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

### THIRD READING OF BILLS

On motion of Senator Watson of O'Brien, House File 360, a bill for an act relating to the taxation and registration of motor vehicles exclusively engaged in interstate commerce and providing for reciprocity agreements; amending sections three hundred twenty-one point fifty-three (321.53), three hundred twenty-one point fifty-six (321.56) and three hundred twenty-six point two (326.2), Code 1950, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Watson of O'Brien offered the following amendment and moved its adoption:

Amend House File 360 by striking the word "act" in line 48 of section 2 and inserting in lieu thereof the word "chapter".

The amendment was adopted.

Senator Watson of O'Brien offered the following amendments and moved their adoption:

Amend House File 360 as follows:

1. By inserting after the word "to" in line 25 of section 2 the words "resident or nonresident".
2. Strike the word "the" after the word "miles" in line 29 of section 2 and insert in lieu thereof the word "such".
3. Strike from line 30 of section 2 the words "subject to this section".
4. Insert after the period (.) in line 34 of section 2 the following:  
"When a vehicle has been licensed in one of the reciprocating states under an agreement as provided herein, such vehicle shall not be subject to licensing in the other reciprocating state."
5. Strike from line 35 of section 2 the words "subject to this section".

The amendments were adopted.

Senator Fishbaugh offered the following amendment and moved its adoption:

Amend House File 360 by inserting after the word "trailer" following the word "or" in line 6 of section 3 thereof the following:

"when operated by Iowa residents in any state or by residents of such state in Iowa when such state and Iowa have executed an agreement as provided in section two (2) of this act, and,".

The amendment was adopted.

Senator Watson of Pottawattamie offered the following amendment and moved its adoption:

Amend House File 360 by striking the word "may" in line 25 of section 2 and inserting in lieu thereof the word "shall".

Senator Elthon took the chair at 11:07 a.m.

President Nicholas took the chair at 11:20 a.m.

The amendment was lost.

Senator Watson of O'Brien moved that the bill be read a third 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:

Anderson	Fishbaugh	Lynes	Tudor
Augustine	Gillespie	McCarville	Utzig
Bateson	Hart	Mercer	Van Eaton
Bekman	Hattery	Molison	Walter
Berg	Hedin	Oltman	Watson of
Byers	Henningsen	O'Malley	O'Brien
Colburn	Hultman	Parker	Weichman
Dailey	Jacobson	Ridout	West
Doud	Knudson	Risk	Whitehead
Dykhouse	Linnevoid	Roberts	Zastrow
Elthon	Lord	Sharp	

Nays, 6:

Fletcher	Myrland	Vest	Watson of
Humbert	Nesmith		Pottawattamie

Absent or not voting, 2:

Prentis	Van Patten
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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 of O'Brien moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

#### EXPLANATION OF VOTE

Senator Vest asked and received unanimous consent to have the following explanation printed in the Senate Journal:

I have voted "nay" on House File 360 because of the broad delegation of legislative authority, I feel that this bill contravenes the Iowa constitution.

On motion of Senator Hultman, Senate File 476, a bill for an act to amend section one hundred ten point one (110.1), Code 1950,



to prohibit the issuance of either a hunting or fishing license to nonresidents under certain conditions, was taken up, and considered.

Senator Watson of Pottawattamie offered the following amendment and moved its adoption:

Amend Senate File 476 by inserting immediately after the title and just before the enacting clause the following:

"Whereas, one or more states has adopted statutes discriminating against the residents of the State of Iowa with respect to privileges under hunting licenses issued by such states so that residents of the State of Iowa obtaining nonresident licenses in any such state are given fewer privileges than the residents of such other state or states, especially in respect to the taking of upland game birds and migratory waterfowl, and

"Whereas, it is the purpose of this act to prohibit the issuance of either a hunting or fishing license to the residents of such other state or states discriminating against residents of this state, and

"Whereas, it is hereby declared to be the intention and policy of the General Assembly of the State of Iowa to limit the scope of this enactment and to apply this enactment only as it may affect the taking of upland game birds, migratory waterfowl and fish,

"Now, Therefore:".

The amendment was adopted.

Senator Watson of Pottawattamie moved that the bill be read a third 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:

Anderson	Hattery	Myrland	Van Eaton
Bateson	Hedin	Nesmith	Watson of
Byers	Henningsen	Oltman	O'Brien
Colburn	Hultman	Parker	Watson of
Dykhouse	Humbert	Ridout	Pottawattamie
Fishbaugh	Lord	Risk	West
Fletcher	McCarville	Sharp	Whitehead
Gillespie	Mercer	Tudor	Zastrow
Hart			

Nays, 13:

Augustine	Linnevoold	O'Malley	Vest
Dailey	Lynes	Roberts	Walter
Jacobson	Molison	Utzig	Weichman
Knudson			

Absent or not voting, 6:

Bekman	Doud	Prentis	Van Patten
Berg	Elthon		

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 on House File 421, a bill for an act relating to fees to be charged by county officers: Representatives Hanson of Lyon, McNeal of Wright, White of Keokuk and Bass of Montgomery.

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

House Concurrent Resolution 24, providing for the publication, in pamphlet form, of the newly enacted municipal code laws.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 18, a bill for an act providing for the government of municipal corporations under the council-manager by popular election form of municipal government.

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

Senate File 20, a bill for an act providing for the government of cities and towns under the commission form of municipal government.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 23, a bill for an act relating to the mayors and police courts of cities and towns.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 164, a bill for an act defining the general powers and duties of municipal officers.

Also: 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 appeals from orders made by local school boards respecting school transportation.

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

Senate File 217, a bill for an act relating to changing the name of the state school for the blind.

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

Senate File 328, a bill for an act relating to the taxation of loan agencies.

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

House File 364, a bill for an act relating to annual tax that may be levied for maintenance of a juvenile detention home and school.

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

House File 427, a bill for an act relative to the amount due on feed inspection.

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

House File 489, a bill for an act relating to group insurance in certain cities.

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

House File 620, a bill for an act relating to the issuance of temporary sales tax permits.

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

House Joint Resolution 8, authorizing consideration of application for World War I bonus for George Dewey Ellis.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION 24

*Whereas*, the Code editor has just published a new Code, and because of that probably a Code will not be written for some time, and

*Whereas*, there is a great deal of use and demand for a municipal code that would simplify the understanding of the new municipal code laws,

*Now, Therefore, Be It Resolved by the House, the Senate Concurring:* That the Code editor be directed to publish a new municipal code in pamphlet form before the end of this year to supply the normal need for municipalities of Iowa, the cost thereof to be not less than \$1 nor more than \$2 each.

#### HOUSE AMENDMENTS TO SENATE FILE 18

Amend Senate File 18 by inserting after the word "board" in section 7, line 66, the words "of trustees or other board".

Further amend by inserting after the word "is" in section 7, line 67, the words "or was".

Further amend by inserting after the period (.) in section 7, line 70, the following new sentence: "This exception shall also apply to permanent park roads in cities now or hereafter having a population of 125,000 or more, according to the last or subsequent federal census."

#### HOUSE AMENDMENT TO SENATE FILE 23

Amend section 1 of Senate File 23 by striking all of subsection 1 and renumbering the remaining subsections.

Further amend by adding to the bill the following as a new section:

"Section three hundred sixty-seven point one (367.1), Code 1950, is amended by adding at the end thereof the following sentence: 'In cities having a population of less than fifteen thousand the council may by ordinance provide for the establishment of a police court.'"

## HOUSE AMENDMENT TO SENATE FILE 164

Amend Senate File 164 by inserting after the comma (,) in line 29, subsection 7, section 1, the words "city clerk,".

Further amend by striking the comma (,) in line 14 of subsection 3, section 3, and inserting after the word "allowed" the following "and a summary of all receipts,".

## HOUSE MESSAGES CONSIDERED

House File 364, a bill for an act to amend section two hundred thirty-two point thirty-six (232.36), Code 1950, relating to the annual tax which the board of supervisors may levy for the maintenance of a juvenile detention home and school, and to provide for an increase in the permissible tax levy for such purpose.

Read first and second times, and referred to the sifting committee.

House File 427, a bill for an act to amend section one hundred ninety-eight point eight (198.8), Code 1950, in regard to manner of submitting statements relative to the amount due on feed inspection.

Read first and second times, and referred to the sifting committee.

House File 489, a bill for an act to amend section three hundred sixty-five A point one (365A.1), Code 1950, relating to group insurance in certain cities.

Read first and second times, and referred to the sifting committee.

House File 620, a bill for an act to amend section four hundred twenty-two point fifty-three (422.53), Code 1950, relating to the issuance of temporary sales tax permits.

Read first and second times, and referred to the sifting committee.

House Joint Resolution 8, a joint resolution to authorize the action of the World War I "Bonus Board" to accept for consideration for payment the application of George Dewey Ellis for the bonus payable to veterans of World War I, notwithstanding the provisions of chapter two hundred nineteen (219), section two (2), Acts of the Fiftieth General Assembly, contrary hereto.

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

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

## AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

## PRESENTATION OF VISITORS

Senator Hattery asked and received unanimous consent to present to the Senate the members of the seventh, eighth, ninth and tenth grade classes of the Shipley Consolidated School who were present in the balcony with their coach, Bob Williams.

Senator Prentis asked and received unanimous consent to present to the Senate the members of the eighth grade class of Arispe Public School who were present in the balcony with their teacher, Mrs. Ralph Smith.

## THIRD READING OF BILLS

On motion of Senator Watson of O'Brien, House File 430, a bill for an act to amend section three hundred twenty-one point four hundred sixty-three (321.463), Code 1950, relating to the maximum legal weight of any axle or vehicle or combination of vehicles, and providing penalties for violations, and to amend section three hundred twenty-one point four hundred sixty-five (321.465), Code 1950, relating to the weighing of vehicles, and to amend section three hundred twenty-one point four hundred fifty-two (321.452), Code 1950, relating to penalties, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator McCarville moved that the bill be read a third 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:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Vest
Bateson	Hattery	Myrland	Walter
Bekman	Hedin	Nesmith	Watson of
Berg	Henningsen	Oltman	O'Brien
Byers	Hultman	Parker	Watson of
Colburn	Humbert	Prentis	Pottawattamie
Doud	Jacobson	Ridout	Weichman
Dykhouse	Knudson	Risk	West
Elthon	Linnevold	Roberts	Whitehead
Fishbaugh	Lynes	Sharp	Zastrow
Fletcher	McCarville	Tudor	

Nays, 2:

O'Malley                      Van Eaton

Absent or not voting, 3:

Dailey                      Lord                      Van Patten

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

On motion of Senator Oltman, Senate File 341, a bill for an act to provide for the rehabilitation of alcoholics who voluntarily enter or who are committed thereto as provided herein to state hospitals for treatment, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bateson offered the following amendment by Senators Bateson, Zastrow and Bekman and moved its adoption:

Amend Senate File 341 by adding following the period (.) in line 13 of section 1 the following: "Chapter 230, Code 1950, shall apply so far as applicable in connection with the payment of the costs, expenses and maintenance of the applicant in any of said institutions."

The amendment was adopted.

Senator Oltman moved that the bill be read a third 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:

Anderson	Gillespie	Mercer	Tudor
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Vest
Bekman	Hedin	Nesmith	Walter
Berg	Henningsen	Oltman	Watson of
Byers	Hultman	O'Malley	O'Brien
Colburn	Humbert	Parker	Watson of
Dailey	Jacobson	Prentis	Pottawattamie
Doud	Knudson	Ridout	Weichman
Dykhouse	Linnevold	Risk	West
Elthon	Lynes	Roberts	Whitehead
Fishbaugh	McCarville	Sharp	Zastrow
Fletcher			

Nays, none.

Absent or not voting, 3:

Lord                      Utzig                      Van Patten

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

Senator Oltman moved that the vote by which the 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 of O'Brien, House File 458, a bill for an act to amend sections three hundred twenty-one point four hundred seventy-six (321.476) and three hundred twenty-one point four hundred seventy-seven (321.477), Code 1950, relating to the weighing of vehicles, and the control of traffic on the highways, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Watson of O'Brien offered the following amendment and moved its adoption:

Amend House File 458 as follows:

1. Capitalize the letter "t" in the word "the" in line 3 of section 3.
2. Capitalize the letter "t" in the word "the" in line 5 of said section and insert after the word "The" the word "Independence".

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, 45:**

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Vest
Bekman	Hattery	Myrland	Walter
Berg	Hedin	Nesmith	Watson of
Byers	Henningsen	Oltman	O'Brien
Colburn	Hultman	Parker	Watson of
Dailey	Humbert	Prentis	Pottawattamie
Doud	Jacobson	Ridout	Weichman
Dykhouse	Knudson	Risk	West
Elthon	Linnevoold	Roberts	Whitehead
Fishbaugh	Lynes	Sharp	Zastrow
Fletcher	McCarville	Tudor	

**Nays, 2:**

Bateson            Van Eaton

**Absent or not voting, 3:**

Lord                O'Malley            Van Patten

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

On motion of Senator Watson of O'Brien, House File 408, a bill for an act to amend section three hundred twenty-one point four hundred eighty (321.480), Code 1950, relating to expenses of the highway commission involved in the weighing and inspection of motor vehicles and trailers, 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, 45:

Anderson	Fletcher	McCarville	Tudor
Augustine	Gillespie	Mercer	Utzig
Bateson	Hart	Molison	Vest
Bekman	Hattery	Myrland	Walter
Berg	Hedin	Nesmith	Watson of
Byers	Henningsen	Oltman	O'Brien
Colburn	Hultman	O'Malley	Watson of
Dailey	Humbert	Parker	Pottawattamie
Doud	Jacobson	Prentis	West
Dykhouse	Knudson	Risk	Whitehead
Elthon	Linnevold	Roberts	Zastrow
Fishbaugh	Lynes	Sharp	

Nays, none.

Absent or not voting, 5:

Lord	Van Eaton	Van Patten	Weichman
Ridout			

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

On motion of Senator Watson of O'Brien, House File 409, a bill for an act to amend section three hundred thirteen point twenty-five (313.25), Code 1950, relating to the condemnation of land by the highway commission, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Watson of O'Brien moved that the bill be read a third 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:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Vest
Bateson	Hattery	Myrland	Walter
Bekman	Hedin	Nesmith	Watson of
Berg	Henningsen	Oltman	O'Brien
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	Pottawattamie
Dailey	Jacobson	Prentis	Weichman
Dykhouse	Knudson	Risk	West
Elthon	Linnevold	Roberts	Whitehead
Fishbaugh	Lynes	Sharp	Zastrow
Fletcher	McCarville	Tudor	

Nays, none.



Absent or not voting, 5:

Doud	Ridout	Van Eaton	Van Patten
Lord			

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

On motion of Senator Bekman, Senate File 491, a bill for an act to amend section five hundred fifteen point one hundred twelve (515.112), Code 1950, relating to coinsurance riders and exceptions thereto, was taken up, and considered.

Senator Bekman offered the following amendments and moved their adoption:

Amend Senate File 491 by inserting after the word "to" in line 2 of the title the words "excess and".

Further amend Senate File 491 by striking all of section 1 thereof and substituting therefor the following:

"Section 1. Section five hundred fifteen point one hundred twelve (515.112), Code 1950, is amended by adding after the word 'for' in line two (2) thereof the following: 'insurance in excess of a stipulated amount of loss; or for'."

Amend Senate File 491 by adding an additional section as follows:

Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in The Eddyville Tribune, a newspaper published at Eddyville, Iowa, and the Ottumwa Daily Courier, a newspaper published at Ottumwa, Iowa.

The amendments were adopted.

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

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

Ayes, 45:

Anderson	Hart	Molison	Van Patten
Augustine	Hattery	Myrland	Vest
Bateson	Hedin	Nesmith	Walter
Bekman	Henningsen	Oltman	Watson of
Berg	Hultman	O'Malley	O'Brien
Colburn	Humbert	Parker	Watson of
Dailey	Jacobson	Prentis	Pottawattamie
Doud	Knudson	Risk	Weichman
Dykhouse	Linnevold	Sharp	West
Elthon	Lynes	Tudor	Whitehead
Fletcher	McCarville	Utzig	Zastrow
Gillespie	Mercer	Van Eaton	

Nays, none.

Absent or not voting, 5:

Byers	Lord	Ridout	Roberts
Fishbaugh			

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

On motion of Senator Dykhouse, House File 350, a bill for an act to amend section three hundred forty-nine point seventeen (349.17), Code 1950, relating to official newspapers, was taken up, and considered.

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

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

**Ayes, 49:**

Anderson	Gillespie	Molison	Van Eaton
Augustine	Hart	Myrland	Van Patten
Bateson	Hattery	Nesmith	Vest
Bekman	Hedin	Oltman	Walter
Berg	Henningsen	O'Malley	Watson of
Byers	Hultman	Parker	O'Brien
Colburn	Humbert	Prentis	Watson of
Dailey	Jacobson	Ridout	Pottawattamic
Doud	Knudson	Risk	Weichman
Dykhouse	Linnevold	Roberts	West
Elthon	Lynes	Sharp	Whitehead
Fishbaugh	McCarville	Tudor	Zastrow
Fletcher	Mercer	Utzig	

**Nays, none.**

**Absent or not voting, 1:**

Lord

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

On motion of Senator Dykhouse, House File 351, a bill for an act to amend section six hundred eighteen point eleven (618.11), Code 1950, relating to fees for publication, was taken up, and considered.

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

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

**Ayes, 49:**

Anderson	Doud	Hedin	McCarville
Augustine	Dykhouse	Henningsen	Mercer
Bateson	Elthon	Hultman	Molison
Bekman	Fishbaugh	Humbert	Myrland
Berg	Fletcher	Jacobson	Nesmith
Byers	Gillespie	Knudson	Oltman
Colburn	Hart	Linnevold	O'Malley
Dailey	Hattery	Lynes	Parker

Prentis	Tudor	Walter	Weichman
Ridout	Utzig	Watson of	West
Risk	Van Eaton	O'Brien	Whitehead
Roberts	Van Patten	Watson of	Zastrow
Sharp	Vest	Pottawattamie	

Nays, none.

Absent or not voting, 1:

Lord

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

### BILLS WITHDRAWN

Senator Dykhouse asked and received unanimous consent that Senate Files 394 and 395 be withdrawn from further consideration of the Senate.

On motion of Senator Bateson, House File 158, a bill for an act to amend chapter one hundred seventy-seven (177), Code 1950, relating to corn and small grain growers association, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Oltman moved that the bill be read a third 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:

Anderson	Gillespie	Molison	Van Eaton
Augustine	Hart	Myrland	Van Patten
Bateson	Hattery	Nesmith	Vest
Bekman	Hedin	Oltman	Walter
Berg	Henningsen	O'Malley	Watson of
Eyers	Hultman	Parker	O'Brien
Colburn	Humbert	Prentis	Watson of
Dailey	Jacobson	Ridout	Pottawattamie
Doud	Knudson	Risk	Weichman
Dykhouse	Linnevold	Roberts	West
Elthon	Lynes	Sharp	Whitehead
Fishbaugh	McCarville	Tudor	Zastrow
Fletcher	Mercer	Utzig	

Nays, none.

Absent or not voting, 1:

Lord

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

## BILL WITHDRAWN

Senator Bateson asked and received unanimous consent that Senate File 155 be withdrawn from further consideration of the Senate.

## MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate Concurrent Resolution 15, fixing the date for the sine die adjournment of the Fifty-fourth General Assembly.

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

Senate File 350, a bill for an act relating to the power of the executive council to assign rooms in the capitol.

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

Senate File 368, a bill for an act providing for conveying to the United States certain lands in Allamakee and Clayton Counties.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 403, a bill for an act providing a method of obtaining jurisdiction over nonresident employers under workmen's compensation, etc.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 447, a bill for an act relating to payments charged against an employer.

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

House File 207, a bill for an act relating to motor vehicles and law of road.

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

House File 253, a bill for an act relating to compensation of petit jurors.

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

House File 348, a bill for an act relating to the appointment and compensation of juvenile court probation officers and secretaries.

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

House File 633, a bill for an act relating to compensation of the clerk of the grand jury.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO  
SENATE CONCURRENT RESOLUTION 15

Amend Senate Concurrent Resolution 15 by striking all after the word "at" in line 2 and inserting in lieu thereof the following: "twelve o'clock noon, Central Standard Time, April 17, 1951."

HOUSE AMENDMENT TO SENATE FILE 403

Amend Senate File 403 by adding a new section as follows:

"Sec. 3. The term nonresident employer as used in this act shall not be construed to mean foreign corporations lawfully qualified to transact business within the State of Iowa under chapter 494, Code 1950."

HOUSE AMENDMENT TO SENATE FILE 447

Amend Senate File 447 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Amend section ninety-six point seven (96.7), subsection three a. two (3-a-(2) ), Code of 1950, by adding at the end of said section the following: 'Provided, that in any case in which a claimant to whom such benefits are paid is in the employ of a base period employer at the time he is receiving such benefits, and he is receiving the same employment from such employer that he received during his base period, then no charge of benefits paid to such claimant shall be made against the account of such employer.'"

HOUSE MESSAGES CONSIDERED

House File 207, a bill for an act to amend chapter three hundred twenty-one (321), Code 1950, relating to motor vehicles and law of road.

Read first and second times, and referred to the sifting committee.

House File 253, a bill for an act to amend section six hundred seven point five (607.5), Code 1950, relating to compensation of petit jurors.

Read first and second times, and referred to the sifting committee.

House File 348, a bill for an act to amend section two hundred thirty-one point eight (231.8), Code 1950, relating to the appointment and compensation of juvenile court probation officers and secretaries.

Read first and second times, and referred to the sifting committee.

House File 633, a bill for an act to amend section seven hundred

seventy point twenty-one (770.21), Code 1950, relating to compensation of the clerk of the grand jury.

Read first and second times, and referred to the sifting committee.

#### HOUSE AMENDMENTS CONSIDERED

Senator Elthon called up for consideration Senate Concurrent Resolution 15, fixing the date for the sine die adjournment of the Fifty-fourth General Assembly, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate Concurrent Resolution 15 by striking all after the word "at" in line 2 and inserting in lieu thereof the following: "twelve o'clock noon, Central Standard Time, April 17, 1951."

The Senate concurred in the House amendment.

On motion of Senator Elthon, the resolution as amended was adopted.

#### COMMUNICATION

Senator Elthon asked and received unanimous consent that the following be printed in the Senate Journal:

#### OKLAHOMA STATE DEPARTMENT Oklahoma City

April 6, 1951.

To the Honorable President  
of the Senate  
State of Iowa.

Dear Sir:

I am directed by the House of Representatives\* to transmit herewith: Enrolled House Concurrent Resolution 26 by Langley (Muskogee), Ozmun, Barnes, Berry, Card, Craig, Doty, Harkey (McCurtain), Hert, Humphreys, Musgrave, Reynolds (Oklahoma), Speakman and Sumrall of the House and Gary, Baldwin, Carrier, Cartwright, Cook, Dacus, Garvin, Hope, Irwin, Logan, Medlock, Miskovsky, Price, Walker, White and Worthington of the Senate.

A concurrent resolution memorializing the Congress to propose an amendment to the Constitution of the United States relating to fiscal matters.

and to advise you that the resolution has been adopted by both the House of Representatives and the Senate and signed by the presiding officer of each house in open session.

Respectfully,  
JOHN D. CONNER,  
*Secretary of State.*

## ENROLLED HOUSE CONCURRENT RESOLUTION 26

By Langley (Muskogee), Ozmun, Barnes, Berry, Card, Craig, Doty, Harkey (McCurtain), Hert, Humphreys, Musgrave, Reynolds (Oklahoma), Speakman and Sumrall of the House and Gary, Baldwin, Carrier Cartwright, Cook, Dacus, Garvin, Hope, Irwin, Logan, Medlock, Miskovsky, Price, Walker, White and Worthington of the Senate

A concurrent resolution memorializing the Congress to propose an amendment to the Constitution of the United States relating to fiscal matters.  
*Be It Resolved by the House of Representatives of the State of Oklahoma, the Senate concurring therein:*

Section 1. The Legislature of the State of Oklahoma hereby respectfully petitions the Congress of the United States to propose the following article as an amendment to the Constitution of the United States:

## ARTICLE .....

On the first day of each regular session, the President shall transmit to the Congress his estimates of the receipts of the government during the ensuing fiscal year under the laws existing on such date, together with his recommendations as to the purposes for which such receipts shall be expended, and except in time of war or during the period ending on the date of the expiration of one (1) full fiscal year after the termination thereof, the Congress shall not appropriate money for expenditure during such fiscal year in excess of such estimated receipts, as transmitted or as modified or revised by the President, except by a vote of three-fifths (3/5) of each house taken by yeas and nays. In the event the Congress shall without the said three-fifths (3/5) vote of each house taken by the yeas and nays appropriate money in excess of the estimated receipts for said fiscal year, then the President is authorized and directed to reduce all appropriations made by the Congress, except for the payment of claims against the United States the justice of which shall have been judicially declared by such tribunal as may be established by the Congress for the investigation of claims against the government, for permanent appropriations, appropriations for servicing the public debt, appropriations for veterans' pensions and benefits, and trust expenditures, by such uniform percentage deductions as will bring total appropriations within the estimated or subsequently modified or revised receipts.

Section 2. The Legislature of the State of Oklahoma further respectfully petitions the Congress of the United States that it provide that such amendment to the Constitution of the United States shall be effective when ratified by the legislatures of three-fourths ( $\frac{3}{4}$ ) of the several states.

Section 3. The Secretary of State of the State of Oklahoma is hereby directed to send certified copies of this concurrent resolution to the Secretary of the Senate of the United States, to the Clerk of the House of Representatives of the United States, to each member of the Congress from the State of Oklahoma, and to the chief executive and presiding officers of the legislative bodies of each of the several states.

Adopted by the House of Representatives the 3rd day of April, 1951.

JAMES M. BULLARD,

*Speaker of the House of Representatives.*

Adopted by the Senate the 29th day of March, 1951.

BOYD COWDEN,

*President Pro tem of the Senate.*

#### OFFICE OF SECRETARY OF STATE

Received by the Secretary of State

this 4th day of April, 1951,

at 3:00 o'clock a.m.

JOHN D. CONNER.

By:

Correctly enrolled: William L. Jones, Chairman, Committee on Enrolled and Enrolled Bills.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 94.

JAMES H. NESMITH, *Chairman Senate Committee.*

ELMER A. BASS, *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 94.

#### PROOF OF PUBLICATION

Published copy of Senate File 494 and verified proof of publication of said bill in the Centerville Daily Iowegian and Citizen, on April 7, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE, *Secretary of Senate.*

#### REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE 422

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

We, the undersigned members of the conference committee appointed to consider the difference between the House and the Senate on House File 422, a bill for an act to set the compensation of county officials and their deputies and clerks, beg leave to report and make the following recommendations:

1. That the House concur in the Senate amendments to sections 1, 6, 7 and 13.



2. That section 4 be amended by striking lines 8 to 14, inclusive, and inserting in lieu thereof the following: "In any county in which more than two deputies are required, and such additional deputies are of equal ability, such deputies shall receive an annual salary of not more than sixty-five per cent of the salary of his or her principal. The board of supervisors shall fix all compensation for extra help and clerks."

3. That section 8 be amended by striking all of said section and inserting in lieu thereof the following:

"Sec. 8. Section three hundred forty point nine (340.9), Code 1950, is hereby amended by striking therefrom subsections eleven (11) to fifteen (15), inclusive, and inserting in lieu thereof the following:

"11. Sixty thousand and less than seventy thousand, five thousand dollars.

"12. Seventy thousand and less than eighty thousand, fifty-three hundred dollars.

"13. Eighty thousand and less than one hundred thousand, fifty-eight hundred dollars.

"14. One hundred thousand and less than one hundred fifty thousand, sixty-four hundred dollars.

"15. One hundred fifty thousand and over, sixty-eight hundred dollars."

4. That section 9 be amended by striking lines 4, 5, 6 and 7, and inserting in lieu thereof the following: "Further amend section four hundred forty-one point six (441.6), Code 1950, by striking the period (.) at the end thereof and inserting the following: ' provided, however, that with the approval of the board of supervisors the county conference may fix such salary in excess of the salary of the county auditor.'"

5. That the Senate recede from their amendment to section 11 and that section 11 be amended by adding the following paragraph after line 4: "Section three hundred forty point seven (340.7), Code 1950, is further amended by striking from line three (3) of subsection sixteen (16) the word 'three' and inserting in lieu thereof the word 'six.'"

6. That the Senate recede from their amendment to section 12.

7. That the Senate recede from their amendment to section 14 and that section 14 be amended to read as follows: "No county officer of a county with a population of eighty thousand (80,000) or less shall draw a salary in excess of fifty-three hundred dollars (\$5300)."

8. That the House concur in the following Senate amendment: "Further amend House File 422 by renumbering all sections where necessary."

9. That the Senate recede from their amendment to the title.

Respectfully submitted,

HARRY E. WEICHMAN.

FRANK C. BYERS.

GEORGE E. O'MALLEY.

On the Part of the Senate.

A. C. HANSON.

L. DEE MALLONEE.

MRS. JOHN W. CRABB.

RUSSELL A. PATRICK.

On the Part of the House.

#### AMENDMENTS FILED

Amend Senate File 477 as follows:

1. Amend Senate File 477, section 2, line 8, by

striking the figures "\$5,500,000.00" and inserting in lieu thereof the figures "\$5,600,000.00". Further amend by striking the figures "\$5,703,000.00" in line 15 and inserting in lieu thereof the figures "\$5,803,000.00".

Further amend section 2 by adding after line 14 the following:

"In addition to the appropriations previously enumerated, there is hereby appropriated the additional sum of \$500,000. No part of this appropriation shall be disbursed, however, until an authenticated showing of necessity is made to the budget and financial control committee, and approved by said committee. Any unused portion of this additional appropriation shall revert to the general fund of the state.....\$500,000.00"

2. Amend Senate File 477, section 7, line 8, by striking the figures "\$3,300,000.00" and inserting in lieu thereof the figures "\$3,550,000.00". Further amend by striking the figures "\$5,600,000.00" in line 17 and inserting in lieu thereof the figures "\$5,850,000.00".

Further amend section 7 by adding after line 15 the following:

"In addition to the appropriations previously enumerated, there is hereby appropriated the additional sum of \$500,000.00. No part of this appropriation shall be disbursed, however, until an authenticated showing of necessity is made to the budget and financial control committee, and approved by said committee. Any unused portion of this additional appropriation shall revert to the general fund of the state.....\$500,000.00"

H. M. KNUDSON.

Amend House File 117 by adding as new sections the following:

"Sec. 2. In any county having three (3) members of the board of supervisors elected at large, the board of supervisors, the county auditor and the clerk of the district court at the time provided for the regular meeting of the board in January in any even-numbered year may divide its county into three supervisor districts corresponding to the number of miles of road in such county. Such districts shall be as nearly equal in miles of road as practicable and shall embrace a territory as compact as is practicable considering the miles of road and the location of the roads in such districts. In the laying out of such districts corporation boundaries shall not necessarily be considered as district boundaries wherein the division board set up by this act feels the purpose of the act will be best served by not following such corporation boundaries. Each of said districts shall be entitled to one member residing therein on said board to be elected at large by the electors of the entire county.

"Sec. 3. In setting out such districts the division board shall number such districts 1, 2 and 3. Should there be a district

in which no supervisors live such district shall be district No. 1. Should there be two districts wherein no supervisors live they shall be Nos. 1 and 2. At the next general election following the setting up of such districts there shall be a supervisor elected in each of said districts wherein no supervisor lives and no supervisor shall be elected in a district in which there is a holdover supervisor.

"Sec. 4. No supervisor so elected shall serve until there is a vacancy in such district having more than one member and such vacancy shall be for the same term as the supervisor elect in such district was elected to fill."

SHERMAN WEST.  
F. E. SHARP.  
(L. W. ABEL.)

Amend House File 483, section 5, subsection 2, line 16, by inserting after the word "sale" the following: "for human consumption".

CARL T. ANDERSON.

Amend House File 617, section 30, line 7, by adding after the word "inspectors" the following:

"who shall hold a certificate of competency as a mine foreman and as a hoisting engineer and who will not attain the age of 65 years,"

E. K. BEKMAN.

Amend Senate File 417 by striking section 1 and renumbering the following sections.

LEO ELTHON.

Amend the amendment to Senate File 417, filed by Weichman, et al., on April 4, 1951, by inserting after the comma (,) following the word "commission" in line 15 the word and comma "salary,".

HARRY E. WEICHMAN.

Amend House File 152 as follows: Strike lines 5 to 9, inclusive, and insert in lieu thereof the following: "The society is authorized to use or permit the use of its grounds and facilities for other lawful purposes during the interval between fairs, except that such use shall not be in direct competition with a privately owned enterprise of the same kind in the community."

DEVERE WATSON.

Amend House File 288, section 8, to read as follows:

"This act being deemed of immediate importance shall be in full force and effect upon its publication in the Clayton County Register, a newspaper published at Elkader, Iowa, and in The Oakland Acorn, a newspaper published at Oakland, Iowa."

COMMITTEE ON PUBLIC LANDS AND BUILDINGS.  
F. E. SHARP, *Chairman.*

Amend House File 288 by inserting in section 4 as a new subsection the following: "1. The renegotiation of the entire contract by a certified public accountant, who shall make an audit of the account for work done and materials furnished to the date of the cessation of performance by the contractor; the contractor shall be entitled to a net profit of not to exceed six per cent (6%) if he is not in wrongful default of performance, and he shall refund all sums in excess thereof to the public corporation."

Re-number the remaining subsections.

EARL C. FISHBAUGH, JR.  
R. W. ZASTROW.

Amend House File 288 by striking all of section 6 and inserting in lieu thereof the following:

"The provisions of this act shall not apply unless it is specifically contracted for between the contracting parties."

RALPH W. ZASTROW.

Amend House File 288 as follows:

1. Strike the words "or indirectly" in line 2 of section 1.
2. Insert after the word "a" in line 5 of section 1 the words "situation which the President of the United States has declared to be".
3. Strike sections 2, 3, 4, 5, 6 and 8.
4. Re-number section 7.

EARL C. FISHBAUGH, JR.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 11, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Robert G. Farr, pastor of the Methodist Church, Douds, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Doud, from residents of Polk County favoring proposed school legislation.

By Senator Henningsen, from members of the Clinton Teachers' Association and the American Association of University Professors, State University of Iowa, in opposition to the anti-subversive act; also, from members of the Parent-Teacher Association of North School, Clinton, in opposition to legislation relating to teachers' contracts and the anti-subversive act; also, from residents of Clinton County favoring proposed school legislation; also, favoring legislation relating to the payment of sales and use tax by tax certifying or levying bodies; also, from C. V. Carlson, president of the Clinton Life Underwriters, favoring legislation relating to certain qualifications of life insurance agents; also, from residents of Polk and Scott Counties favoring the repeal of rent control.

By Senator Myrland, from residents of Harrison County favoring legislation relating to the state highway commission.

## PRESENTATION OF VISITORS

Senator Van Patten asked and received unanimous consent to present to the Senate twenty-seven members of the sixth and seventh grade classes of the Martensdale Public School who were present in the balcony with their teacher, Mrs. Clark Mahr.

Senator O'Malley asked and received unanimous consent to present to the Senate students and faculty members of the Capital City Commercial College of Des Moines who were present in the balcony with the president, Margaret Davenport.

Senator Weichman asked and received unanimous consent to present to the Senate five members of the Explorer Scout Troop 45 of Newhall who were present in the balcony with their advisor, David E. Weichman.

Senator O'Malley asked and received unanimous consent to present to the Senate the members of the American government class of the Polk City High School who were present in the balcony with their superintendent, T. J. Barnes.

Senator Mercer asked and received unanimous consent to present to the Senate eighteen members of the senior class of the Oxford High School who were present in the balcony with J. B. MacAreavy.

Senator McCarville asked and received unanimous consent to present to the Senate sixteen members of the junior and senior American government classes of the Harcourt High School who were present in the balcony with their superintendent, Harold Mann, and Richard Skain.

Senator Weichman asked and received unanimous consent to present to the Senate twenty-three members of the government class of the Garrison High School who were present in the balcony with their superintendent, R. L. Holliday.

#### SENATE CONCURRENT RESOLUTION

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

#### SENATE CONCURRENT RESOLUTION 17

By Fishbaugh

*Whereas*, the units of the 132nd Fighter Wing of the Iowa-Nebraska Air National Guard are now stationed at Des Moines and Sioux City, Iowa, and at Lincoln, Nebraska, awaiting transfer to Dow Air Force Base at Bangor, Maine, having been inducted into the federal service on April 1, 1951; and

*Whereas*, the 132nd Fighter Wing is composed of men from Iowa and Nebraska and it is appropriate that the General Assembly, as the representatives of the people of the State of Iowa, extend to all personnel the heartfelt appreciation of our people for the service which they are performing to protect the United States from its enemies in these troubled times; and

*Whereas*, it is the desire of the General Assembly to wish all personnel a resounding Godspeed and to express the prayer that they be always in His keeping, and that they be returned, in due time, to their homes and loved ones,

*Now, Therefore, Be It Resolved by the Senate of the Fifty-fourth General Assembly, the House Concurring:*

That a delegation from the General Assembly, composed of five Senators to be appointed by the President and five Representatives to be appointed by the Speaker of the House of Representatives, call upon the Adjutant General of the State of Iowa to convey the sentiments of the General Assembly in accordance with this resolution, and

*Be It Further Resolved:* That enrolled copies of this resolution be presented to the Adjutant General of the State of Iowa, to be forwarded to the commanding officer of said 132nd Fighter Wing, and to the Adjutant General of the State of Nebraska.

The resolution was unanimously adopted.

Senator Fishbaugh asked and received unanimous consent that the resolution be immediately messaged to the House, which request was complied with.

#### INTRODUCTION OF BILLS

Senate File 505, by committee on claims, a bill for an act to make appropriations to sheriff of Marshall County (General Mills, Inc.), West Riverside Independent School District, Grant Township Independent School District, Garfield Township Independent School District, Red Oak Township School District, Stennett Consolidated School District, Pomeroy Independent School District.

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

Senate File 506, by committee on claims, a bill for an act to make appropriations to certain named persons in settlement of damages sustained by them on account of accidents on primary roads, or on account of collisions with state highway equipment, or on account of acts of commission or omission by the state highway commission or its employees.

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

Senate File 507, by committee on claims, a bill for an act to make appropriation to trustee of Robert O. Winn in settlement of claim made against the State of Iowa.

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

Senate File 508, by committee on claims, a bill for an act to make appropriations to certain named persons in settlement of claims made against the State of Iowa.

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

Senate File 509, by committee on claims, a bill for an act to make appropriations to certain persons in settlement of claims for re-funds for motor vehicle license.

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

Senate File 510, by committee on claims, a bill for an act to make appropriations to certain named persons in settlement of claims made against the State of Iowa.

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

### THIRD READING OF BILLS

On motion of Senator Colburn, House File 628, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1951, and ending June 30, 1953, to the social welfare department for the purpose of aid to blind fund, aid to dependent children fund, child welfare fund, emergency relief fund and the old age assistance fund, 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, 50:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow



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.

On motion of Senator Colburn, Senate File 498, a bill for an act providing for the payment by the State of Iowa of a portion of the cost of construction of sanitary facilities, disposal plants and other necessary sewer facilities by the sanitary districts of Clear Lake in Cerro Gordo County and of the Great Lakes sanitary district, including Spirit Lake, East Okoboji Lake, West Okoboji Lake and other state owned waters in Dickinson County, Iowa, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Prentis moved the previous question on Senate File 498, which motion prevailed.

Senator Watson of O'Brien moved that the bill be read a third 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:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

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.

On motion of Senator Colburn, Senate File 499, a bill for an act to amend sections three hundred fifty-eight point sixteen (358.16), three hundred fifty-eight point eighteen (358.18), three hundred fifty-eight point twenty (358.20), three hundred fifty-eight point twenty-one (358.21) and three hundred fifty-eight point twenty-

two (358.22), Code 1950, providing for the imposition of a tax for the retirement of bonds of a sanitary district, and in general relating to the powers and financing of sanitary districts organized under the provisions of chapter three hundred fifty-eight (358), Code 1950, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Doud asked and received unanimous consent that House File 613 be withdrawn from the sifting committee.

Senator Watson of O'Brien asked and received unanimous consent that House File 613 be substituted for Senate File 499.

On motion of Senator Watson of O'Brien, House File 613, a bill for an act to amend sections three hundred fifty-eight point sixteen (358.16), three hundred fifty-eight point eighteen (358.18), three hundred fifty-eight point twenty (358.20), three hundred fifty-eight point twenty-one (358.21) and three hundred fifty-eight point twenty-two (358.22), Code 1950, providing for the imposition of a tax for the retirement of bonds of a sanitary district, and in general relating to the powers and financing of sanitary districts organized under the provisions of chapter three hundred fifty-eight (358), Code 1950, was taken up, and considered.

Senator Watson of O'Brien moved that the bill be read a third 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:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

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.

## BILL WITHDRAWN

Senator Watson of O'Brien asked and received unanimous consent that Senate File 499 be withdrawn from further consideration of the Senate.

## HOUSE AMENDMENTS CONSIDERED

Senator McCarville called up for consideration Senate File 403, a bill for an act to amend chapters eighty-five (85) and eighty-six (86), Code 1950, so as to provide a method of obtaining jurisdiction over nonresident employers under the workmen's compensation and occupational disease compensation laws, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 403 by adding a new section as follows:

"Sec. 3. The term nonresident employer as used in this act shall not be construed to mean foreign corporations lawfully qualified to transact business within the State of Iowa under chapter 494, Code 1950."

The Senate concurred in the House amendment.

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

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

Ayes, 50:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevoled	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

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 McCarville called up for consideration Senate File 447, a bill for an act to amend section ninety-six point seven (96.7), Code 1950, relating to payments charged against an employer, amended

by the House, and moved that the Senate concur in the following amendment :

Amend Senate File 447 by striking all after the enacting clause and inserting in lieu thereof the following :

"Section 1. Amend section ninety-six point seven (96.7), subsection three a. two (3-a-(2)), Code 1950, by adding at the end of said section the following: 'Provided, that in any case in which a claimant to whom such benefits are paid is in the employ of a base period employer at the time he is receiving such benefits, and he is receiving the same employment from such employer that he received during his base period, then no charge of benefits paid to such claimant shall be made against the account of such employer.'"

The Senate concurred in the House amendment.

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

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

Ayes, 48:

Anderson	Hart	Myrland	Van Eaton
Augustine	Hattery	Nesmith	Van Patten
Bateson	Henningsen	Oltman	Vest
Bekman	Hultman	O'Malley	Walter
Berg	Humbert	Parker	Watson of
Byers	Jacobson	Prentis	O'Brien
Colburn	Knudson	Ridout	Watson of
Dailey	Linnenvold	Risk	Pottawattamie
Dykhouse	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	West
Fishbaugh	McCarville	Tudor	Whitehead
Fletcher	Mercer	Utzig	Zastrow
Gillespie	Molison		

Nays, none.

Absent or not voting, 2:

Doud                      Hedin

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

### THIRD READING OF BILLS

On motion of Senator Augustine, Senate File 417, a bill for an act to amend chapter one hundred twenty-three (123), Code 1950, to prevent the liquor control commission from discriminating against a citizen of Iowa and to provide a method of subpoenaing evidence from companies selling liquor or wine in Iowa, with report

of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Weichman offered the following amendment by Senators Weichman, Elthon, Lynes and Fishbaugh:

Amend Senate File 417 by striking all of subsection 2 thereof and inserting in lieu thereof the following:

"2. No purchase of liquor or wine shall be made from any vendor by the Iowa Liquor Control Commission or any warrant issued in payment thereof unless prior to such purchase a written agreement shall have been executed and filed with the Secretary of State wherein the vendor agrees, as a part of such sale and purchase, to file within ten (10) days after the close of each month a verified detailed monthly report, which report shall contain the following information:

"1. A statement of all sales made during such period to said commission.

"2. The sale price of such wine and liquor.

"3. Any commission, bonus or discount paid to any person, agent or the commission in connection with such sale or sales.

"4. A list of all contributions made to any person, agent, or organization because of such sale or sales.

"5. An agreement that the books and records of the vendor will be presented upon request and forthwith to the Attorney General, Department of Justice, or any other legally constituted investigating body for auditing and examination. Such written agreement shall be filed with the Secretary of State and shall not be available to anyone except the Governor, Attorney General, Department of Justice or any legally constituted investigating body of the state."

Further amend Senate File 417 by adding the following:

"Sec. 2. A failure to file such agreement or comply with the terms thereof or exhibit such books and records, when demanded, shall make such vendor ineligible to make any further sales to the Iowa Liquor Control Commission or receive warrants in payment of any sales until such time as said vendor shall perform the conditions of the agreement above set out."

Further amend the title to Senate File 417 by striking all after the word "Act" in line 1 and inserting in lieu thereof the following:

"to amend chapter one hundred twenty-three (123), Code 1950, to prevent the liquor control commission from discriminating against the citizens of Iowa and to require vendors to file reports and submit their books and records for examination."

Senator Weichman offered the following amendment to the amendment and moved its adoption:

Amend the amendment by inserting after the comma (,) following the word "commission" in line 15 the word and comma "salary,".

The amendment to the amendment 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 Senate is asked:

House Concurrent Resolution 26, providing for the responsibility in connection with the closing of the session of the Fifty-fourth General Assembly.

Also: That the House has concurred in Senate amendments to and passed House File 360, a bill for an act relating to the taxation and registration of motor vehicles.

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

House File 363, a bill for an act relating to annual levies for ordinary county revenue.

Also: That the House has concurred in Senate amendments to and passed House File 458, a bill for an act relating to the weighing of vehicles and control of traffic on the highways.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE CONCURRENT RESOLUTION 26

By Appropriations Committee

*Be It Resolved by the House, the Senate Concurring:* That the budget and financial control committee, together with the President of the Senate and the Speaker of the House, assume full responsibility in determining the policies incident to the details of closing the session of the Fifty-fourth General Assembly, and the reconvening of any special or subsequent regular session, and that after such policies and decisions have been formulated, the budget and financial control committee will assume full responsibility for directing the details and the work in connection with the same.

*Be It Further Resolved:* That the budget and financial control committee direct the Secretary of the Senate and the Chief Clerk of the House to make an inventory of all equipment and supplies on hand at the close of the session, and thereafter said committee shall assume complete jurisdiction with respect to loan or sale to the several departments of state of any such equipment and supplies.

*Be It Further Resolved:* That the budget and financial control committee is hereby authorized to direct any and all work in connection with the convening of any special or subsequent regular session of the General Assembly. It shall have the power, by purchase or through the executive council in accordance with section 19.25, Code 1950, to provide all the supplies required for the convening of the next regular or any special session of the General Assembly.

*Be It Further Resolved:* That the said budget and financial control committee, together with the state printer, make a survey of the possibility of reducing the cost of printing for a legislative session, and make

its recommendation to any subsequent regular or special session in regard to the same.

*Be It Further Resolved:* That in the event any equipment now belonging to the legislative department be loaned to any department of state or used during the interim, it shall be with the understanding that said equipment be returned and made available to any subsequent regular or special session in substantially the same condition that it was when it was loaned.

*Be It Further Resolved:* That any officers or employees of the Fifty-fourth General Assembly who shall be engaged by the budget and financial control committee for work in connection with the closing up of the work of the Fifty-fourth General Assembly, or the reconvening of any subsequent regular or special session, shall be compensated for such services at the same rate per diem as was fixed for the regular session of the Fifty-fourth General Assembly.

#### HOUSE MESSAGES CONSIDERED

House File 363, a bill for an act to amend section two hundred thirty point twenty-four (230.24), Code 1950, relating to the care and support of insane persons outside of a state hospital for the insane and to provide for an increase in the permissible tax levy for such purpose in certain counties; and to amend section four hundred forty-four point nine (444.9), Code 1950, relating to annual levies for ordinary county revenue.

Read first and second times, and referred to the sifting committee.

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

#### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

#### SENATE CONCURRENT RESOLUTION 18

By Fishbaugh, Elthon, Dykhouse, Hart, Doud, Hattery, Watson of Pottawattamie, Prentis, Lord and Risk

*Whereas*, General of the Army Douglas MacArthur, the pre-eminent hero of Bataan, the glorious symbol of our nation to the defeated Japanese and all the peoples of the Orient, has been relieved of his command by an unbelievable act on the part of the President of the United States; and

*Whereas*, such an act is unprecedented in the history of our nation, and is fraught with tragic consequences to the United States and the entire world;

*Now, Therefore, Be It Resolved by the Senate, the House of Representatives Concurring:* That the Congress of the United States is hereby re-

spectfully petitioned immediately to request General MacArthur to appear before it that he may make to this nation and to the world a full and complete report of the Korean and Far Eastern situation, and that he be requested to submit his recommendations for the proper conduct and completion of the conflict in Korea and for the handling of affairs in the Orient.

*Be It Further Resolved:* That a copy of this resolution be sent to each member of the Iowa delegation in the Congress, to the President of the United States Senate, to the Speaker of the House of Representatives, and to our beloved hero, General MacArthur.

#### PRESENTATION OF VISITORS

Senator Walter asked and received unanimous consent to present to the Senate thirty members of the American government class of the Green Mountain High School who were present in the balcony with their superintendent, C. W. Vincent, and their instructor, Marshall McCunnice.

Senator Linnevold asked and received unanimous consent to present to the Senate the members of the American government class of the Cresco High School who were present in the balcony with their instructor, David Clayton.

#### COMMITTEE APPOINTED

Senator Elthon announced to the members of the Senate the death of the father of Senator Van Patten and moved that the President of the Senate appoint a committee to represent the Senate at the funeral of Mr. Van Patten on Saturday, April 14, 1951.

The motion prevailed, and President Nicholas appointed as such committee Senators Gillespie, Nesmith, Fletcher, Roberts and Knudson.

#### THIRD READING OF BILLS

The Senate resumed consideration of Senate File 417, and the amendment filed by Senator Weichman, et al.

Senator Dailey offered the following amendment to the amendment and moved its adoption:

Amend the amendment by inserting after the comma (,) in line 15 the following: "retainer, fee and all other forms of remuneration of any kind whatsoever paid for services rendered to any distillery."

The amendment to the amendment was adopted.



Senator Byers offered the following amendment to the amendment and moved its adoption :

Amend the amendment by striking from line 21 the words "will be presented" and inserting in lieu thereof the following :

"shall be available and open to inspection".

Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" the vote was :

Ayes, 38:

Augustine	Fletcher	McCarville	Tudor
Bateson	Gillespie	Mercer	Utzig
Bekman	Hart	Myrland	Van Eaton
Berg	Hattery	Nesmith	Watson of
Byers	Hedin	Oltman	O'Brien
Colburn	Henningesen	O'Malley	Watson of
Dailey	Hultman	Parker	Pottawattamie
Doud	Humbert	Prentis	West
Dykhouse	Jacobson	Ridout	Whitehead
Elthon	Lord	Roberts	Zastrow

Nays, 8:

Anderson	Lynes	Sharp	Walter
Fishbaugh	Molison	Van Patten	Weichman

Asent or not voting, 4:

Knudson	Linnevold	Risk	Vest
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The amendment to the amendment was adopted.

Senator Jacobson offered the following amendment to the amendment and moved its adoption :

Amend the amendment by inserting in line 7 after the word "State" the following: "granting permission by the vendor to make available to any legally authorized investigating body their books and records which pertain to transactions with the Iowa Liquor Control Commission or any citizen of this state and granting the privilege of subpoenaing said records for use in this state and".

The amendment to the amendment was adopted.

Senator Whitehead moved the previous question on all amendments and the main bill, which motion prevailed.

Senator Weichman moved the adoption of the amendment as amended and requested a roll call.

On the question "Shall the amendment as amended be adopted?" the vote was :

**Ayes, 10:**

Doud	Jacobson	Vest	Weichman
Fishbaugh	Lynes	Walter	Zastrow
Fletcher	Risk		

**Nays, 38:**

Augustine	Hart	Mercer	Tudor
Bateson	Hattery	Myrland	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Berg	Henningsen	Oltman	Van Patten
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Knudson	Prentis	Watson of
Dykhouse	Linnevold	Ridout	Pottawattamie
Elthon	Lord	Roberts	West
Gillespie	McCarville	Sharp	Whitehead

**Absent or not voting, 2:**

Anderson	Molison
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The amendment as amended was lost.

Senator Fishbaugh offered the following amendment by Senators Fishbaugh and Vest and moved its adoption:

Amend Senate File 417, section 1, by striking all of lines 3 to 7, inclusive, and inserting in lieu thereof the following: "1. 'The commission shall make all purchases of beverages directly from the companies or distilleries without the intervention of salesmen or agents of such companies or distilleries.'"

Roll call was requested.

Senator Hart asked and received unanimous consent that the vote by which the previous question on all amendments and the main bill was adopted be reconsidered.

Senator Whitehead asked and received unanimous consent to withdraw his motion for the previous question.

Senator Bateson moved that Senate File 417 be laid upon the table which motion was lost.

On the question "Shall the amendment by Senators Fishbaugh and Vest be adopted?" the vote was:

**Ayes, 6:**

Fishbaugh	Prentis	Vest	Zastrow
Lynes	Risk		

**Nays, 38:**

Anderson	Byers	Gillespie	Hultman
Augustine	Colburn	Hart	Humbert
Bateson	Dailey	Hattery	Jacobson
Bekman	Doud	Hedin	Knudson
Berg	Dykhouse	Henningsen	Linnevold

Lord	Parker	Utzig	Watson of
Mercer	Ridout	Van Eaton	O'Brien
Nesmith	Roberts	Van Patten	Watson of
Oltman	Sharp	Walter	Pottawattamie
O'Malley	Tudor		West
			Whitehead

Absent or not voting, 6:

Elthon	McCarville	Myrland	Weichman
Fletcher	Molison		

The amendment was lost.

Senator Elthon offered the following amendment and asked and received unanimous consent to change the amendment by striking the word "section" and inserting in lieu thereof the word "subsection."

Amend Senate File 417 by striking section 1 and renumbering the following sections.

The amendment was lost.

Senator Mercer offered the following amendment and moved its adoption:

Amend Senate File 417 by adding a new section as follows:

"Sec. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in The Pioneer-Republican, a newspaper published at Marengo, Iowa, and the Oskaloosa Daily Herald, a newspaper published at Oskaloosa, Iowa."

The amendment was adopted.

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

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

Ayes, 35:

Anderson	Hattery	McCarville	Roberts
Augustine	Hedin	Mercer	Utzig
Berg	Henningsen	Myrland	Van Patten
Byers	Hultman	Nesmith	Walter
Colburn	Humbert	Oltman	Watson of
Dailey	Jacobson	O'Malley	Pottawattamie
Doud	Knudson	Parker	Weichman
Gillespie	Linnevoold	Prentis	West
Hart	Lord	Ridout	Whitehead

Nays, 18:

Bateson	Lynes	Tudor	Watson of
Elthon	Molison	Van Eaton	O'Brien
Fishbaugh	Risk	Vest	Zastrow
Fletcher	Sharp		

Absent or not voting, 2:

Bekman	Dykhouse
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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 Prentis moved that the 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 Fishbaugh asked unanimous consent to take up Senate Concurrent Resolution 18, filed by Senators Fishbaugh, Elthon, Dykhouse, Hart, Doud, Hattery, Watson of Pottawattamie, Prentis, Lord and Risk.

Objection was raised.

#### 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 17, providing for the appointment of a committee to convey the good wishes of the Fifty-fourth General Assembly to the members of the 132nd Fighter Wing of the Iowa-Nebraska Air National Guard.

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 expenditures of the board of parole in caring for a court parolee.

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

Senate File 318, a bill for an act providing for the inheritance by aliens.

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

Senate File 491, a bill for an act relating to excess and coinsurance riders and exceptions thereto.

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 income tax for the years 1951 and 1952.

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

House File 262, a bill for an act relating to misdemeanors committed in cemeteries.

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

House File 340, a bill for an act providing for the regulation and

licensing of representatives of nonresident business, trade, technical and correspondence schools.

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

House File 436, a bill for an act relating to compensation of employees of the state conservation commission.

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

House File 626, a bill for an act relating to discriminatory practices regarding Iowa insurance companies.

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

House File 634, a bill for an act making an appropriation for the general contingent fund for the biennium beginning July 1, 1951.

Also: That the House has adopted the conference committee report and the amendments therein recommended, and passed, House File 422, a bill for an act relating to the compensation of county officers, and deputies, assistants and clerks.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File 109, a bill for an act to amend sections four hundred twenty-two point five (422.5), four hundred twenty-two point twelve (422.12), four hundred twenty-two point thirteen (422.13), Code 1950, chapter forty-one (41), Acts of the Fifty-third General Assembly and chapter one (1), Acts of the Fifty-second General Assembly, relating to decreasing the rate of tax imposed on income; increasing the deductions from the computed tax and relating to returns by individuals for the filing of individual income tax for the years nineteen hundred fifty-one and nineteen hundred fifty-two; and also providing for refunds and making such credit applicable to returns on a fiscal year basis.

Read first and second times, and referred to the sifting committee.

House File 262, a bill for an act to amend section seven hundred fourteen point twenty-three (714.23), Code 1950, relating to misdemeanors committed in cemeteries.

Read first and second times, and referred to the sifting committee.

House File 340, a bill for an act to require regulation and licensing of representatives of nonresident business schools, trade schools, technical schools and correspondence schools, and prescribing penalties for violations.

Read first and second times, and referred to the sifting committee.

House File 436, a bill for an act to amend sections one hundred seven point twelve (107.12) and one hundred seven point thirteen (107.13), Code 1950, relating to compensation of employees of the state conservation commission.

Read first and second times, and referred to the sifting committee.

House File 626, a bill for an act to amend chapter five hundred five (505), Code 1950, relating to discriminatory practices regarding Iowa insurance companies.

Read first and second times, and referred to the sifting committee.

House File 634, a bill for an act creating the general contingent fund of the state for the biennium beginning July 1, 1951, and appropriating thereto the sum of one and one-half million dollars from the general fund of the state, specifying the purposes for which the appropriation may be used, and providing for a report of the dispositions made of the fund.

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

#### COMMITTEE APPOINTMENT

In accordance with Senate Concurrent Resolution 17 duly adopted the President appointed, on the part of the Senate, Senators Berg, Fishbaugh, Bekman, Dailey and Ridout.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 11 the Governor had approved the following bills:

Senate File 109, relating to cemetery funds.

Senate File 228, relating to school lunch programs.

Senate File 239, relating to filing reports with the commissioner of insurance.

Senate File 337, relating to proceedings of the town council of LeGrand, Marshall County, Iowa.

Senate File 338, relating to the proceedings of the town council of Albion, Marshall County, Iowa.

Senate File 346, relating to claims.

Senate File 347, relating to claims.

Senate File 348, relating to claims.

Senate File 349, relating to advisory committee for state office building.

Senate File 393, relating to patent, Monroe County, Iowa.

Senate File 440, relating to viaducts, underpasses and railroad grade separations in certain cities.

Senate File 441, relating to railroad grade crossings.

### 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:

H. F. 288

ALDEN L. DOUD, *Chairman.*

### AMENDMENTS FILED

Amend Senate File 477 by striking in section 8 lines 5 and 6 the words and figures "two million eight hundred sixty thousand seven hundred fifty dollars (\$2,860,750.00)" and insert in lieu thereof the words and figures "three million five hundred sixty-six thousand six hundred twenty-eight dollars (\$3,566,628.00)."

In line 11, section 3, strike the figures "\$2,760,750.00" and insert in lieu thereof the figures "\$3,466,628.00."

In line 17, section 3, strike the figures "\$2,860,750.00" and insert in lieu thereof the figures "\$3,566,628.00."

LEROY S. MERCER, J. M. TUDOR  
and CARL T. ANDERSON.

Amend House File 27 by adding the following sections:

"Sec. 2. Subsection twenty (20) of section four hundred twenty-seven point one (427.1), Code 1950, is amended by inserting before the word 'telegraph' in line two (2) thereof the word 'domestic'; by striking from lines three (3), four (4) and five (5) thereof the words 'freight line and equipment companies, transmission line companies as defined in section 437.1, express companies,'; and by inserting before the word 'corporations' in lines five (5) and six (6) thereof the word 'domestic'.

Sec. 3. Section four hundred thirty-seven point one (437.1), Code 1950, is hereby amended by striking from lines two (2) and three (3) thereof the words 'and section 427.1, subsection 20,'."

ARTHUR H. JACOBSON.

Amend House File 288 by striking section 3 and substituting in lieu thereof the following sections and by renumbering the remaining sections:

"Sec. 3. Any party to the contract may have the issue in dispute determined by filing in the district court of the county in which the public improvement or any part thereof is located a verified petition which shall allege in detail the ultimate facts upon which the petitioner relies for the

termination of such contract. All subcontractors and the sureties upon all bonds given in connection with the contract and subcontracts shall be made parties to the proceeding.

Sec. 4. The Rules of Civil Procedure shall be applicable to such action. The cause shall be tried forthwith in equity, and the court shall give such cases preference over other cases, except criminal cases.

Sec. 5. The district court shall have jurisdiction of the issue which is thus presented, and of all parties including any public corporation as defined in this act. The court shall make findings and render its judgment determining the issues involved in accordance with the purpose and spirit of this act."

ARTHUR H. JACOBSON.

Amend the Jacobson amendment to House File 288 by adding thereto the following section:

"Sec. 6. Any party aggrieved by the findings and judgment of the district court may appeal to the supreme court as in other cases and the case shall be given preference over other cases in the supreme court."

E. K. BEKMAN.

Amend House File 617, section 30, line 7, by adding after the word "inspectors" the following:

"who shall hold a certificate of competency as a mine foreman and as a hoisting engineer and who has not attained the age of 65 years at time of appointment.

E. K. BEKMAN.

Amend House File 617 by striking from line 9, section 8, the figures "\$5,500" and inserting in lieu thereof the following: "\$6,000".

PAUL E. MCCARVILLE, HERMAN B. LORD  
and O. N. HULTMAN.

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



# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 12, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend D. O. Reeverts, pastor of the Trinity Reformed Church, Sibley, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Linnevold for the day on request of Senator Sharp.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Bateson, from residents of Hardin County favoring legislation relating to certain benefits for county employees.

By Senator Doud, from Polk County favoring proposed legislation relating to schools; also, from members of the Polk County grand jury favoring an increase of salary for grand jurors; also, from county employees of Franklin, Hamilton, Linn and Des Moines Counties favoring legislation relating to county officers.

By Senator Henningsen, from residents of Clinton County favoring legislation relating to reorganization of schools, and teachers' contracts.

By Senator McCarville, from residents of Webster County favoring the repeal of rent control.

By Senator Roberts, from residents of Marion County in opposition to liquor by the drink; also, favoring liquor law enforcement.

By Senator Tudor, from members of the Chamber of Commerce, Bellevue, Jackson County, favoring school legislation.

By Senator Van Eaton, from residents of Woodbury County favoring legislation relating to the state highway commission.

By Senator Van Patten, from members of the Indianola Teachers Club, Warren County, favoring legislation relating to old age and survivors' insurance.

By Senator Whitehead, from residents of Dallas County favoring legislation relating to the state highway commission.

#### INTRODUCTION OF BILL

Senate File 511, 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 the sifting committee.

#### PRESENTATION OF VISITORS

Senator McCarville asked and received unanimous consent to present to the Senate a former member of the Senate from Wright County, the Honorable G. R. Hill, judge of the eleventh judicial district of Iowa, who was present in the Senate chamber.

Senator McCarville asked and received unanimous consent to present to the Senate the members of the junior and senior classes of the Moorland Consolidated School who were present in the balcony with their superintendent, M. V. Kauzlarick, and their instructor, Mrs. Brown.

Senator Hattery asked and received unanimous consent to present to the Senate the members of the American government class of the Maxwell High School who were present in the balcony with their superintendent, Mr. Rickena, and their principal, Mr. Dilly.

Senator Hedin asked and received unanimous consent to present to the Senate the members of the State Champion basketball team of the Davenport High School who were present in the Senate chamber.

Senator Weichman asked and received unanimous consent to present to the Senate twenty-one members of the American history class of the Dysart High School who were present in the balcony with their instructor, Elmer Gost.

Senator O'Malley asked and received unanimous consent to present to the Senate thirty members of the sixth grade class of the Johnston Consolidated School who were present in the balcony with their instructors, Mrs. Manning and Isabel Roper.

Senator O'Malley asked and received unanimous consent to present to the Senate the members of Girl Scout Troop 23, students of

St. Augustin's School, who were present in the balcony with their leader, Mrs. Louis K. Wild, and Mrs. Harry B. Graefe.

#### PRESENTATION

Senator Knudson asked and received unanimous consent to present Vic Lindquist, Senate doorkeeper, who made the following presentation to President Nicholas:

MR. PRESIDENT:

About the year 1858, what is known as Owen's Grove Township, Cerro Gordo County, Iowa, was settled.

Elry C. Gousley moved his family upon this land at that time and it is still in the possession of this family.

On this land was a 17 acre grove of walnut trees, the old stage coach road from Cedar Falls, Iowa, to Mason City, Iowa, went through this grove and I am informed that the marks of this road are still visible. Dillinger hid his getaway car in this grove at the time he robbed the Mason City bank.

About fifteen years ago this timber, the trees of which are estimated to be over one hundred years old and measuring eighteen to twenty inches in diameter, was cut and allowed to cure for six years. The value of walnut wood at that time was about \$1,800 for 12,000 board feet, today would cost approximately \$7,200.

Senator Herman Knudson obtained for me some of this wood which is an excellent example of native black walnut and I have made a gavel from the same and now, Mr. President, in behalf of the sergeants-at-arms and doorkeepers of the Senate, it gives me great pleasure to present it to you as a small token of our appreciation and esteem for the opportunity of serving you during the Fifty-fourth General Assembly.

FRANK BUCK.	VIC LINDQUIST.
WALTER KEITH.	IRA ROUSE.
WILBER HATHAWAY.	JOHN SARAFIN.
JAMES HAMILTON.	EMIL SCHNABEL.
ORA INGRAM.	WM. SLACK.
	W. R. WILLIAMS.

#### HOUSE CONCURRENT RESOLUTION

Senator Colburn called up for consideration the following resolution:

#### HOUSE CONCURRENT RESOLUTION 26

By Appropriations Committee

*Be It Resolved by the House, the Senate Concurring:* That the budget and financial control committee, together with the President of the Senate and the Speaker of the House, assume full responsibility in determining the policies incident to the details of closing the session of the Fifty-fourth General Assembly, and the reconvening of any special or

subsequent regular session, and that after such policies and decisions have been formulated, the budget and financial control committee will assume full responsibility for directing the details and the work in connection with the same.

*Be It Further Resolved:* That the budget and financial control committee direct the Secretary of the Senate and the Chief Clerk of the House to make an inventory of all equipment and supplies on hand at the close of the session, and thereafter said committee shall assume complete jurisdiction with respect to loan or sale to the several departments of state of any such equipment and supplies.

*Be It Further Resolved:* That the budget and financial control committee is hereby authorized to direct any and all work in connection with the convening of any special or subsequent regular session of the General Assembly. It shall have the power, by purchase or through the executive council in accordance with section 19.25, Code 1950, to provide all the supplies required for the convening of the next regular or any special session of the General Assembly.

*Be It Further Resolved:* That the said budget and financial control committee, together with the state printer, make a survey of the possibility of reducing the cost of printing for a legislative session, and make its recommendation to any subsequent regular or special session in regard to the same.

*Be It Further Resolved:* That in the event any equipment now belonging to the legislative department be loaned to any department of state or used during the interim, it shall be with the understanding that said equipment be returned and made available to any subsequent regular or special session in substantially the same condition that it was when it was loaned.

*Be It Further Resolved:* That any officers or employees of the Fifty-fourth General Assembly who shall be engaged by the budget and financial control committee for work in connection with the closing up of the work of the Fifty-fourth General Assembly, or the reconvening of any subsequent regular or special session, shall be compensated for such services at the same rate per diem as was fixed for the regular session of the Fifty-fourth General Assembly.

On motion of Senator Colburn, the resolution was adopted.

### THIRD READING OF BILLS

On motion of Senator Colburn, House File 617, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1951, and ending June 30, 1953, funds for various departments and various divisions thereof, of the State of Iowa, for the purpose provided by law, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Elthon took the chair at 11:25 a.m.

Senator Van Eaton offered the following amendment:

1. Amend House File 617 by striking line 7 of section 12.
2. Further amend House File 617, line 9, section 12, by striking the figures "\$74,000.00" and inserting in lieu thereof the figures "\$80,000.00".

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Concurrent Resolution 27, requesting the recall of House File 94 for correction.

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

Senate File 44, a bill for an act relating to the filing of claim for homestead credit with the county assessor or auditor.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 212, a bill for an act relating to taxation and other sources of municipal revenue.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 314, a bill for an act relating to special assessment of public improvements in municipal corporations.

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

Senate File 370, a bill for an act prohibiting destructive acts on lands or waters of the state.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 408, a bill for an act relating to publication and distribution of the Rules of Civil Procedure and Supreme Court Rules.

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

Senate File 476, a bill for an act prohibiting the issuance of either hunting or fishing licenses to nonresidents under certain conditions.

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

House File 630, a bill for an act legalizing the incorporation of the Iowa Centennial Memorial Foundation.

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

House File 631, a bill for an act to grant perpetual existence without payment of fees to the Iowa Centennial Memorial Foundation.

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

House File 632, a bill for an act limiting the time in which action may be brought to recover funds of closed receiverships held by the department of banking.

A. C. GUSTAFSON, *Chief Clerk.*

### HOUSE CONCURRENT RESOLUTION 27

*Whereas*, House File 94, a bill for an act relating to the bounties on wild animals, has passed both houses of the Fifty-fourth General Assembly, and

*Whereas*, it is found necessary to make a correction of the title,

*Now, Therefore, Be It Resolved by the House, the Senate Concurring:* That the Governor of the state is hereby requested to return said House File 94 for further consideration by the General Assembly.

### HOUSE AMENDMENTS TO SENATE FILE 212

Amend Senate File 212 as follows:

1. Amend section four (4) by adding at the end thereof the following: "The books of the corporation shall reflect at all times:
  - "1. The nature and amount of each sum received and expended in each functional fund.
  - "2. The total amount appropriated in each functional fund.
  - "3. The total amount appropriated in each of the divisions or accounts within each functional fund as set forth in sections six (6) through twelve (12) of this act.
  - "4. The unexpended balance remaining in each functional fund and in each division or account within such functional fund.
  - "5. All financial records of the corporation shall be a public record and open to public inspection during business hours."
2. Amend section five (5), subsection one (1), by inserting after the word "chapter" in line five (5) the following: "and by proposed allocations for each particular division or account within each functional fund".
3. Further amend section five (5), line seventeen (17), by striking the word "this" and substituting in lieu thereof the word "that".
4. Amend section six (6), line three (3), by striking the word and figures "ten (10)" and inserting in lieu thereof the word and figure "seven (7)".
5. Amend section seven (7), line three (3), by striking the word and figures "ten (10)" and inserting in lieu thereof the word and figure "seven (7)".
6. Further amend section seven (7) by striking from lines fifty-one (51) and fifty-two (52) the words "without the approval of the comptroller".
7. Amend section nine (9), line three (3), by striking the word and figures "ten (10)" and inserting in lieu thereof the word and figure "seven (7)".
8. Amend section ten (10), subsection four (4), line seventeen (17), by inserting before the word "maintenance" the words "improvement, operation, and".

9. Amend section eleven (11), line three (3), by striking the word and figure "six (6)" and inserting in lieu thereof the word and figure "five (5)".

10. Strike from lines four (4) to eight (8) of section fourteen (14) the words ", and for each particular purpose within each subsection when for the construction, purchase, or remodeling of any building or improvements of any type, for the purchase of real estate, machinery, or major equipment".

11. Amend section seventeen (17) by adding after the word "fund" in line ten (10) the following: "or in excess of the amount appropriated for said purpose or particular function".

12. Amend section twenty (20) by striking from lines five (5) and six (6) the words "the debt or debts for which it was raised" and inserting in lieu thereof the words "all debts except those evidenced by revenue bonds."

13. Amend section twenty-five (25) by adding two new subsections as follows:

"4. Whenever a body charged by law with administering funds for any particular function shall have been elected by the people, the corporation shall adopt the budget of said body and shall allocate sufficient funds to meet said budget. However, in no event shall levies exceed the limits prescribed in section two (2) and in sections six (6) to twelve (12), inclusive, or exceed, for this purpose, without council approval, the levies heretofore permitted by law.

"5. No other statute whether heretofore or hereafter enacted, relating to the taxing power of municipal corporations, shall be construed to increase the limits on millage levies established in section two (2) and sections six (6) through twelve (12) of this Act, unless this Act is amended. In all laws hereafter enacted such amendment shall be a separate section of the Act."

14. Insert the following new section after section one hundred six (106):

"Section three hundred ninety point eight (390.8), Code 1950, is amended by adding at the end of subsection four (4) the following: 'Off-street parking areas shall be deemed to include street-widening projects in business districts as so defined by local ordinance, or within two blocks thereof, sufficient in width to allow angle parking on such widened streets.'"

15. Renumber the remaining sections.

#### HOUSE AMENDMENTS TO SENATE FILE 314

Amend Senate File 314 as follows:

1. Strike the period (.) after the word "improvements" in the last line of the title, and add the following: ", and to amend certain other sections of the Code relating to special assessments."

2. Insert after section 39 the following new section:

Sec. 40. Section four hundred seventeen point one (417.1), Code 1950, is amended by striking the words "operating under the commission plan of municipal government and" in lines two (2) and three (3) thereof. Sec-

tion four hundred seventeen point fifty-four (417.54), subsection one (1), Code 1950, is amended by striking from line three (3) of said subsection the word "wholly" and by striking from lines three (3) and four (4) of said subsection the words "under the commission form of government". Section four hundred seventeen point fifty-four (417.54), subsection two (2), is amended by striking from line six (6) of said subsection the word "wholly" and by inserting after the word "busses" in line thirteen (13), the following: "operating over fixed routes or parts of routes within such city".

3. Renumber the remaining sections.

#### HOUSE AMENDMENTS TO SENATE FILE 408

Amend Senate File 408 as follows:

1. By striking the title and substituting the following in lieu thereof:

"An Act relating to publication and distribution of the Rules of Civil Procedure and Supreme Court Rules and to amend sections fourteen point three (14.3), sixteen point twenty-four (16.24), seventeen point twenty-one (17.21) and seventeen point twenty-two (17.22), Code 1950."

2. Further amend by striking all of the last sentence in section one (1) and adding the following new sections:

"Sec. 2. Section sixteen point twenty-four (16.24), Code 1950, is amended by inserting in line three (3) after the word 'code' the following: ' Rules of Civil Procedure and Supreme Court Rules'.

"Sec. 3. Section seventeen point twenty-one (17.21), Code 1950, is amended by inserting in line one (1) after the word 'code' the following: ' Rules of Civil Procedure and Supreme Court Rules'.

"Sec. 4. Section seventeen point twenty-two (17.22), Code 1950, is amended by adding a new subsection as follows:

" '8. Rules of Civil Procedure and Supreme Court Rules.' "

#### HOUSE MESSAGES CONSIDERED

House File 630, a bill for an act to legalize the incorporation of the Iowa Centennial Memorial Foundation and the executive order relating to said foundation.

Read first and second times, and referred to the sifting committee.

House File 631, a bill for an act to grant perpetual existence without payment of fees to the Iowa Centennial Memorial Foundation, and to prescribe the duties of certain state officials with respect to the Iowa Centennial Memorial Foundation.

Read first and second times, and referred to the sifting committee.

House File 632, a bill for an act limiting the time in which actions may be brought to recover funds of closed receiverships held by the



Department of Banking on the nineteenth day of January, 1951, and making provisions for the disposition of such funds.

Read first and second times, and referred to the sifting committee.

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

#### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

#### MESSAGE FROM THE HOUSE

The following message was received from the House:

**MR. PRESIDENT:** I am directed to return herewith, as requested, House File 94, a bill for an act relating to bounties on wild animals.

A. C. GUSTAFSON, *Chief Clerk.*

#### REPORTS OF COMMITTEE

Senator Colburn submitted the following report:

**MR. PRESIDENT:** Your committee on appropriations to which was referred **Senate File 300**, a bill for an act to provide for an engineering survey preparatory to the establishment of a state owned lake in Polk County and to make appropriation therefor, begs leave to report it has had the same under consideration and recommends the same **be amended in accordance with the amendment filed on February 21, 1951, by the committee on conservation, and when so amended the bill do pass.**

JAY C. COLBURN, *Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on appropriations to which was referred **Senate File 484**, a bill for an act to appropriate from the general fund of the State of Iowa for the period from July 4, 1949, to June 30, 1951, funds for the purpose of paying the contribution by the state to the peace officer's retirement system, as authorized by law, but not previously appropriated, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JAY C. COLBURN, *Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on appropriations to which was referred **Senate File 490**, a bill for an act to provide for the construction of a tunnel from the capitol building to the state office building on the

capitol grounds, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAY C. COLBURN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 506**, a bill for an act to make appropriations to 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, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAY C. COLBURN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 507**, a bill for an act to make appropriation to trustee of Robert O. Winn in settlement of claim made against the State of Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAY C. COLBURN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 508**, a bill for an act to make appropriations to certain named persons in settlement of claims made against the State of Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAY C. COLBURN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 509**, a bill for an act to make appropriations to certain persons in settlement of claims for refunds for motor vehicle license, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAY C. COLBURN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 510**, a bill for an act to make appropriations to certain

named persons in settlement of claims made against the State of Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAY C. COLBURN, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 615**, a bill for an act to appropriate from the general fund of the State of Iowa to the state soil conservation commission the sum of six hundred thousand dollars (\$600,000) to carry on soil conservation work in soil conservation districts as provided in chapter four hundred sixty-seven A (467A), Code 1950, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAY C. COLBURN, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 634**, a bill for an act creating the general contingent fund of the state for the biennium beginning July 1, 1951, and appropriating thereto the sum of one and one-half million dollars from the general fund of the state, specifying the purposes for which the appropriation may be used, and providing for a report of the dispositions made of the fund, 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 634 by striking from line 4 of section 1 the words and figures "one and one-half million dollars (\$1,500,000), and inserting in lieu thereof the words and figures "two million dollars (\$2,000,000)".

Further amend by striking from line 3 of the title the words "one and one-half million dollars" and inserting in lieu thereof the words "two million dollars".

JAY C. COLBURN, *Chairman*.

Ordered passed on file.

#### HOUSE CONCURRENT RESOLUTION 27

Senator Elthon called up for consideration House Concurrent Resolution 27, a resolution requesting the return of House File 94, and moved its adoption.

The motion prevailed and the resolution was adopted.

Senator Elthon asked and received unanimous consent that the Secretary be instructed to request the return of House File 94 for further consideration.

The Senate resumed consideration of House File 617 and the amendment filed by Senator Van Eaton.

On motion of Senator Van Eaton, the amendment was adopted.

Senator McCarville offered the following amendment by Senators McCarville, Lord and Hultman and moved its adoption:

Amend House File 617 by striking from line 9, section 8, the figures "\$5,500" and inserting in lieu thereof the following: "\$6,000".

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 25:

Anderson	Henningsen	O'Malley	Van Eaton
Augustine	Hultman	Parker	Watson of
Bekman	Lord	Ridout	O'Brien
Berg	McCarville	Roberts	Watson of
Dailey	Mercer	Sharp	Pottawattamie
Dykhouse	Nesmith	Tudor	Zastrow
Gillespie	Oltman	Utzig	

Nays, 17:

Bateson	Fletcher	Lynes	Risk
Byers	Humbert	Molison	Vest
Colburn	Jacobson	Myrland	Weichman
Doud	Knudson	Prentis	West
Elthon			

Absent or not voting, 8:

Fishbaugh	Hattery	Linnevold	Walter
Hart	Hedin	Van Patten	Whitehead

The amendment was adopted.

Senator Lord took the chair at 1:50 p.m.

Senator Bekman offered the following amendment:

Amend House File 617, section 14, by striking lines 7 to 14, inclusive, and inserting in lieu thereof the following:

The salary of secretary.....	\$ 6,000.00
For salaries, support, maintenance and miscellaneous purposes .....	\$45,300.00
	<hr/>
	\$51,300.00
For institutional roads.....	\$10,000.00
	<hr/>

Grand total of all appropriations for all purposes for each year of the biennium for the office of board of education.....	\$61,300.00
--	-------------

Senator Bekman asked and received unanimous consent to correct the amendment by striking "\$45,300.00" and inserting in lieu there-

of "\$45,000.00"; also, by striking "\$61,300.00" and inserting in lieu thereof "\$61,000.00".

On motion of Senator Bekman, the amendment was adopted.

Senator Mercer offered the following amendment and moved its adoption:

Amend House File 617, section 22, lines 4 and 5, by striking the words and figures "three hundred eighty-four thousand four hundred fifty dollars (\$384,450)" and insert in lieu thereof the words and figures "three hundred ninety-four thousand four hundred fifty dollars (\$394,450)."

Further amend House File 617, section 22, line 31, by striking the figures "\$60,000.00" and insert in lieu thereof the figures "\$70,000.00."

Further amend House File 617, section 22, line 83, by striking the figures "\$384,450.00" and insert in lieu thereof the figures "\$394,450.00."

The amendment was adopted.

Senator Bekman offered the following amendment:

Amend House File 617, section 30, line 7, by adding after the word "inspectors" the following:

"who shall hold a certificate of competency as a mine foreman and as a hoisting engineer and who has not attained the age of 65 years at time of appointment.

Senator Fletcher raised a point of order for the reason that a portion of the subject matter contained in the amendment had already been considered and therefore the amendment was out of order.

The Chair ruled the point not well taken.

Senator Fletcher raised a point of order for the reason that the amendment by Senator Bekman was not germane to the main bill.

The Chair ruled the point well taken and the amendment out of order.

Senator Bekman asked and received unanimous consent to withdraw the amendment to House File 617 filed by him and found on page 1015 of the Senate Journal.

Senator Watson of Pottawattamie offered the following amendment and moved its adoption:

1. Strike all of line 7 of section 32 and insert in lieu thereof the following: "\$4,250.00 each) .....\$12,750.00".
2. Strike from line 9 of section 32 the following: "\$3,900.00" and insert in lieu thereof "\$4,250.00".

3. Further amend House File 617 by striking from line 11 of section 32 the figures "\$46,400.00" and insert in lieu thereof the figures "\$45,000.00".

The amendment was adopted.

Senator Mercer offered the following amendment and moved its adoption:

Amend House File 617 by striking from line 8 in section 35 the figures "\$4,800.00" and insert in lieu thereof the figures "\$5,200.00".

Further amend House File 617, line 10 of section 35, by striking the figures "\$25,700.00" and insert in lieu thereof the figures "\$25,300.00".

The amendment lost.

Senator Fishbaugh offered the following amendment by Senators Fishbaugh, O'Malley, Prentis and Jacobson:

1. Amend House File 617, section 2, by striking from lines 4 and 5 the words and figures "fifty-two thousand dollars (\$52,000)" and inserting in lieu thereof the words and figures "sixty-eight thousand dollars (\$68,000)".

2. Further amend by striking from line 8 of section 2 the figures "\$7,500.00" and inserting in lieu thereof the figures "\$8,500.00".

3. Further amend by striking from line 10 of section 2 the figures "\$44,500.00" and inserting in lieu thereof the figures "\$59,500.00".

4. Further amend by striking from line 13 of section 2 the figures "\$52,000.00" and inserting in lieu thereof the figures "\$68,000.00".

Senator Fishbaugh asked unanimous consent to change his amendment.

Objection was raised.

Senator Fishbaugh asked and received unanimous consent to take up his amendment in sections.

On motion of Senator Fishbaugh, section 2 of the amendment was adopted.

Senator Elthon asked and received unanimous consent to change the amendment by striking "\$68,000.00" in the last line and inserting in lieu thereof "\$60,500.00"; also, by striking "\$59,500.00" in the last line of section 3 and inserting "\$52,000.00"; also, by striking "\$68,000.00" in section 1 and inserting "\$60,500.00".

President Nicholas took the chair at 2:55 p.m.

On motion of Senator Fishbaugh, section 3 of the amendment was adopted.

On motion of Senator Fishbaugh, sections 1 and 4 of the amendment were adopted.

Senator McCarville offered the following amendment and moved its adoption :

Amend Senate File 617, section 8, by striking from line 15 thereof the figures "\$469,500.00" and inserting in lieu thereof "\$469,000.00".

The amendment was adopted.

Senator Weichman moved that the bill be read a third 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 :

Anderson	Gillespie	Molison	Van Eaton
Augustine	Hart	Myrland	Van Patten
Bateson	Hattery	Nesmith	Vest
Bekman	Hedin	Oltman	Walter
Berg	Henningsen	O'Malley	Watson of
Byers	Hultman	Parker	O'Brien
Colburn	Humbert	Prentis	Watson of
Dailey	Jacobson	Ridout	Pottawattamie
Doud	Knudson	Risk	Weichman
Dykhous	Lord	Roberts	West
Elthon	Lynes	Sharp	Whitehead
Fishbaugh	McCarville	Tudor	Zastrow
Fletcher	Mercer	Utzig	

Nays, none.

Absent or not voting, 1 :

Linnevoid

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

#### CONFERENCE COMMITTEE REPORT ADOPTED

Senator Weichman called up for consideration the report of the conference committee on House File 422, found on pages 1012 and 1013 of the Senate Journal, and moved the adoption of the report and the amendments contained therein.

Senator Weichman moved that the bill be read a third 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 :

Anderson	Bekman	Colburn	Dykhous
Augustine	Berg	Dailey	Elthon
Bateson	Byers	Doud	Fishbaugh

Fletcher	Lord	Prentis	Vest
Gillespie	Lynes	Ridout	Walter
Hart	McCarville	Risk	Watson of
Hattery	Mercer	Roberts	O'Brien
Hedin	Molison	Sharp	Watson of
Henningsen	Myrland	Tudor	Pottawattamie
Hultman	Nesmith	Utzig	Weichman
Humbert	Oltman	Van Eaton	Whitehead
Jacobson	O'Malley	Van Patten	Zastrow
Knudson	Parker		

Nays, 1:

West

Absent or not voting, 1:

Linnevold

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

#### RECONSIDERATION OF HOUSE FILE 94

Senator Elthon asked and received unanimous consent to reconsider the vote by which House File 94 passed the Senate.

Senator Elthon asked and received unanimous consent that the Senate reconsider the vote by which House File 94 went to its third reading.

Senator Hultman offered the following amendment and moved its adoption:

Amend the title to House File 94 by adding after the word "animals" in the last line thereof the following: ", and providing a levy for the payment of such bounties".

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, 49:

Anderson	Gillespie	Molison	Van Eaton
Augustine	Hart	Myrland	Van Patten
Bateson	Hattery	Nesmith	Vest
Bekman	Hedin	Oltman	Walter
Berg	Henningsen	O'Malley	Watson of
Byers	Hultman	Parker	O'Brien
Colburn	Humbert	Prentis	Watson of
Dailey	Jacobson	Ridout	Pottawattamie
Doud	Knudson	Risk	Weichman
Dykhousé	Lord	Roberts	West
Elthon	Lynes	Sharp	Whitehead
Fishbaugh	McCarville	Tudor	Zastrow
Fletcher	Mercer	Utzig	



Nays, none.

Absent or not voting, 1:

Linnevold

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

### THIRD READING OF BILLS

Senator Colburn asked and received unanimous consent to take up for consideration Senate File 484, a bill for an act to appropriate from the general fund of the State of Iowa for the period from July 4, 1949, to June 30, 1951, funds for the purpose of paying the contribution by the state to the peace officer's retirement system, as authorized by law but not previously appropriated, with report of committee recommending passage.

On motion of Senator Colburn, the report of the committee was adopted.

Senator Lord moved that the bill be read a third 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:

Anderson	Gillespie	Molison	Van Eaton
Augustine	Hart	Myrland	Van Patten
Bateson	Hattery	Nesmith	Vest
Bekman	Hedin	Oltman	Walter
Berg	Henningsen	O'Malley	Watson of
Byers	Hultman	Parker	O'Brien
Colburn	Humbert	Prentis	Watson of
Dailey	Jacobson	Ridout	Pottawattamie
Doud	Knudson	Risk	Weichman
Dykhouse	Lord	Roberts	West
Elthon	Lynes	Sharp	Whitehead
Fishbaugh	McCarville	Tudor	Zastrow
Fletcher	Mercer	Utzig	

Nays, none.

Absent or not voting, 1:

Linnevold

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

### RECONSIDERATION OF SENATE FILE 484

Senator Elthon asked and received unanimous consent to reconsider the vote by which Senate File 484 passed the Senate.

Senator Elthon asked and received unanimous consent that the Senate reconsider the vote by which Senate File 484 went to its third reading.

Senator Colburn asked and received unanimous consent that action on Senate File 484 be deferred.

Senator Colburn asked and received unanimous consent to take up for consideration Senate File 490, a bill for an act to provide for the construction of a tunnel from the capitol building to the state office building on the capitol grounds, and to authorize the legislative advisory committee and the executive council to employ an architect or architects to prepare plans and specifications therefor, and to enter into a contract or contracts for the construction and equipment of such tunnel, and to provide an appropriation therefor, with report of committee recommending passage.

On motion of Senator Colburn, the report of the committee was adopted.

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

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

**Ayes, 43:**

Anderson	Gillespie	Molison	Utzig
Augustine	Hart	Myrland	Van Eaton
Bateson	Hattery	Nesmith	Van Patten
Bekman	Hedin	Oltman	Vest
Berg	Henningsen	O'Malley	Walter
Byers	Hultman	Parker	Watson of
Colburn	Humbert	Prentis	O'Brien
Doud	Knudson	Ridout	Weichman
Dykhouse	Lord	Roberts	West
Elthon	Lynes	Sharp	Whitehead
Fletcher	Mercer	Tudor	Zastrow

**Nays, 4:**

Dailey	Jacobson	McCarville	Watson of Pottawattamie
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**Absent or not voting, 3:**

Fishbaugh	Linnevoold	Risk
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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 Colburn asked and received unanimous consent to take up for consideration House File 634, a bill for and act creating the general contingent fund of the state for the biennium beginning

July 1, 1951, and appropriating thereto the sum of one and one-half million dollars from the general fund of the state, specifying the purposes for which the appropriation may be used, and providing for a report of the dispositions made of the fund, with report of committee recommending amendment and passage.

On motion of Senator Colburn, the report of the committee was adopted.

The following committee amendment was considered:

Amend House File 634 by striking from line 4 of section 1 the words and figures "one and one-half million dollars (\$1,500,000)", and inserting in lieu thereof the words and figures "two million dollars (\$2,000,000)".

Further amend by striking from line 3 of the title the words "one and one-half million dollars" and inserting in lieu thereof the words "two million dollars".

The amendment was adopted.

Senator Tudor offered the following amendment:

Amend House File 634 by adding a new section thereto as follows:

"Sec. 2. The budget and financial control committee is authorized to investigate and determine whether or not there is need for an addition to the State University of Iowa Hospitals and if such need is determined by the committee to exist, it is authorized to use not to exceed thirty-five thousand dollars (\$35,000) from the general contingent fund for the purpose of having prepared, by the board of education, preliminary plans and specifications for such addition."

Senator Doud raised the point of order that the amendment was out of order for the reason that it was not germane to the bill.

The Chair ruled the point not well taken.

Senator Colburn asked and received unanimous consent that action on House File 634 be deferred.

#### SENATE CONCURRENT RESOLUTION 19

By Claims Committee

*Whereas*, doubt has arisen under provisions of section twenty-five point seven (25.7), Code 1950, that submission of claims to the joint claims committee of the Senate and House and rejection by said committee constitutes final action thereon by the General Assembly as provided in said section; and,

*Whereas*, certain claims rejected by previous joint claims committees are sometimes reprocessed by the state appeal board for recurring submissions; and,

*Whereas*, it is deemed desirable that claims submitted to the joint

claims committee of the Fifty-fourth General Assembly and rejected thereby should be submitted to the Senate and House thereof for final action and determination as the act of the General Assembly.

*Therefore, Be It Resolved by the Senate, the House Concurring:* That the claims hereinafter set forth, duly processed by the state appeal board and rejected by the joint claims committee, be considered by the Senate and House, and the action of the joint claims committee be approved.

Claimant	Claim No.	Nature of Claim	Amount
Edwin W. Wrench Minneapolis, Minn.	H-3-51	Collision	\$ 24.89
Mason City Warehouse Corp., Mason City, Iowa	H-4-51	Wrecker Service	55.00
Henry Niehaus Arcadia, Iowa	H-8-51	Collision	10.00
James Olsen Avoca, Iowa	H-16-51	Collision	37.83
Garrell Van Dyke Larchwood, Iowa	H-17-51	Collision	40.00
Allen G. Borchert Grafton, Iowa	H-18-51	Snow Damage	98.73
Martin Fecht Macedonia, Iowa	H-20-51	Auto Damage	25.10
Willie Jacobsen Alvord, Iowa	H-21-51	Auto Damage	56.54
Norma E. Nason Garner, Iowa	H-23-51	Personal Injuries	3,000.00
Arthur J. Frey Park Ridge, Ill.	H-24-51	Auto Damage	222.09
Fireman Fund Ins. Co. Chicago, Ill.	H-25-51	Collision	268.44
Liberty Mut. Ins. Co. Des Moines, Iowa	H-27-51	Collision	475.28
Donald Stone Chariton, Iowa	H-31-51	Auto Damage	14.04
P. F. Hopkins Des Moines, Iowa	H-32-51	Collision	117.78
Am. Farm Mut. Ins. Co. Davenport, Iowa	H-33-51	Collision	69.12
J. C. Myers Eldon, Iowa	H-34-51	Collision	390.00
Frank S. Holmes Des Moines, Iowa	H-41-51	Injured Horse	250.00
Stanley Becker and Larry's Auto Body Shop, Mechanics- ville, Iowa	H-44-51	Collision	293.60

Claimant	Claim No.	Nature of Claim	Amount
H. K. Emery Des Moines, Iowa	H-45-51	Collision	10.54
School Photo Service Kansas City, Mo.	H-46-51	Collision	81.50
Mrs. Carl F. Simoff Orient, Iowa	H-49-51	Collision	25.00
Farmers Cas. Co. Des Moines, Iowa	H-50-51	Collision	133.23
Mrs. Veronica B. Riley Elma, Iowa	H-51-51	Collision	50.40
Allied Mut. Cas. Des Moines, Iowa	H-52-51	Collision	44.75
Iowa Farm Mut. Ins. Co. Des Moines, Iowa	H-53-51	Auto Damage	58.82
Iowa Hdw. Mut. Ins. Co. Mason City, Iowa	H-55-51	Collision	22.18
Wm. R. Lutz Hampton, Iowa	H-56-51	Collision	50.00
Iowa Farm Mut. Ins. Co. Des Moines, Iowa	H-57-51	Collision	49.70
Iowa Farm Mut. Ins. Co. Des Moines, Iowa	H-58-51	Collision	23.94
Henry Chaney Council Bluffs, Iowa	H-61-51	Dead Pig	43.00
Edward Runde East Dubuque, Ill.	H-64-51	Auto Damage	29.11
Orie Nebendall Belle Plaine, Iowa	H-66-51	Wrecker Service	14.11
Iowa Farm Mut. Ins. Co. Des Moines, Iowa	H-69-51	Collision	175.78
Iowa Farm Mut. Ins. Co. Des Moines, Iowa	H-70-51	Collision	100.00
Henry Giermann Onawa, Iowa	H-79-51	Collision	272.06
John Fitzgerald Lansing, Iowa	H-80-51	Auto Damage	500.00
Fred Connett Missouri Valley, Iowa	H-81-51	Flood Damage	500.00
Dwight T. Anderson Beaver, Iowa	H-83-51	Collision	320.00
Robert W. Dawson Des Moines, Iowa	H-85-51	Collision	15.48
Carl Vick Decorah, Iowa	H-86-51	Auto Damage	96.60

Claimant	Claim No.	Nature of Claim	Amount
Natl. Outdoor Disp. Co. Minneapolis, Minn.	H-87-51	Damaged Sign	100.00
Iowa Farm Mut. Ins. Co. Des Moines, Iowa	H-93-51	Collision	44.43
Iowa Farm Mut. Ins. Co. Des Moines, Iowa	H-94-51	Collision	184.50
Iowa Farm Mut. Ins. Co. Des Moines, Iowa	H-95-51	Collision	276.48
Gordon Lees Oakland, Iowa	H-96-51	Collision	10.00
Walter L. Kimball Ventura, Iowa	H-97-51	Broken Window	3.53
Central Surety & Ins. Co. Kansas City, Mo.	H-98-51	Collision	1,972.00
Daniel Critz Charter Oak, Iowa	H-99-51	Collision	295.91
Robert H. Yeggy Riverside, Iowa	H-100-51	Dead Pig	200.00
General Foods Corp. New York, N. Y.	H-101-51	Collision	70.00
Mrs. W. C. Kanuit Waterloo, Iowa	H-103-51	Collision	61.18
Koolker Chevrolet Sales Rock Rapids, Iowa	H-104-51	Collision	126.51
Morris Evans Red Oak, Iowa	H-106-51	Dead Pigs	596.14
Albert E. Shamblear Council Bluffs, Iowa	H-110-51	Collision	27.60
Lamoni Packing Co. Lamoni, Iowa	H-111-51	Truck Damage	1,166.00
John F. Heimes Centerville, Iowa	H-112-51	Collision	774.63
G. R. Shelley Omaha, Nebr.	H-115-51	Collision	43.35
Freeport Mut. Cas. Co. Freeport, Ill.	H-118-51	Collision	330.67
H. C. Krohn Manson, Iowa	H-119-51	Auto Damage	94.75
John G. Lane Cascade, Iowa	H-136-51	Collision	114.43
Robert M. Palmer Hazleton, Iowa	H-140-51	Personal Injury	3,072.24
Farmers Fire Protection Co. Elkhorn, Iowa	H-144-51	Truck Damage	488.50

Claimant	Claim No.	Nature of Claim	Amount
Mrs. Riley Campbell Rudd, Iowa	H-149-51	Damaged Plants	50.00
Forrest Johnson Mason City, Iowa	H-150-51	Collision	225.87
Northern Cas. Co. Des Moines, Iowa	H-151-51	Collision	176.56
Everett Stickley, Jr. Anamosa, Iowa	H-153-51	Collision	210.93
A. W. Martin Davis City, Iowa	H-155-51	Collision	16.04
Vernon K. Smith Fostoria, Iowa	H-158-51	Collision	273.18
Allied Mut. Ins. Co. Keokuk, Iowa	H-159-51	Collision	350.00
Floyd J. Hahn Arnolds Park, Iowa	H-160-51	Personal Injuries	3,058.00
Randall Reinholdt Marcus, Iowa	H-162-51	Collision	270.00
C. C. Bless St. Ansgar, Iowa	H-166-51	Collision	128.55
F. D. Riley Des Moines, Iowa	H-167-51	Collision	103.08
Wendell R. Sharpe Washington, Iowa	H-168-51	Collision	87.79
Mrs. Mary Reinholdt Marcus, Iowa	H-172-51	Personal Injury	164.00
Mrs. Anna Reinholdt Marcus, Iowa	H-173-51	Personal Injury	132.00
Mrs. Joe Stahl Kingsley, Iowa	H-174-51	Personal Injury	107.00
Mrs. Fred Reinholdt Marcus, Iowa	H-175-51	Personal Injury	107.00

*Be It Further Resolved:* That no claim included herein shall be re-processed by the state appeal board.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 20, 50, 122, 177, 202, 217, 328, 350 and 368; House Files 158, 350, 351, 360, 408, 409, 430, 458, 613 and 628.

JAMES H. NESMITH, *Chairman Senate Committee.*

ELMER A. BASS, *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 20, 50, 122, 177, 202, 217, 328, 350 and 368; House Files 158, 350, 351, 360, 408, 409, 430, 458, 613 and 628.

### BILLS SENT TO THE GOVERNOR

Senator Nesmith, 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, 1951, sent to the Governor for his approval: Senate Files 20, 50, 122, 177, 202, 217, 328, 350 and 368.

JAMES H. NESMITH, *Chairman.*

Passed on file.

### AMENDMENTS FILED

Amend Senate File 419 by striking all after line 6 and inserting in lieu thereof the following:

1. Lee County shall constitute the first district.
2. Jefferson County, Van Buren County and Davis County shall constitute the second district.
3. Appanoose County, Monroe County and Wayne County shall constitute the third district
4. Lucas County, Clarke County and Decatur County shall constitute the fourth district.
5. Union County, Ringgold County and Taylor County shall constitute the fifth district.
6. Adams County, Montgomery County and Cass County shall constitute the sixth district.
7. Fremont County, Page County and Mills County shall constitute the seventh district.
8. Pottawattamie County shall constitute the eighth district.
9. Des Moines County shall constitute the ninth district.
10. Henry County, Washington County and Louisa County shall constitute the tenth district.
11. Johnson County shall constitute the eleventh district.
12. Keokuk County and Mahaska County shall constitute the twelfth district.
13. Poweshiek County and Iowa County shall constitute the thirteenth district.
14. Jasper County shall constitute the fourteenth district.
15. Marion County and Warren County shall constitute the fifteenth district.



16. Dallas County, Adair County and Madison County shall constitute the sixteenth district.

17. Audubon County, Carroll County and Guthrie County shall constitute the seventeenth district.

18. Shelby County and Harrison County shall constitute the eighteenth district.

19. Monona County and Crawford County shall constitute the nineteenth district.

20. Muscatine County shall constitute the twentieth district.

21. Scott County shall constitute the twenty-first district.

22. Clinton County shall constitute the twenty-second district.

23. Cedar County, Jones County and Jackson County shall constitute the twenty-third district.

24. Lyon County, Osceola County and Dickinson County shall constitute the twenty-fourth district.

25. Fayette County and Buchanan County shall constitute the twenty-fifth district.

26. Linn County shall constitute the twenty-sixth district.

27. Webster County shall constitute the twenty-seventh district.

28. Marshall County shall constitute the twenty-eighth district.

29. Humboldt County and Kossuth County shall constitute the twenty-ninth district.

30. Polk County shall constitute the thirtieth district.

31. Boone County and Green County shall constitute the thirty-first district.

32. Sioux County and O'Brien County shall constitute the thirty-second district.

33. Woodbury County shall constitute the thirty-third district.

34. Clayton County and Delaware County shall constitute the thirty-fourth district.

35. Dubuque County shall constitute the thirty-fifth district.

36. Butler County, Bremer County and Grundy County shall constitute the thirty-sixth district.

37. Franklin County and Hardin County shall constitute the thirty-seventh district.

38. Black Hawk County shall constitute the thirty-eighth district.

39. Wright County and Hamilton County shall constitute the thirty-ninth district.

40. Emmet County, Palo Alto County and Pocahontas County shall constitute the fortieth district.

41. Clay County and Buena Vista County shall constitute the forty-first district.

42. Howard County, Winneshiek County and Allamakee County shall constitute the forty-second district.

43. Mitchell County, Floyd County and Chickasaw County shall constitute the forty-third district.

44. Cerro Gordo County shall constitute the forty-fourth district.

45. Winnebago County, Worth County and Hancock County shall constitute the forty-fifth district.

46. Ida County, Sac County and Calhoun County shall constitute the forty-sixth district.

47. Story County shall constitute the forty-seventh district.

48. Wapello County shall constitute the forty-eighth district.

49. Cherokee County and Plymouth County shall constitute the forty-ninth district.

50. Tama County and Benton County shall constitute the fiftieth district.

FRANK C. BYERS

Amend Senate File 477 as follows:

1. Strike the words and figures "five million seven hundred three thousand dollars (\$5,703,000)" in lines 4 and 5 of section 2, and insert in lieu thereof the words and figures "six million three hundred three thousand dollars (\$6,303,000)"; further amend section 2 by striking lines 7 to 15, inclusive, and insert in lieu thereof the following:

"For salaries, support, maintenance and miscellaneous purposes .....	\$6,000,000.00
"For repairs, replacement or alterations .....	300,000.00
"For Lakeside laboratory .....	3,000.00

"Total for the State University of Iowa .....\$6,303,000.00"

2. Strike the words and figures "five million six hundred thousand dollars (\$5,600,000)" from lines 4 and 5, section 7, and insert in lieu thereof the words and figures "six million three hundred thousand dollars (\$6,300,000)"; further amend section 7, by striking lines 8 to 24, inclusive, and inserting in lieu thereof the following:

"For general education .....	\$3,600,000.00
"For research .....	1,550,000.00
"For extension .....	850,000.00
"For repairs, replacement and alterations .....	300,000.00

"Total for the Iowa State College of agriculture and mechanic arts .....\$6,300,000.00"

3. Strike the words and figures "two million three hundred thirty-four thousand four hundred twenty-seven dollars (\$2,334,427)"

from lines 4 and 5 of section 8, and insert in lieu thereof the words and figures "two million six hundred thirty-six thousand five hundred dollars (\$2,636,500)"; further amend section 8, by striking lines 7 to 19, inclusive, and insert in lieu thereof the following:

"For salaries, support, maintenance and miscellaneous purposes .....	\$2,500,000.00
"For repairs, replacements and alterations.....	136,500.00
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"Total for Iowa State Teachers College.....	\$2,636,500.00"

4. Add a new section to Senate File 477 as follows:

"Sec. 12. There is hereby appropriated from the general fund of the state for capitol improvements at institutions under the control of said board the sum of one hundred thirty-seven thousand dollars (\$137,000) to be allocated as follows:

"For sewer and bridge at Iowa State Teachers College .....	\$ 57,000.00
"For repair of institution roads at Iowa School for Blind .....	15,000.00
"For power plant boiler, generator and header room at Iowa School for Blind.....	53,000.00
"For X-ray equipment at the state sanatorium .....	12,000.00
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"Total .....	\$137,000.00

"Provided, that no portion of this appropriation shall be spent until said funds are released by the budget and finance control committee."

5. Amend section 1 by striking from lines 5 to 7, inclusive, the words and figures "eighteen million three hundred eighty-two thousand sixty-eight dollars (\$18,382,068)" and insert in lieu thereof the words and figures "nineteen million nine hundred eighty-four thousand one hundred forty-one dollars (\$19,984,141)"; further amend by inserting the words "of education" after the word "board" in line 5.

6. Further amend by striking from line 22, section 11, the figures "\$18,382,068" and insert in lieu thereof the figures "\$19,984,141".

7. Amend the title by striking line 6 and inserting in lieu thereof the words "make appropriations for capital improvements".

8. Amend section 3 by striking lines 12 to 15, inclusive.

9. Amend section 4 by striking lines 16 to 19, inclusive.

10. Amend section 5 by striking lines 10 to 13, inclusive.

11. Amend section 6 by striking lines 10 to 13, inclusive.

12. Amend section 9 by striking lines 9 to 12, inclusive.

13. Amend section 10 by striking lines 9 to 12, inclusive.

14. Amend section 11 by striking lines 9 to 12, inclusive.

ALDEN L. DOUD (by request).  
LEO ELTHON.

Amend House File 183, section 5, line 5,  
by inserting after the word "education" the words "or the  
state superintendent of public instruction".

W. ELDON WALTER.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 13, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Lloyd Latta, pastor of the Methodist Church, Osceola, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Linnevold for the day on account of illness on request of Senator Sharp; Senator Van Patten for the day on account of the death of his father on request of Senator Sharp.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Doud, from county employees of Humboldt County favoring legislation relating to certain benefits for county officers; also, from members of the faculty of Des Moines Technical School favoring legislation relating to general aid to schools.

By Senator Hedin, from residents of Scott County favoring the repeal of rent control.

## PRESENTATION OF VISITORS

Senator Hattery asked and received unanimous consent to present to the Senate the members of the seventh and eighth grade classes of the Huxley Junior High School who were present in the balcony with their instructors, Mrs. Owen and Mrs. Leuthauser.

Senator O'Malley asked and received unanimous consent to present to the Senate the members of the American government class of the Bondurant High School who were present in the balcony with their superintendent, Joseph Kennedy.

Senator McCarville asked and received unanimous consent to present to the Senate twenty-five members of the American government class of the Burnside Consolidated School, Webster County, who were present in the balcony with their instructor, Howard Vorland.

Senator Doud asked and received unanimous consent to present to the Senate thirty members of the American government class of Parsons College who were present in the balcony with their instructor, Professor Thayer.

Senator Gillespie asked and received unanimous consent to present to the Senate a group of students from Rural School No. 6 of Webster Township, Madison County, who were present in the balcony with their instructor, Mrs. Clarence Baker.

### THIRD READING OF BILLS

On motion of Senator Colburn, Senate File 477, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1951, and ending June 30, 1953, to the board of education for the support, maintenance, repairs, replacements or alterations of institutions under said board of education, and to allocate capital improvement appropriations, was taken up, and considered.

Senator Colburn asked unanimous consent to take up the following amendment filed by Senators Doud (by request) and Elthon:

Amend Senate File 477 as follows:

1. Strike the words and figures "five million seven hundred three thousand dollars (\$5,703,000)" in lines 4 and 5 of section 2, and insert in lieu thereof the words and figures "six million three hundred three thousand dollars (\$6,303,000)"; further amend section 2 by striking lines 7 to 15, inclusive, and insert in lieu thereof the following:

"For salaries, support, maintenance and miscellaneous purposes .....	\$6,000,000.00
"For repairs, replacement or alterations .....	300,000.00
"For Lakeside laboratory .....	3,000.00

"Total for the State University of Iowa.....\$6,303,000.00"

2. Strike the words and figures "five million six hundred thousand dollars (\$5,600,000)" from lines 4 and 5, section 7, and insert in lieu thereof the words and figures "six million three hundred thousand dollars (\$6,300,000)"; further amend section 7, by striking lines 8 to 24, inclusive, and inserting in lieu thereof the following:

"For general education .....	\$3,600,000.00
"For research .....	1,550,000.00
"For extension .....	850,000.00
"For repairs, replacement and alterations .....	300,000.00

"Total for the Iowa State College of agriculture and mechanic arts .....\$6,300,000.00"

3. Strike the words and figures "two million three hundred thirty-four thousand four hundred twenty-seven dollars (\$2,334,427)" from lines 4 and 5 of section 8, and insert in lieu thereof the words and figures "two million six hundred thirty-six thousand five hundred dollars (\$2,636,500)"; further amend section 8, by striking lines 7 to 19, inclusive, and insert in lieu thereof the following:

"For salaries, support, maintenance and miscellaneous purposes .....	\$2,500,000.00
"For repairs, replacements and alterations.....	136,500.00
<hr/>	
"Total for Iowa State Teachers College.....	\$2,636,500.00"

4. Add a new section to Senate File 477 as follows:

"Sec. 12. There is hereby appropriated from the general fund of the state for capitol improvements at institutions under the control of said board the sum of one hundred thirty-seven thousand dollars (\$137,000) to be allocated as follows:

"For sewer and bridge at Iowa State Teachers College.....	\$ 57,000.00
"For repair of institution roads at Iowa School for Blind.....	15,000.00
"For power plant boiler, generator and header room at Iowa School for Blind .....	53,000.00
"For X-ray equipment at the state sanatorium.....	12,000.00
<hr/>	
"Total .....	\$137,000.00

"Provided, that no portion of this appropriation shall be spent until said funds are released by the budget and finance control committee."

5. Amend section 1 by striking from lines 5 to 7, inclusive, the words and figures "eighteen million three hundred eighty-two thousand sixty-eight dollars (\$18,382,068)" and insert in lieu thereof the words and figures "nineteen million nine hundred eighty-four thousand one hundred forty-one dollars (\$19,984,141)"; further amend by inserting the words "of education" after the word "board" in line 5.

6. Further amend by striking from line 22, section 11, the figures "\$18,382,068" and insert in lieu thereof the figures "\$19,984,141".

7. Amend the title by striking line 6 and inserting in lieu thereof the words "make appropriations for capital improvements".

8. Amend section 3 by striking lines 12 to 15, inclusive.
9. Amend section 4 by striking lines 16 to 19, inclusive
10. Amend section 5 by striking lines 10 to 13, inclusive.
11. Amend section 6 by striking lines 10 to 13, inclusive.
12. Amend section 9 by striking lines 9 to 12, inclusive.
13. Amend section 10 by striking lines 9 to 12, inclusive.
14. Amend section 11 by striking lines 9 to 12, inclusive.

Objection was raised.

Senator Colburn moved that divisions 1, 2 and 3 of the amendment filed by Senators Doud and Elthon be substituted for the amendment filed by Senator Mercer, et al., to Senate File 477 and

found on page 767 of the Senate Journal; the amendment filed by Senator Hattery, et al., and found on page 887 of the Senate Journal and the amendment filed by Senator Berg and found on page 806 of the Senate Journal.

Senator Prentis moved the previous question on the motion by Senator Colburn.

Senator Jacobson moved that the Senate adjourn until 10:00 a.m., Monday, which motion was lost.

On the question "Shall the motion for the previous question prevail?" roll call was requested and the vote was:

**Ayes, 25:**

Anderson	Elthon	Lord	Vest
Augustine	Fishbaugh	Lynes	Walter
Bateson	Fletcher	Myrland	Watson of
Berg	Gillespie	Parker	Pottawattamie
Colburn	Hultman	Prentis	Weichman
Doud	Humbert	Risk	Zastrow
Dykhouse	Knudson	.	

**Nays, 21:**

Bekman	Jacobson	O'Malley	Van Eaton
Byers	McCarville	Ridout	Watson of
Hart	Mercer	Roberts	O'Brien
Hattery	Molison	Sharp	West
Hedin	Nesmith	Utzig	Whitehead
Henningsen	Oltman		

**Absent or not voting, 4:**

Dailey	Linnevold	Tudor	Van Patten
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The motion for the previous question prevailed.

On the question "Shall the motion by Senator Colburn be adopted?" roll call was requested and the vote was:

**Rule 8 was invoked.**

The Chair announced that Senator Linnevold had requested permission to be recorded voting on the motion. The request was granted.

**Ayes, 24:**

Augustine	Elthon	Knudson	Vest
Bateson	Fishbaugh	Lord	Walter
Berg	Hattery	Lynes	Watson of
Byers	Henningsen	Myrland	Pottawattamie
Colburn	Hultman	Parker	West
Doud	Humbert	Prentis	Zastrow
Dykhouse			



Nays, 23:

Anderson	Hedin	Nesmith	Sharp
Bekman	Jacobson	Oltman	Utzig
Dailey	Linnevold	O'Malley	Van Eaton
Fletcher	McCarville	Ridout	Weichman
Gillespie	Mercer	Risk	Whitehead
Hart	Molison	Roberts	

Absent or not voting, 3:

Tudor	Van Patten	Watson of O'Brien
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The motion prevailed and substitution was made.

Senator Jacobson raised a point of order that the Chair, in announcing the result of the vote on the motion by Senator Colburn, was in error for the reason that a two-thirds majority vote was required to alter the order of consideration of amendments filed.

On motion of Senator Elthon, the Senate recessed until 1:00 p.m.

#### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

#### RECONSIDERATION OF SENATE CONCURRENT RESOLUTION 15

Senator Elthon asked and received unanimous consent that the vote by which Senate Concurrent Resolution 15 as amended by the House was adopted be reconsidered.

Senator Elthon asked and received unanimous consent that further action on Senate Concurrent Resolution 15 be deferred.

#### THIRD READING OF BILLS

The Senate resumed consideration of Senate File 477.

On the point of order raised by Senator Jacobson, the Chair stated that the rules of the Senate did not provide a fixed rule for order of consideration of amendments and ruled the point not well taken.

Senator Knudson asked and received unanimous consent to withdraw the amendment filed by him and found on page 1014 of the Senate Journal.

Senator Mercer asked and received unanimous consent to withdraw the amendment filed by him and found on page 869 of the Senate Journal.

Senator Bekman offered the following amendment to the amendment by Senators Doud and Elthon and moved its adoption:

Amend the amendment as follows: strike lines 7, 8, 9, 10 and 11 and insert in lieu thereof the following:

"For salaries, support, maintenance and miscellaneous purposes .....	\$6,250,000.00
"For repairs, replacement or alterations .....	300,000.00
"For Lakeside laboratory .....	3,000.00
<hr/>	
"Total for the State University of Iowa .....	\$6,553,000.00"

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 12:

Bekman	Mercer	O'Malley	Sharp
Jacobson	Nesmith	Ridout	Utzig
McCarville	Oltman	Risk	Whitehead

Nays, 33:

Anderson	Elthon	Humbert	Vest
Augustine	Fishbaugh	Knudson	Watson of
Bateson	Fletcher	Lord	O'Brien
Berg	Gillespie	Lynes	Watson of
Byers	Hart	Molison	Pottawattamie
Colburn	Hattery	Myrland	Weichman
Dailey	Hedin	Parker	West
Doud	Henningsen	Prentis	Zastrow
Dykhouse	Hultman	Roberts	

Absent or not voting, 5:

Linnevold	Van Eaton	Van Patten	Walter
Tudor			

The amendment was lost.

On motion of Senator Doud, the amendment by Senators Doud and Elthon was adopted.

Senator Dailey offered the following amendment:

1. Amend Senate File 477, lines 4 and 5 of section 11, by striking the words and figures "six hundred eighty-seven thousand dollars (\$687,000)" and inserting in lieu thereof "seven hundred seventy thousand dollars (\$770,000)".

2. Further amend section 11, line 8, by striking the figures "(\$677,000)" and inserting in lieu thereof "(\$760,000)".

3. Further amend section 11, line 14, by striking the figures "(\$687,000)" and inserting in lieu thereof "(\$770,000)".

Senator Augustine took the chair at 2:45 p.m.

Senator Dailey moved the adoption of the amendment and asked for a division.

The amendment was lost.

Senator Doud offered the following amendment and moved its adoption:

Amend Senate File 477 by striking from section 11 lines 15 to 19, inclusive.

The amendment was adopted.

Senator Mercer offered the following amendment by Senators Mercer, Tudor and Anderson and moved its adoption:

Amend Senate File 477 by striking in section 3, lines 5 and 6, the words and figures "two million eight hundred sixty thousand seven hundred fifty dollars (\$2,860,750.00)" and insert in lieu thereof the words and figures "three million five hundred sixty-six thousand six hundred twenty-eight dollars (\$3,566,628.00)."

In line 11, section 3, strike the figures "\$2,760,750.00" and insert in lieu thereof the figures "\$3,466,628.00."

In line 17, section 3, strike the figures "\$2,860,750.00" and insert in lieu thereof the figures "\$3,566,628.00."

President Nicholas took the chair at 3:45 p.m.

Division was called for.

The amendment was adopted.

Senator Hattery offered the following amendment:

Amend Senate File 477 as follows: by adding to section 2 after line 14 the following "In addition to the appropriations previously enumerated, there is hereby appropriated the additional sum of \$400,000.00. No part of this appropriation shall be disbursed, however, until an authenticated showing of necessity is made to the budget and financial control committee, and approved by said committee. Any unused portion of this additional appropriation shall revert to the general fund of the state .....\$400,000.00

Further amend Senate File 477, section 7, by adding after line 15 the following: "In addition to the appropriations previously enumerated, there is hereby appropriated the additional sum of \$400,000.00. No part of this appropriation shall be disbursed, however, until an authenticated showing of necessity is made to the budget and financial control committee, and approved by said committee. Any unused portion of this additional appropriation shall revert to the general fund of the state. ....\$400,000.00

Further amend Senate File 477, section 8, by adding the following after line 16: "In addition to the appropriations previously enumerated, there is hereby appropriated the additional sum of \$200,000.00. No part of this

appropriation shall be disbursed, however, until an authenticated showing of necessity is made to the budget and financial control committee, and approved by said committee. Any unused portion of this additional appropriation shall revert to the general fund of the state.....\$200,000.00

Senator Hattery asked and received unanimous consent to withdraw the amendment.

Senator Doud asked and received unanimous consent that the Secretary be instructed to correct the totals in the bill.

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:

Anderson	Gillespie	Molison	Utzig
Augustine	Hart	Myrland	Van Eaton
Bateson	Hattery	Nesmith	Vest
Bekman	Hedin	Oltman	Walter
Berg	Henningsen	O'Malley	Watson of
Byers	Hultman	Parker	O'Brien
Colburn	Humbert	Prentis	Watson of
Dailey	Jacobson	Ridout	Pottawattamie
Doud	Knudson	Risk	Weichman
Dykhouse	Lord	Roberts	West
Elthon	Lynes	Sharp	Whitehead
Fishbaugh	McCarville	Tudor	Zastrow
Fletcher	Mercer		

Nays, none.

Absent or not voting, 2:

Linnevold                      Van Patten

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

#### EXPLANATION OF VOTE

MR. PRESIDENT AND MEMBERS OF THE SENATE: I was one of the signers of the amendment filed by Mercer and others to Senate File 477. I voted in favor of the motion to substitute the Doud and Elthon amendment for the Mercer and others amendment to said bill. I desire to explain my vote and state that at the time I signed the amendment I had not been advised that the amount of the appropriation as contained in the Doud and Elthon amendment was satisfactory to the board of education and that that was the amount of their askings.

FRANK C. BYERS.

On motion of Senator Lord, Senate File 484, a bill for an act to appropriate from the general fund of the State of Iowa for the

period from July 4, 1949, to June 30, 1951, funds for the purpose of paying the contribution by the state to the peace officer's retirement system, as authorized by law but not previously appropriated, was taken up for further consideration.

Senator Colburn offered the following amendment and moved its adoption:

Amend Senate File 484, section 1, by inserting after the word "appropriated" in line 2 the following: "from the general fund of the State of Iowa".

The amendment was adopted.

Senator Lord moved that the bill be read a third 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:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Vest
Bekman	Hedin	Nesmith	Walter
Berg	Henningsen	Oltman	Watson of
Byers	Hultman	O'Malley	O'Brien
Colburn	Humbert	Parker	Watson of
Dailey	Jacobson	Prentis	Pottawattamie
Doud	Knudson	Ridout	Weichman
Dykhouse	Lord	Risk	West
Elthon	Lynes	Roberts	Whitehead
Fishbaugh	McCarville	Sharp	Zastrow
Fletcher			

Nays, none.

Absent or not voting, 3:

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

#### HOUSE AMENDMENTS CONSIDERED

Senator Dykhouse called up for consideration Senate File 163, a bill for an act relating to the general powers of municipal corporations and to repeal chapter three hundred sixty-eight (368) of the Code, relating thereto, and certain other sections of the Code, relating thereto, and to enact a substitute therefor, and to amend various sections of the Code relating thereto, amended by the House.

Senator Hattery moved that the Senate concur in the House

amendments to Senate File 163, found on pages 973, 974 and 975 of the Senate Journal.

The Senate concurred in the House amendments.

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

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

**Ayes, 45:**

Anderson	Gillespie	Molison	Van Eaton
Augustine	Hart	Myrland	Vest
Bateson	Hattery	Nesmith	Walter
Bekman	Henningsen	Oltman	Watson of
Berg	Hultman	O'Malley	O'Brien
Byers	Humbert	Parker	Watson of
Dailey	Jacobson	Prentis	Pottawattamie
Doud	Knudson	Ridout	Weichman
Dykhouse	Lord	Risk	West
Elthon	Lynes	Roberts	Whitehead
Fishbaugh	McCarville	Sharp	Zastrow
Fletcher	Mercer	Utzig	

**Nays, none.**

**Absent or not voting, 5:**

Colburn	Linnevoid	Tudor	Van Patten
Hedin			

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

Senator Hattery called up for consideration Senate File 165, a bill for an act relating to the forms of government, classification and fiscal year of municipal corporations and to the election of officers thereof, and to repeal certain sections of chapters three hundred sixty-three (363), four hundred sixteen (416), four hundred nineteen (419), and four hundred twenty (420), Code 1950, relating thereto, and to enact a substitute therefor, and to amend various sections of the Code to conform thereto, amended by the House and found on pages 975 and 976 of the Senate Journal, and moved that the Senate concur in all House amendments with the exception of amendment 2 relating to section 9 of the bill, which motion prevailed, and the Senate concurred in House amendments 1, 3, 4, 5, 6, 7, 8 and 9.

Senator Hattery moved that the Senate refuse to concur in amendment 2 relating to section 9 of the bill, which motion prevailed, and the Senate refused to concur in amendment 2.

Senator Dykhouse called up for consideration Senate File 33, a bill for an act relating to the ordinances of municipal corporations, and to repeal certain sections of chapter three hundred sixty-six (366), Code 1950, relating thereto, and to amend certain sections of said chapter, amended by the House and found on page 984 of the Senate Journal, and moved that the Senate refuse to concur in the House amendments.

The motion prevailed and the Senate refused to concur in the House amendments.

Senator Dykhouse called up for consideration Senate File 212, a bill for an act relating to taxation and other sources of municipal revenue, and to repeal chapter four hundred four (404) of the Code relating thereto and enact a substitute therefor, and to repeal certain other sections of the Code relating thereto, and to amend certain sections of the Code relating thereto, amended by the House, and found on pages 1042 and 1043 of the Senate Journal, and moved that the Senate concur in all amendments with the exception of amendment 14, which motion prevailed, and the Senate concurred in House amendments 1 to 13, inclusive, and amendment 15.

Senator Dykhouse moved that the Senate refuse to concur in House amendment 14.

The motion prevailed and the Senate refused to concur in House amendment 14.

#### SENATE CONCURRENT RESOLUTION 20

*Whereas*, Senator Leo Elthon of Worth County is now completing 20 years of distinguished service in the Iowa legislature and for this long period of years has contributed valuable services to the State of Iowa;

*Now, Therefore, Be It Resolved by the Senate, the House Concurring:* That Senator Elthon be presented with the chair which he has occupied during this session and that the custodian of the State House be instructed to crate the chair for shipment to the home residence of the Senator.

*Be It Further Resolved:* That a copper plate with the proper inscription thereon showing that the chair was presented by the Fifty-fourth General Assembly be properly attached to said chair.

FRANK C. BYERS.  
JOHN P. BERG.  
A. E. AUGUSTINE.  
STANLEY L. HART.  
LEROY S. MERCER.

## REPORT OF COMMITTEE

TO THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE OF REPRESENTATIVES AND TO THE MEMBERS OF THE FIFTY-FOURTH GENERAL ASSEMBLY:

Your committee appointed pursuant to House Concurrent Resolution 11 begs leave to submit the following report:

On January 29, the Senate concurred in House Resolution 11 which authorized the appointment of a committee consisting of eight from the Senate and eight from the House of Representatives with the following explicit instructions:

"To study the provisions of House Resolution 4 and the transcript of the testimony as taken before the committee on retrenchment and reform, and the report of the committee on retrenchment and reform, and report back to this General Assembly as soon as practical their findings and recommendations."

It should be noted that this committee, contrary to some beliefs, was not created as one having broad investigative powers, but its jurisdiction was limited to the study of specific records, proceedings and reports. It has had no power to examine witnesses.

On January 30 the members of this committee were named by the Lieutenant Governor and Speaker, respectively. The committee was organized by meeting on February 14, and the members then resolved to prepare themselves for further deliberations by individually studying the records and proceedings referred to.

The next meeting of the committee was held on March 14, at which time the chairman appointed a subcommittee of six members, composed of three from each branch of the legislature, to draft a report and recommendations for submission to and consideration by the full committee.

At the next meeting which was held on March 22, and in which many individual and divergent views were expressed, it was also determined that the individual members of the committee should submit their personal ideas and suggestions to the subcommittee for study and inclusion in its report.

At the meeting on April 2, which was the next meeting of the committee, the chairman of the subcommittee reported that no agreement had been reached. He submitted a report signed only by three of the six members, and which in brief found no evidence in the record to warrant criminal action, but found general criticisms of business practices and administration; noted a lack of compatibility among the commissioners; made general reference to the need for immediate legislation in the form of providing for the furnishing of information by liquor suppliers, prohibiting political contributions, and doing away with Iowa representatives of suppliers; and urged the need of redefining and reemphasizing the exclusive and independent authority of the liquor control commission. A minority report signed by one member of the subcommittee recommended a full stage investigation. Neither report was adopted by the full committee but action was deferred thereon by appropriate motion. At this meeting it was also determined to invite members of the



last legislative interim committee to attend a session to be held later in the day.

On this same date the committee held a public meeting at which members of the press were admitted, and which was attended by four members of the interim committee. At this meeting questions were freely asked and full inquiry made as to any further factual information, but no information outside the transcript and report already at hand was produced.

The members of the subcommittee have remained in disagreement. There are honest differences of opinion among them.

The majority of the main committee have, however, now agreed upon the following findings and recommendations:

1. It is evident that there have been disagreements and conflicts of personalities in the administration of the liquor commission, and that these have contributed to and given rise to ill feeling and rumors.

2. There is evidence of error in judgment and mistakes in policy on the part of the commission, but these errors have been pointed out both by the report of the state auditor and by the interim committee. They can, and should, be rectified.

3. The only clear evidence of a criminal nature consists of a statement by a member of the commission that he had been offered a substantial bribe, which was declined. This fact does not make him a criminal.

4. It is not the function or purpose of the legislative branch of government to ferret out or attempt to punish crime, except where criminality becomes linked with the enforcement agencies of the state. No such implication arises in this state in connection with the matter under investigation.

5. The legislature should limit itself to the enactment of such remedial or corrective measures as are deemed necessary. We further find that a liquor comptroller should be appointed. The discovery and punishment of criminal acts can be handled capably by the law enforcement agencies of the several counties and the state.

6. In the event further disclosures or events should justify inquiry, the permanent joint committee newly established by the Fifty-fourth General Assembly, under Senate File 1, has the facilities for conducting the same at any time.

7. It is agreed that individual members of the committee may file supplemental reports not inconsistent herewith.

Respectfully submitted,

W. ELDON WALTER, *Chairman.*

JOHN P. BERG.

RAY FLETCHER.

RAYMOND GILLESPIE.

O. H. HENNINGSEN.

GEORGE E. O'MALLEY.

ALAN VEST.

HARRY E. WATSON.

On the Part of the Senate.

ARCH W. MCFARLANE, *Chairman.*

J. E. HANSEN.

ARTHUR C. HANSON.

ROBERT P. MUNGER.

NORMAN NORLAND.

ERNEST PALMER, JR.

TED SLOANE.

HENRY W. WASHBURN.

On the Part of the House.

## SUPPLEMENTAL REPORT

It is my opinion that Senate File 417 and House File 332, or bills of similar content, should be passed by the Fifty-fourth General Assembly. These bills, or bills of similar content, together with the appointment of a comptroller by the Liquor Control Commission and providing for rules under which the comptroller shall reflect the operating conditions of the Liquor Control Commission, should properly safeguard the rights of the people of the State of Iowa.

SLOANE of Polk.

## CONFERENCE COMMITTEE REPORT ON HOUSE FILE 421

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

We, the undersigned members of the conference committee appointed to consider the difference between the House and the Senate on House File 421, a bill for an act to increase fees to be charged by county officials, beg leave to report and make the following recommendation:

That the House concur in the Senate amendment to section 14.

That the title be amended by changing the semicolon (;) in line 19 to a period (.) and striking the remainder.

Respectfully submitted,

ARTHUR H. JACOBSON.

HARRY E. WEICHMAN.

J. T. DYKHOUSE.

EDWARD S. PARKER.

A. C. HANSON.

CLARK H. MCNEAL.

H. R. WHITE.

ELMER A. BASS.

On the Part of the Senate.

On the Part of the House.

## SENATE CONCURRENT RESOLUTION 21

By Claims Committee

*Whereas*, doubt has arisen under provisions of section twenty-five point seven (25.7), Code 1950, that submission of claims to the joint claims committee of the Senate and House and rejection by said committee constitutes final action thereon by the General Assembly as provided in said section; and,

*Whereas*, certain claims rejected by previous joint claims committees are sometimes reprocessed by the state appeal board for recurring submissions; and,

*Whereas*, it is deemed desirable that claims submitted to the joint claims committee of the Fifty-fourth General Assembly and rejected thereby should be submitted to the Senate and House thereof for final action and determination as the act of the General Assembly.

*Therefore, Be It Resolved by the Senate, the House Concurring*: That the claims hereinafter set forth, duly processed by the state appeal board and rejected by the joint claims committee, be considered by the Senate and House, and the action of the joint claims committee be approved.

Claimant	Claim No.	Nature of Claim	Amount
Leonard A. Miller Decorah, Iowa	2	Accident	\$ 26.32
Earnest Shearer Westfield, Iowa	6	Crop damage	230.00
Herbert A. Langley Boulevard Station Sioux City, Iowa	7	Crop damage	630.00
Floyd Bauerly Westfield, Iowa	8	Crop damage	345.00
John Bubschi Anamosa, Iowa	9	State employee's negligence	150.00
Lessman Manufacturing Co. Des Moines, Iowa	11	Land damage	2,674.97
Elmer G. Swift Woodine, Iowa	16	Crop damage	70.00
Ernest Wendt Avoca, Iowa	17	Collision	178.11
Dr. Joseph Kaufman 2756 W. Division St. Chicago 22, Ill.	18	Accident	701.92
John W. Allen Missouri Valley, Iowa	21	Accident	242.09
Charles Hills 1110 66th St. Des Moines, Iowa	22	Accident	
Arthur E. Kelly Davenport, Iowa	24	Accident	609.98
Dr. John W. Lewis Chamberlain, S. Dak.	35	Accident	82.94
Donald Freese Iowa State Penitentiary Fort Madison, Iowa	40	Personal injury	Not stated
Donald Rentschler Inwood, Iowa	41	Accident	41.02
Iowa Farm Mutual Ins. Des Moines 8, Iowa	43	Accident	66.23
Merle Outtrim Jefferson, Iowa	43a	Accident	10.00
Iowa Farm Mut. Ins. Co. Des Moines, Iowa	48	Accident	21.14
State Farm Ins. Co. Bloomington, Ill.	53	State employee's negligence	15.00
Mike Yaroslavski 601 S.E. 25th St. Ct. Des Moines, Iowa	57	Accident	600.00

Claimant	Claim No.	Nature of Claim	Amount
Charles Risk Sioux City, Iowa	61	Refund on permit	62.50
Bekins Van & Storage Co. 16th & Leavenworth Omaha 12, Nebr.	64	Accident	209.09
John F. Rosmann Defiance, Iowa	66	Refund on license	96.25
John Airy 1919 E. 12th St. Des Moines, Iowa	70	Car damage	125.00
Geo. W. Madsen R. 3, Des Moines, Iowa	71	Car damage	25.00
Country Mut. Cas. Co. 43 E. Ohio St. Chicago 11, Ill.	73	Accident	124.37
Chas. L. Baughman Indianola, Iowa	74	Car damage	60.00
Mrs. Gertrude Moeller 301 Marshall Waterloo, Iowa	76	Refund on trailer license	20.00
Frank J. Serovy Ely, Iowa	81	Property damage	600.00
Guardian of Glenna Darlene Atkins	82	Death claim	18,500.00
Estate of Benjamin Franklin Howard Atlantic, Iowa	86	Death claim	11,514.10
Estate of Mary Idell Howard Atlantic, Iowa	87	Death claim	10,935.05
Johnnie Maas Pine Lake State Park Eldora, Iowa	88	Fire claim	3,815.33
Jim McGennis Sioux City, Iowa	93	Crop damage	625.00
Armstrong Rubber Mfg. Co. Des Moines, Iowa	97	Tax refund	658.44
D. J. McNamara Iowa City, Iowa	99	Car damage	147.00
Armstrong-Mitchell Farm Jesup, Iowa	102	Gas refund	17.48
Jacob Manley Vinton, Iowa	114	Prison time and expenses	8,439.66
Leo J. Tapscott 1007 22nd St. Des Moines, Iowa	115	Car damage	500.00

Claimant	Claim No.	Nature of Claim	Amount
Central States Mut. Ins. Assn. Mount Pleasant, Iowa	117	Car damage	700.89
Arthur Neuman Denison, Iowa	118	Car damage	183.04
Fred Ulch Elberon, Iowa	119	Car damage	66.67
Mary Greeley Memorial Hospital Ames, Iowa	120	Personal injury	1,126.44
Leo Kiefer Keota, Iowa	121	Refund on license	6.00
Chester L. Book 2219 40th St. Pl. Des Moines, Iowa	122	Car damage	15.00
Mrs. Effie Lawrence Olathe, Kansas	125	Personal injury	1,720.14
Leon H. Carter Des Moines, Iowa	126	Loss of position	1,852.25
J. M. Snow Des Moines, Iowa	127	Loss of finger	1,800.00
Agnes M. Brennan 709 Mulberry St. St. Madrid Hotel Des Moines, Iowa	133	Personal injury	Not stated
Estate of Harold Klinkefus Harlan, Iowa	139	Accident	Not stated
Robert V. Miller Harlan, Iowa	144	Collision	254.94
Emil Hawkinson Forest City, Iowa	150	Crop damage	840.00
Fred J. Heady Davenport, Iowa	155	Personal injury	Not stated
Ellsworth Fuller Davenport, Iowa	162	Personal injury	50,000.00
Ivan Brown Spirit Lake, Iowa	163	Personal injury	1,286.85
Geo. Callahan 337 N. Main St. Brighton, Colo.	164	Personal injury	18,416.00
Wm. H. Jacobs Inwood, Iowa	165	Animal and land damage	400.00
Guy Harmon Algona, Iowa	175	Refund on gas purchases	54.47

*Be It Further Resolved:* That no claim included herein shall be re-processed by the state appeal board.

## 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 201, a bill for an act relating to the use of live pigeons in training hunting dogs.

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

Senate File 498, a bill for an act providing for the payment by the State of Iowa of a portion of the cost of construction of sanitary facilities in certain lake districts in Iowa.

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

House File 4, a bill for an act authorizing the state board of control to construct a domiciliary dormitory at the Iowa Soldiers' Home, Marshalltown, Iowa, and to make an appropriation therefor.

Also: That the House has concurred in Senate amendments to and passed House File 94, a bill for an act relating to the bounties on wild animals.

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

House File 159, a bill for an act relating to the change of venue of justice of peace court.

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

House File 281, a bill for an act relating to conditions under which funds, etc., provided by the federal government may be accepted for use by the public school systems.

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

House File 482, a bill for an act relating to compensation of members of board of social welfare.

Also: That the House has concurred in Senate amendment 14 and refused to concur in all other Senate amendments to House File 617, a bill for an act making an appropriation for various departments of state for the biennium beginning July 1, 1951.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE AMENDMENTS TO SENATE FILE 201

Amend Senate File 201, line 5, by inserting immediately after the word "pigeons" the following: ", sparrows, crows and starlings".

Further amend the title to Senate File 201 by inserting after the word "pigeons" in line 1 the following: ", sparrows, crows and starlings".

## HOUSE MESSAGES CONSIDERED

House File 4, a bill for an act to authorize the state board of control to construct a domiciliary dormitory at the Iowa Soldiers' Home, Marshalltown, Iowa, for persons who qualify under the provisions of section eight (8), chapter three hundred thirty-two (332), Acts of the Thirty-ninth General Assembly, and to transfer to the general fund of the state the sum of one million one hundred twenty-five thousand dollars (\$1,125,000) from the bonus and disability fund created by section eight (8), chapter three hundred thirty-two (332), Acts of the Thirty-ninth General Assembly, and to make an appropriation for the building of such dormitory.

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

House File 159, a bill for an act to amend chapter seven hundred sixty-two (762), Code 1950, relating to change of venue of justice of peace court.

Read first and second times, and referred to the sifting committee.

House File 281, a bill for an act to safeguard the educational interests and welfare of the state by prescribing conditions under which funds, services, commodities, or equipment provided by agencies of the federal government may be accepted for use by the public, tax-supported school systems of the state under the control and supervision of the superintendent of public instruction.

Read first and second times, and referred to the sifting committee.

House File 482, a bill for an act to amend chapter one (1), section fifty (50), Acts of the Fifty-third General Assembly, relating to compensation of members of board of social welfare.

Read first and second times, and referred to the sifting committee.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 44, 295, 318, 370, 403, 447, 476 and 491.

JAMES H. NESMITH, *Chairman Senate Committee.*

ELMER A. BASS, *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 44, 295, 318, 370, 403, 447, 476 and 491.

**BILLS SENT TO THE GOVERNOR**

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

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 13th day of April, 1951, sent to the Governor for his approval: Senate Files 44, 295, 318, 370, 403, 447, 476 and 491.

JAMES H. NESMITH, *Chairman.*

Passed on file.

**AMENDMENTS FILED**

Amend Senate File 486 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Department created. There is hereby created a state department of buildings and supplies.

Sec. 2. Director. The department of buildings and supplies shall be in the charge of a director who shall be appointed by the Governor with the approval of two-thirds of the members of the Senate in executive session. The director shall be selected on the basis of his general knowledge and experience in the field of purchasing and management. The director shall take office on July 1 of the year of his appointment and shall serve for a term of four years or until his successor is appointed and qualified. Vacancies in the office of director shall be filled by temporary appointment by the Governor.

Sec. 3 Organization. The department of buildings and supplies shall contain a division of buildings and grounds under the custodian, a division of architecture under the state architect, and a division of equipment and supplies under the state purchasing agent.

Sec. 4. Appointments. The director of buildings and supplies shall appoint the custodian of buildings and grounds, the state architect, and the state purchasing agent.

Sec. 5. Qualifications. The custodian of buildings and grounds shall be selected on the basis of his knowledge and experience in connection with the general upkeep of buildings and grounds. The state architect shall be a registered architect. The state purchasing agent shall be an experienced commercial buyer.

Sec. 6. Salary. The director of buildings and supplies, the state architect, the custodian, and the state purchasing agent shall receive such compensation as the General Assembly shall biennially provide and in addition thereto shall receive



necessary and actual traveling expenses incurred in the performance of their duties.

Sec. 7. Duties of custodian. The custodian of buildings and grounds shall perform, under the supervision of the director of buildings and grounds, such duties as are provided by chapter 18 of the Code and such other duties as the director may order.

Sec. 8. Duties of architect. The state architect shall prepare all plans and specifications for public buildings to be paid for with state funds. He shall plan and supervise all repairs and alterations on buildings owned or used by the state which cost in excess of five thousand dollars.

Sec. 9. Duties of purchasing agent. The state purchasing agent shall purchase all expendable supplies for use of departments located at the seat of government and shall purchase nonexpendable supplies and equipment for use of all departments located at the seat of government on requisition signed by the department head and approved by the executive council. For those departments which are located at the seat of government and have control of state institutions located elsewhere, the duties of said purchasing agent shall extend only to the department offices located at the seat of government. Institution supplies shall be procured as otherwise provided by law. For purposes of this act "expendable" supplies are those which are wholly consumed in normal usage and "nonexpendable" supplies shall mean all other supplies.

Sec. 10. Personnel. The director of buildings and supplies shall employ such employees as are necessary to carry on the work of the department and all divisions thereof.

Sec. 11. Specific duties of purchasing agent. The purchasing agent under the supervision of the director shall perform the following duties:

1. Supplies and postage. Have charge of supplies and postage purchased for state use.

2. Requisition blanks. Prepare requisition blanks for supplies for those authorized to draw the same.

3. Repairs—supplies. Subject to the approval of the executive council, contract for the repairing of all buildings and grounds of the state at the seat of government; for the necessary telephone, telegraph, lighting and water service for such building and grounds; and for all necessary furniture, fuel, and nonexpendable stores and supplies for the said buildings and grounds and for the various departments of the state government at the seat of government. Payment for telephone, telegraph, water, and lighting service shall not exceed the minimum charge to private parties.

4. Bids—contracts. On order of the director, advertise in two newspapers published at the seat of government, and in such other newspapers as the director may order, for sealed proposals for furnishing supplies (except government postage and other noncompetitive supplies) which advertisements shall state the kind, quality, and quantity, time and place of delivery, time and

place when such proposals will be opened, when the same must be filed, and such other matters as the director may order. All bids shall be opened at the time and place specified. Contracts shall be let to the lowest responsible bidder, but the purchasing agent may reject all bids and readvertise. Successful bidders shall give security, to be approved by the director, for the faithful performance of all contracts.

5. Identification of property. All nonexpendable property procured for use in and about the capitol shall, when practicable, be marked with the word "Iowa".

6. Disposal of property. Said purchasing agent shall, on order of the director and with the consent of the executive council, dispose of any personal property when the same shall for any reason become unnecessary or unfit for further use by the state.

7. Supply account. The purchasing agent shall keep a complete and itemized account of all property purchased with the cost and disposition thereof.

8. Account with officer. The purchasing agent shall keep an accurate itemized account with each office, board, commission, or person drawing supplies, charging thereto the several articles furnished at the cost price.

9. Drawing supplies. Supplies shall be delivered only on written requisition signed by the officer entitled thereto. The purchasing agent shall take receipts for such supplies and file and preserve the same. Postage shall not be furnished to the General Assembly, its members, officers, employees, or committees. (19.4, 19.5, 19.18, 19.20 to 19.24, 19.26 to 19.28, C50, revised and combined.)

Sec. 12. Officers entitled to supplies. The department of buildings and supplies shall, unless otherwise provided, furnish the following officers and departments with all articles and supplies required for the public use and necessary to enable them to perform the duties imposed upon them by law:

1. Governor.
2. Secretary of state.
3. Auditor of state.
4. Treasurer of state.
5. Secretary of agriculture.
6. Attorney general.
7. Judges of supreme court.
8. Clerk of supreme court.
9. Reporter of supreme court and code editor.
10. Iowa state commerce commissioners.
11. Commerce counsel.
12. General Assembly and members thereof.
13. Standing and special committees of the General Assembly.
14. Chief clerk of the House.
15. Secretary of the Senate.
16. Superintendent of public instruction.

17. Board of control of state institutions.
18. State board of education and finance committee thereof.
19. Insurance department.
20. Historical department.
21. Mine inspectors.
22. Labor commissioners.
23. Board of parole.
24. State department of health.
25. State comptroller.
26. State board of educational examiners.
27. State library.
28. Law library.
29. State library commission.
30. State printing board and superintendent of printing.
31. State fire marshal.
32. Industrial commissioner.
33. Adjutant general.
34. State tax commission.
35. State conservation commission.
36. Real estate commission.
37. Executive council.

This section shall not be construed to prevent the furnishing of supplies to other officers who are entitled to them under other provisions of law. (19.25, C50, revised.)

Sec. 13. Section eighteen point one (18.1), Code 1950, is hereby repealed and the following enacted in lieu thereof:

"The division of buildings and grounds under the department of buildings and supplies shall be in the charge of the custodian appointed by the director of the department."

Sec. 14. Section eighteen point two (18.2), Code 1950, is amended by striking from the last line the words "executive council" and inserting in lieu thereof the word "director".

Sec. 15. Section eighteen point three (18.3), Code 1950, is amended by striking from line one (1) the word "custodian" and inserting in lieu thereof the word "director".

Further amend said section by striking the word "property" from line two (2) of subsection one (1) and inserting in lieu thereof the word "supplies".

Sec. 16. Sections nineteen point four (19.4) and nineteen point five (19.5), Code 1950, are hereby repealed. (See subsections 1 and 2 of section 11.)

Sec. 17. Section nineteen point eighteen (19.18), Code 1950, is hereby repealed. (See subsection 3 of section 11.)

Sec. 18. Sections nineteen point twenty (19.20) to nineteen point twenty-four (19.24), inclusive, Code 1950, are hereby repealed. (See subsections 4 to 7 of section 11.)

Sec. 19. Section nineteen point twenty-five (19.25), Code 1950, is hereby repealed. (See section 12.)

Sec. 20. Sections nineteen point twenty-six (19.26) to

nineteen point twenty-eight (19.28), inclusive, Code 1950, are hereby repealed. (See subsections 8 and 9 of section 11.)

Sec. 21. Section twenty point two (20.2), Code 1950, is amended by striking from lines three (3) and four (4) the words "secretary of the executive council" and inserting in lieu thereof the words "purchasing agent". (Secretary of war surplus commodities board.)

Sec. 22. Section twenty-one point two (21.2), Code 1950, is amended by striking from line ten (10) the words "secretary of the executive council" and inserting in lieu thereof the words "director of buildings and supplies".

Further amend said section by striking from the last two lines the words "executive council" and inserting in lieu thereof the word "Governor". (Director may be appointed car dispatcher.)

Sec. 23. Section one hundred twenty-three point sixteen (123.16), Code 1950, is amended by adding to subsection four (4) the following sentence: "All equipment, furniture, and supplies other than stocks of liquor shall be purchased through the state purchasing agent." (Liquor commission supplies purchased through purchasing agent.)

Sec. 24. Section two hundred eighteen point fifty-eight (218.58), Code 1950, is amended by striking all before the word "In" in line six (6) and inserting in lieu thereof the following: "The state architect shall serve as architect for the board."

Sec. 25. Section two hundred eighteen point fifty-nine (218.59), Code 1950, is amended by striking from line seven (7) the words "a competent" and inserting in lieu thereof the words "the state".

Sec. 26. Section eighty point eighteen (80.18), Code 1950, is amended by adding the following sentence: "All supplies procured for the department shall be purchased through the state purchasing agent."

Sec. 27. Section sixty-four point six (64.6), Code 1950, is amended by adding the following new subsection: "Director of buildings and supplies, ten thousand dollars." (Bond of director.)

Sec. 28. House File six hundred seventeen (617), Acts of the Fifty-fourth General Assembly, is hereby amended by striking from lines four (4) and five (5) of section seventeen (17) the words and figures "three hundred fifty thousand dollars (\$350,000.00)" and inserting in lieu thereof the words and figures "\_\_\_\_\_".

Further amend said section of said act by striking from line nine (9) of section seventeen (17) the figures "345,800.00" and inserting in lieu thereof the figures "\_\_\_\_\_".

Further amend said section of said act by striking from line twelve (12) the figures "350,000.00" and inserting in lieu thereof the figures "\_\_\_\_\_".

Sec. 29. For the department of buildings and supplies there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1951, and ending June 30,

1953, the sum of \_\_\_\_\_ or so much thereof as may be necessary to be used in the following manner:

- For department director .....
- For state architect .....
- For state purchasing agent .....
- For custodian .....
- For salaries, support, maintenance, and miscellaneous purposes .....

Grand total of all appropriations for all purposes for each year of the biennium for the department of buildings and supplies.....

Sec. 30. Wherever in the statutes, other than in this act, it is provided that the executive council shall furnish supplies to any department, office or agency of the state, it is the policy of the General Assembly and the Code editor is hereby authorized to strike such reference to the executive council and insrt in lieu thereof reference to the state purchasing agent.

Sec. 31. The notes and historical references incorporated in this bill shall be considered no part of the enactment hereof and shall not be included in the enrolled act.

X. T. PRENTIS.

Amend Senate File 510 as follows:

1. Strike from section one (1), page three (3), as follows: claim No. 90 the word "Clinton" and insert in lieu thereof the words "Council Bluffs",

Claim No. 91 the word "Clinton" and insert in lieu thereof the word "Sidney",

Claim No. 92 the word "Clinton" and insert in lieu thereof the word "Cresco", and

Claim No. 96 the word "Clinton" and insert in lieu thereof the words "Council Bluffs".

2. Add to section one (1), page four (4), after claim 152 the following claim:

County treasurer

Adams County

Corning, Iowa

158

Agricultural land tax credit refund

\$876.72

W. ELDON WALTER.

Amend Senate File 510 as follows:

1. Strike from section 1, page 3, as follows: claim No. 90 the word "Clinton" and insert in lieu thereof the words "Council Bluffs",

Claim No. 91 the word "Clinton" and insert in lieu thereof the word "Sidney",

Claim No. 92 the word "Clinton" and insert in lieu thereof the word "Cresco", and

Claim No. 96 the word "Clinton" and insert in lieu thereof the words "Council Bluffs".

2. Add to section 1 the following claim, page 4 after claim 152  
County treasurer  
Adams County  
Corning, Iowa

153      Agricultural land tax credit  
            refund                              \$876.72

W. ELDON WALTER.

Amend House File 183, section 5, line 5, by inserting  
after the word "education" the following: "or the county  
board of supervisors of the county in which the school is  
located".

W. ELDON WALTER.

Amend Senate File 2, as found in the House amendment  
on pages 513 and 514 of the Senate Journal, by inserting in line  
fifty-one (51) after the words "attorney general" the following:  
"; employees of the supreme court, employees of the clerk and  
reporter of the supreme court,".

X. T. PRENTIS.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 14, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend W. H. Slack, retired pastor of the Methodist Church, Muscatine, Iowa.

## PETITION

The following petition was presented and placed on file:

By Senator Dailey, from John F. Sulzbach, secretary of the Des Moines County Medical Association, favoring legislation relating to county psychiatric treatment.

## PRESENTATION OF VISITORS

Senator Berg asked and received unanimous consent to present to the Senate the members of the government class of the Orange Township High School, Black Hawk County, who were present in the Senate chamber, accompanied by Mrs. Harry Orrick.

Senator McCarville asked and received unanimous consent to present Hughes Gildner, director of the Izaak Walton League, Webster County, and his son, Kent, who were present in the Senate chamber.

## HOUSE AMENDMENTS CONSIDERED

Senator Hattery called up for consideration Senate File 28, a bill for an act to provide for the government of cities and towns under the mayor-council form of government, and to repeal various sections of chapter three hundred sixty-three (363), Code 1950, relating thereto and to enact a substitute therefor, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 28 by inserting after the word "ward" in line 7 of section 2 the following: "; but if any city embraces within its limits the whole or part of two or more townships, two of which parts contain one thousand or more electors, only one councilman at large shall be chosen from any one township".

Further amend Senate File 28 by striking section 3 and inserting in lieu thereof the following:

"Sec. 3. Appointment of officers. The mayor shall appoint the following officers:

"1. A marshal, and such other police officers, including police matrons, as may be provided by ordinance.

"2. Such other officers as the council may, by ordinance, direct him to appoint.

"The council shall elect all other officers.

"The prior civil service rights of any person appointed to any position under this section shall not be abridged by such appointment."

Further amend Senate File 28 by striking all of sections 4, 9 and 10 and renumbering the remaining sections.

The Senate concurred in the House amendments.

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

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

Ayes, 43:

Anderson	Hart	Molison	Van Eaton
Augustine	Hattery	Myrland	Vest
Bateson	Hedin	Nesmith	Walter
Berg	Henningsen	Oltman	Watson of
Byers	Hultman	O'Malley	O'Brien
Dailey	Humbert	Parker	Watson of
Doud	Jacobson	Prentis	Pottawattamie
Dykhouse	Knudson	Ridout	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	McCarville	Sharp	Whitehead
Fletcher	Mercer	Utzig	Zastrow
Gillespie			

Nays, none:

Absent or not voting, 7:

Bekman	Linnevold	Risk	Van Patten
Colburn	Lynes	Tudor	

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

Senator Dykhouse called up for consideration Senate File 32, a bill for an act to make all general laws pertaining to municipal corporations applicable to cities organized under special charter and other specific forms of municipal government and to repeal sections four hundred twenty point forty (420.40) and four hundred twenty point forty-one (420.41) of the Code relating thereto and enact substitutes therefor, and to repeal all other sections of chapter four hundred twenty (420) and various other sections of the Code relating exclusively to cities organized under special charter, amended



by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 32 by inserting after the word "borrow" in line 52 of section 2 the words "and expend".

The Senate concurred in the House amendment.

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

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

Ayes, 43:

Anderson	Hart	Molison	Van Eaton
Augustine	Hattery	Myrland	Vest
Bateson	Hedin	Nesmith	Walter
Berg	Henningsen	Oltman	Watson of
Byers	Hultman	O'Malley	O'Brien
Dailey	Humbert	Parker	Watson of
Doud	Jacobson	Prentis	Pottawattamie
Dykhouse	Knudson	Ridout	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	McCarville	Sharp	Whitehead
Fletcher	Mercer	Utzig	Zastrow
Gillespie			

Nays, none.

Absent or not voting, 7:

Bekman	Linnevoold	Risk	Van Patten
Colburn	Lynes	Tudor	

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

Senator Hattery called up for consideration Senate File 93, a bill for an act relating to municipal corporations, including their incorporation, discontinuance, annexation or severance of territory and the changing of names thereof and to repeal various sections of chapter three hundred sixty-two (362), Code 1950, relating thereto and to enact substitutes therefor, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 93 by striking from section 7, line 6, the word "Territory" and inserting in lieu thereof "Unincorporated territory".

The Senate concurred in the House amendment:

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

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

Ayes, 43:

Anderson	Hart	Molison	Van Eaton
Augustine	Hattery	Myrland	Vest
Bateson	Hedin	Nesmith	Walter
Berg	Henningsen	Oltman	Watson of
Byers	Hultman	O'Malley	O'Brien
Dailey	Humbert	Parker	Watson of
Doud	Jacobson	Prentis	Pottawattamie
Dykhous	Knudson	Ridout	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	McCarville	Sharp	Whitehead
Fletcher	Mercer	Utzig	Zastrow
Gillespie			

Nays, none.

Absent or not voting, 7:

Bekman	Linnevold	Risk	Van Patten
Colburn	Lynes	Tudor	

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

Senator Dykhous called up for consideration Senate File 18, a bill for an act to provide for the government of municipal corporations under the council-manager by popular election form of municipal government, and to repeal various sections of chapter four hundred nineteen (419), Code 1950, relating thereto, and to enact substitutes therefor, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 18 by inserting after the word "board" in section 7, line 66, the words "of trustees or other board".

Further amend by inserting after the word "is" in section 7, line 67, the words "or was".

Further amend by inserting after the period (.) in section 7, line 70, the following new sentence: "This exception shall also apply to permanent park roads in cities now or hereafter having a population of 125,000 or more, according to the last or subsequent federal census."

The Senate concurred in the House amendments.

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

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

Ayes, 43:

Anderson	Byers	Elthon	Hart
Augustine	Dailey	Fishbaugh	Hattery
Bateson	Doud	Fletcher	Hedin
Berg	Dykhous	Gillespie	Henningsen

Hultman	Molison	Ridout	Watson of
Humbert	Myrland	Roberts	O'Brien
Jacobson	Nesmith	Sharp	Watson of
Knudson	Oltman	Utzig	Pottawattamie
Lord	O'Malley	Van Eaton	Weichman
McCarville	Parker	Vest	West
Mercer	Prentis	Walter	Whitehead
			Zastrow

Nays, none.

Absent or not voting, 7:

Bekman	Linnevold	Risk	Van Patten
Colburn	Lynes	Tudor	

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

Senator Dykhouse called up for consideration Senate File 23, a bill for an act relating to the mayors and police courts of cities and towns, and to repeal various sections of chapters three hundred sixty-three (363), four hundred sixteen (416), four hundred nineteen (419), and four hundred twenty (420), Code 1950, and to amend chapter three hundred sixty-seven (367), Code 1950, amended by the House, and moved that the Senate concur in the following amendments:

Amend section 1 of Senate File 23 by striking all of subsection 1 and renumbering the remaining subsections.

Further amend by adding to the bill the following as a new section:

"Section three hundred sixty-seven point one (367.1), Code 1950, is amended by adding at the end thereof the following sentence: 'In cities having a population of less than fifteen thousand the council may by ordinance provide for the establishment of a police court.'"

The Senate concurred in the House amendments.

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

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

Ayes, 43:

Anderson	Hart	Molison	Van Eaton
Augustine	Hattery	Myrland	Vest
Bateson	Hedin	Nesmith	Walter
Berg	Henningsen	Oltman	Watson of
Byers	Hultman	O'Malley	O'Brien
Dailey	Humbert	Parker	Watson of
Doud	Jacobson	Prentis	Pottawattamie
Dykhouse	Knudson	Ridout	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	McCarville	Sharp	Whitehead
Fletcher	Mercer	Utzig	Zastrow
Gillespie			

Nays, none.

Absent or not voting, 7:

Bekman	Linnevold	Risk	Van Patten
Colburn	Lynes	Tudor	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hattery called up for consideration Senate File 164, a bill for an act to define the general powers and duties of municipal officers and to repeal various sections of the Code relating thereto and to enact substitutes therefor, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 164 by inserting after the comma (,) in line 29, subsection 7, section 1, the words "city clerk,".

Further amend by striking the comma (,) in line 14 of subsection 3, section 3, and inserting after the word "allowed" the following "and a summary of all receipts,".

The Senate concurred in the House amendments.

Senator Hattery moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 43:

Anderson	Hart	Molison	Van Eaton
Augustine	Hattery	Myrland	Vest
Bateson	Hedin	Nesmith	Walter
Berg	Henningsen	Oltman	Watson of
Byers	Hultman	O'Malley	O'Brien
Dailey	Humbert	Parker	Watson of
Doud	Jacobson	Prentis	Pottawattamie
Dykhouse	Knudson	Ridout	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	McCarville	Sharp	Whitehead
Fletcher	Mercer	Utzig	Zastrow
Gillespie			

Nays, none.

Absent or not voting, 7:

Bekman	Linnevold	Risk	Van Patten
Colburn	Lynes	Tudor	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hattery called up for consideration Senate File 314, a bill for an act relating to special assessment of public improvements in municipal corporations, and to repeal chapters three hundred

ninety-one (391), three hundred ninety-one A (391A), and four hundred seventeen (417), Code 1950, relating thereto, and to enact a substitute in lieu thereof, and to repeal certain other sections of the Code relating thereto and to amend certain sections of the Code relating thereto, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 314 as follows:

1. Strike the period (.) after the word "improvements" in the last line of the title, and add the following: ", and to amend certain other sections of the Code relating to special assessments."

2. Insert after section 39 the following new section:

Sec. 40. Section four hundred seventeen point one (417.1), Code 1950, is amended by striking the words "operating under the commission plan of municipal government and" in lines two (2) and three (3) thereof. Section four hundred seventeen point fifty-four (417.54), subsection one (1), Code 1950, is amended by striking from line three (3) of said subsection the word "wholly" and by striking from lines three (3) and four (4) of said subsection the words "under the commission form of government". Section four hundred seventeen point fifty-four (417.54), subsection two (2), as amended by striking from line six (6) of said subsection the word "wholly" and by inserting after the word "busses" in line thirteen (13), the following: "operating over fixed routes or parts of routes within such city".

3. Renumber the remaining sections.

The Senate concurred in the House amendments.

Senator Hattery moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 43:

Anderson	Hart	Molison	Van Eaton
Augustine	Hattery	Myrland	Vest
Bateson	Hedin	Nesmith	Walter
Berg	Henningsen	Oltman	Watson of
Byers	Hultman	O'Malley	O'Brien
Dailey	Humbert	Parker	Watson of
Doud	Jacobson	Prentis	Pottawattamie
Dykhouse	Knudson	Ridout	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	McCarville	Sharp	Whitehead
Fletcher	Mercer	Utzig	Zastrow
Gillespie			

Nays, none.

Absent or not voting, 7:

Bekman	Linnevold	Risk	Van Patten
Colburn	Lynes	Tudor	

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Dykhouse called up for consideration Senate File 201, a bill for an act relating to the use of live pigeons in training hunting dogs and to amend section one hundred nine point twenty-one (109.21), Code 1950, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 201, line 5, by inserting immediately after the word "pigeons" the following: ", sparrows, crows and starlings".

Further amend the title to Senate File 201 by inserting after the word "pigeons" in line 1 the following: ", sparrows, crows and starlings".

The Senate concurred in the House amendment.

Senator Dykhouse moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

**Ayes, 37:**

Anderson	Gillespie	Mercer	Van Eaton
Augustine	Hart	Molison	Walter
Bateson	Hattery	Myrland	Watson of
Berg	Henningsen	Nesmith	O'Brien
Byers	Hultman	Oltman	Watson of
Dailey	Humbert	O'Malley	Pottawattamie
Doud	Jacobson	Ridout	Weichman
Dykhouse	Knudson	Roberts	West
Elthon	Lord	Sharp	Whitehead
Fletcher	McCarville	Utzig	

**Nays, 4:**

Fishbaugh	Parker	Prentis	Zastrow
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**Absent or not voting, 9:**

Bekman	Linnevold	Risk	Van Patten
Colburn	Lynes	Tudor	Vest
Hedin			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### THIRD READING OF BILLS

On motion of Senator Doud, House File 183, a bill for an act to amend section two hundred ninety-eight point one (298.1) and section two hundred ninety-eight point two (298.2), Code 1950, relating to school taxes, was taken up, and considered.

Senator Doud offered the following amendment filed by Senator Walter and moved its adoption:

Amend House File 183, section 5, line 5, by inserting after the word "education" the following: "or the county board of supervisors of the county in which the school is located".

The amendment was adopted.

Senator Doud asked and received unanimous consent to withdraw the amendment to House File 183 filed by Senator Walter and found on page 1064 of the Senate Journal.

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, 42:**

Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Vest
Berg	Hedin	Nesmith	Walter
Byers	Henningsen	Oltman	Watson of
Dailey	Hultman	O'Malley	O'Brien
Doud	Humbert	Parker	Watson of
Dykhous	Jacobson	Prentis	Pottawattamie
Elthon	Knudson	Ridout	Weichman
Fishbaugh	Lord	Roberts	West
Fletcher	McCarville	Sharp	Whitehead
Gillespie	Mercer	Utzig	Zastrow

**Nays, none.**

**Absent or not voting, 8:**

Anderson	Colburn	Lynes	Tudor
Bekman	Linnevold	Risk	Van Patten

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Hart, House File 152, a bill for an act to amend section one hundred seventy-four point two (174.2), Code 1950, to clarify the powers of a "society" as defined in section one hundred seventy-four point two (174.2), was taken up, and considered.

Senator Watson of Pottawattamie offered the following amendment and moved its adoption:

Amend House File 152 by adding thereto the following new sections:

Sec. 2. Section one hundred seventy-four point ten (174.10), Code 1950, is hereby amended by striking from the said section the period (.) in line ten (10) and inserting in lieu thereof a comma (,) and adding to the said section the following: "or societies located in counties where

there are two (2) farm aid associations, two extension services, and where the district court is held in two places, in which event county aid shall be allowed for each society."

Sec. 3. Section one hundred seventy-four point ten (174.10), Code 1950, is further amended by striking the period (.) at the end of said section and adding in lieu thereof a comma (,) and the following: "except in counties where there are two (2) farm aid associations, two (2) extension services, and where the district court is held in two places, in which event each society shall be entitled to receive the state aid hereinabove provided for."

Sec. 4. Section one hundred seventy-four point eleven (174.11), Code 1950, is hereby amended by adding to the said section following the comma (,) in line fourteen (14) the following: "except in those counties which have two (2) farm aid associations, two (2) extension services, and where the district court is held in two places, in which event each fair shall be entitled to the full amount of the state aid available hereinabove provided for,".

The amendment was lost.

Senator Watson of Pottawattamie asked and received unanimous consent to withdraw the amendment to House File 152 filed by him and found on page 978 of the Senate Journal.

Senator Watson of Pottawattamie offered the following amendment and moved its adoption:

Amend House File 152 as follows: Strike lines 5 to 9, inclusive, and insert in lieu thereof the following: "The society is authorized to use or permit the use of its grounds and facilities for other lawful purposes during the interval between fairs, except that such use shall not be in direct competition with a privately owned enterprise of the same kind in the community."

Senator Utzig moved the previous question on the amendment which motion prevailed.

The amendment was lost.

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, 42:

Anderson	Elthon	Hultman	Myrland
Augustine	Fishbaugh	Jacobson	Neamith
Bateson	Fletcher	Knudson	Oltman
Berg	Gillespie	Lord	O'Malley
Byers	Hart	Lynes	Parker
Dailey	Hattery	McCarville	Prentis
Doud	Hedin	Mercer	Ridout
Dykhouse	Henningsen	Molison	Roberts



Sharp	Van Eaton	Watson of	Weichman
Tudor	Vest	O'Brien	West
Utzig	Walter		Whitehead

Nays, 3:

Humbert	Watson of Pottawattamie	Zastrow
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Absent or not voting, 5:

Bekman	Linnevold	Risk	Van Patten
Colburn			

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.

#### BILL WITHDRAWN

Senator Hart asked and received unanimous consent that Senate File 132 be withdrawn from further consideration of the Senate.

On motion of Senator Parker, House File 117, a bill for an act to amend chapter three hundred thirty-one (331), Code 1950, by adding thereto the following new sections relating to establishing districts for members of boards of supervisors elected at large, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Whitehead offered the following amendment by Senators Whitehead and Vest:

Amend House File 117 as follows:

1. Add as a new section the following:

"Sec. 2. Amend section three hundred thirty-one point eight (331.8), Code 1950, by inserting after the comma (,) in line two (2) the following: 'or shall, when petitioned by one-tenth of the qualified electors of said county'; and by striking the period (.) at the end of the section and adding the following: ', except that when districted following petition the districts cannot be abolished except by petition of one-tenth of the qualified electors of the said county and submission of the question to the qualified electors of the county at the next general election.'"

2. Strike from lines 3 and 4 the word "now" in each of said lines.

3. Amend the title of House File 117 by striking all after the word "Act" and inserting the following: "to amend chapter three hundred thirty-one (331), Code 1950, relating to election of boards of supervisors of counties."

Senator Whitehead offered the following amendment to the amendment by Senators Whitehead and Vest and moved its adoption :

Amend the amendment to House File 117, dated April 5, 1951, by Whitehead and Vest, by striking from lines 5 and 6 the words "or shall, when petitioned by 1/10 of the qualified electors of said county" and inserting in lieu thereof the following: "or shall, when petitioned by 10 per cent of the number of qualified electors having voted in the last previous general election for Governor".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Whitehead offered the following amendment by Senators Whitehead and Vest :

Amend House File 117 by adding a new section as follows and number in consecutive sequence:

"Amend section three hundred thirty-one point nine (331.9), Code 1950, by inserting the following after the comma (,) in line two (2) : 'except that after the year 1950, in the division of counties now having five supervisors, and made up of sixteen townships with a county seat having a population between 6,000 and 7,000 shall be divided into four districts containing four townships each the border of which are contiguous and one district made up of the county seat.'"

On motion of Senator Vest, the amendment was adopted.

Senator West offered the following amendment by Senators West and Sharp and moved its adoption :

Amend House File 117 by adding as new sections the following:

"Sec. 2. In any county having three (3) members of the board of supervisors elected at large, the board of supervisors, the county auditor and the clerk of the district court at the time provided for the regular meeting of the board in January in any even-numbered year may divide its county into three supervisor districts corresponding to the number of miles of road in such county. Such districts shall be as nearly equal in miles of road as practicable and shall embrace a territory as compact as is practicable considering the miles of road and the location of the roads in such districts. In the laying out of such districts corporation boundaries shall not necessarily be considered as district boundaries wherein the division board set up by this act feels the purpose of the act will be best served by not following such corporation boundaries. Each of said districts shall be entitled to one member residing therein on said board to be elected at large by the electors of the entire county.

"Sec. 3. In setting out such districts the division board shall number such districts 1, 2 and 3. Should there be a district in which no supervisors live such district shall be district No. 1. Should there be two districts wherein no supervisors live they shall be Nos. 1 and 2. At

the next general election following the setting up of such districts there shall be a supervisor elected in each of said districts wherein no supervisor lives and no supervisor shall be elected in a district in which there is a holdover supervisor.

"Sec. 4. No supervisor so elected shall serve until there is a vacancy in such district having more than one member and such vacancy shall be for the same term as the supervisor elect in such district was elected to fill."

The amendment was adopted.

Senator Parker moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 35:

Anderson	Hart	Myrland	Vest
Augustine	Hattery	Oltman	Walter
Bateson	Hultman	O'Malley	Watson of
Berg	Humbert	Parker	O'Brien
Byers	Jacobson	Prentis	Watson of
Doud	Lord	Ridout	Pottawattamie
Dykhous	McCarville	Sharp	West
Elthon	Mercer	Tudor	Whitehead
Fishbaugh	Molison	Van Eaton	Zastrow
Gillespie			

Nays, none.

Absent or not voting, 15:

Bekman	Hedin	Lynes	Utzig
Colburn	Henningsen	Nesmith	Van Patten
Dailey	Knudson	Risk	Weichman
Fletcher	Linnevoild	Roberts	

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

#### RECONSIDERATION OF SENATE CONCURRENT RESOLUTION 15

Senator Elthon asked and received unanimous consent that the vote by which the Senate adopted the House amendment to Senate Concurrent Resolution 15 be reconsidered.

Senator Elthon moved that the House amendment to Senate Concurrent Resolution 15 be amended by striking from line 3 the following: "Central Standard Time,".

The motion prevailed and the amendment was adopted.

On motion of Senator Elthon, Senate Concurrent Resolution 15 as amended was adopted.

## SUPPLEMENTARY REPORT

As members of the committee appointed under the terms of House Concurrent Resolution 11, page 185 of the House Journal, and pursuant to the understanding that any member of this committee can file a report in addition to the main one, we consider it our duty to make some observations as to our conclusions and recommendations resulting from a study of the interim committee transcript, and we hereby submit the following additional report.

1. Under the wording of Concurrent Resolution 11, the committee's power was very limited, which at the outset placed the chairman, Senator Walter, and the committee in a most difficult position in so far as being able to make any positive findings, but such limited authority doesn't negative the power to make a positive report.

2. With the passage of time, since the committee organized, and recurring news items were in the newspapers and on the radio about the activity of this committee or lack of activity, it appears to us that if some explanation of various unanswered questions in the transcript is not made that this committee of the Fifty-fourth General Assembly could go down in Iowa history as the "question mark" committee—namely, lots of questions, no answers. The main report, it appears to us, leaves unanswered important questions raised in the transcript.

3. The purpose of any investigation in a democracy should be the protection of the innocent, as well as the ferreting out of the guilty, if any. It has appeared to us that only a full investigation by properly constituted authority can get the true answers and clear any who have been wrongfully implicated. However, it is now apparent that this Fifty-fourth General Assembly has affectionately interred any further investigation by this body.

4. It is our judgment, however, that in an annual forty million dollar state monopoly business that the public is entitled to promptly know the answers to actions left unanswered in the interim transcript, and the reason for these actions.

5. It is further common knowledge that any investigative body cannot get all the answers to difficult questions by merely calling before it the people directly interested who made the decisions questioned—outside and supplementary testimony should be solicited and heard. While the members of the committee, signing this report, are all members of the minority party, let it be known that the members signing this report did not approach the subject from a partisan point of view whose sole desire might be to see the majority party embarrassed and placed in a defensive position.

6. It is our further opinion that the least that Iowa taxpayers can expect is that the members of any commission—in this instance the Iowa Liquor Commission—while they are on the state pay roll should, as a matter of service to the public and loyalty to their employer, *be on speaking terms with each other.*

7. Since there is to be no further legislative inquiry, the following actions and questions, as disclosed by the transcript, are still unanswered and unexplained, and are not accounted for in the main report, to wit:

a. The reason for abolishing the division of investigation of the Liquor Commission.

b. The reason for abolishing the comptroller's office.

c. Why the hearing for new listings was called off?

d. Why the Iowa residents who were classed as salesmen were excluded from doing business with the commission when nonresidents had no limitation put on them, and in fact were welcome?

e. Why the purchase of Jim Beam whiskey was handled in a way apparently inconsistent with the formula policy of long standing?

f. Why wine was bought above the market and why the *Des Moines warranty* did not first apply—in other words, why the *Des Moines warranty* did not apply, and later that it did apply, and that the word “yes” was on some of the order copies and the word “no” on one, with the attending explanation in the testimony that same was a typographical error, such as appears on pages 382 and 383 of the transcript? Since there is very little similarity to the two words, it seems very difficult to see how any stenographer could type the word “no” when “yes” was meant.

g. The question of alleged offers of bribery.

In conclusion, we believe the main report makes insufficient recommendations to the Fifty-fourth General Assembly; therefore, we submit this supplementary report and we further believe that in the absence of a full explanation and answers to the above actions and questions, the least the Iowa citizens can expect is that we have an entirely new Liquor Commission starting with July 1, 1951.

Respectfully submitted,

GEORGE E. O'MALLEY.

R. R. GILLESPIE.

NORMAN NORLAND.

J. E. HANSEN.

On motion of Senator Elthon, the Senate adjourned until 11:00 a.m., Monday, April 16, 1951.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 16, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Paul Peterson, pastor of the Methodist Church, Mason City, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zastrow for the day on request of Senator Bateson.

## PETITIONS AND MEMORIALS

The following petitions were presented and place on file:

By Senator Hattery, from A. C. Olmstead, secretary of Boone County Sportsmen's Club, favoring legislation relating to compensation of employees of the conservation commission.

By Senator Henningsen, from residents of Clinton County favoring legislation relating to schools.

By Senator Hultman, from residents of Montgomery County favoring legislation relating to the establishment of a state owned lake in Polk County.

By Senator Mercer, from J. Petrick, president of Johnson County Izaak Walton League, favoring legislation relating to compensation of employees of the conservation commission.

By Senator Prentis, from residents of Ringgold County favoring legislation relating to certain privileges of county employees.

By Senator Utzig, from residents of Dubuque County favoring legislation relating to licensing and supervision of life insurance agents.

By Senator Vest, from residents of Sac County favoring legislation relating to legalizing pari-mutuel betting on horse races at state and county fairs.

### PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate seven members of the speech class of the Grimes High School who were present in the balcony with their instructor, Paul Smith.

Senator Whitehead asked and received unanimous consent to present to the Senate the members of the fifth, sixth, seventh and eighth grade classes of the Junior High School of Jamaica who were present in the balcony with their principal, Mr. Bowen, and Mrs. Seidler of the Federation of Women's Clubs.

Senator Whitehead asked and received unanimous consent to present to the Senate twenty members of the American government class of the Woodward High School who were present in the balcony with their instructor, Harold Peterson.

Senator Utzig asked and received unanimous consent to present to the Senate his brother, John P. Utzig, Mrs. Utzig, Joan and Thomas, who were present in the Senate chamber.

Senator Molison asked and received unanimous consent to present to the Senate the members of the Columbian Club of Brooklyn who were present in the Senate chamber.

Senator Nesmith asked and received unanimous consent to present to the Senate eighteen members of the Newton Township School No. 4, Jasper County, who were present in the balcony, accompanied by Mrs. Johnson.

### INTRODUCTION OF BILLS

Senate File 512, by committee on claims, a bill for an act to make appropriations to members of the committee on interstate cooperation, namely: Paul E. McCarville, J. E. Hansen, Allert G. Olson, Albert Weiss, Ernest Palmer, Jr., Fred Schwengel, W. Eldon Walter and F. M. Roberts.

Read first and second times, and referred to committee on appropriations.

Senate File 513, by committee on judiciary 1, a bill for an act to legalize the conveyance of certain property in Buchanan County to the Iowa State College of Ames, Iowa, as a conveyance to the State of Iowa for the benefit of the state board of education and the

Iowa State College of Agriculture and Mechanic Arts, and to authorize the issuance of a patent for such property.

Read first and second times, and referred to sifting committee.

#### SPECIAL ANNOUNCEMENTS

Senator Van Patten arose on a point of personal privilege and stated:

I want to extend my sincere thanks to the entire Senate for the sympathy extended to me and to my family at the time of the death of my father. The basket of roses was more than beautiful. There is no substitute for friends, and I feel that I have a lot of friends here, and I want you to know that I am a friend of all of you. Again, I want to express my deep appreciation for your kindness and thoughtfulness.

Senator Knudson arose on a point of personal privilege and extended the following invitation:

It is now my pleasure to extend an official invitation to the members of the Senate, members of the House, other elected state officials and members of the press here represented, with their wives, to be the guests of the city of Clear Lake on August 4 and 5, 1951, for our Governor's Day celebration.

It has been my privilege to extend a similar invitation on many former occasions, but I say to you that in view of your expression of confidence in voting an appropriation for the establishment of the sewer districts, you have made us doubly thankful, and I sincerely hope that each and everyone of you will be present at Clear Lake on August 4 and 5.

President Nicholas:

I concur in everything that Senator Knudson has said, but I would like to make the following amendment: For many years the Nicholas family has held open house at their cottage on the North Shore of Clear Lake and we cordially invite all Senators, Representatives and their families, all clerks, officers of the Senate, sergeants-at-arms, doorkeepers, pages and their families and all members of the third house on Sunday, August 5, from 11:00 a.m. to 6:00 p.m.

#### SENATE CONCURRENT RESOLUTION

Senator Byers called up the following resolution and moved its adoption:

#### SENATE CONCURRENT RESOLUTION 20

*Whereas*, Senator Leo Elthon of Worth County is now completing 20 years of distinguished service in the Iowa legislature and for this long period of years has contributed valuable services to the State of Iowa;



*Now, Therefore, Be It Resolved by the Senate, the House Concurring:* That Senator Elthon be presented with the chair which he has occupied during this session and that the custodian of the State House be instructed to crate the chair for shipment to the home residence of the Senator.

*Be It Further Resolved:* That a copper plate with the proper inscription thereon showing that the chair was presented by the Fifty-fourth General Assembly be properly attached to said chair.

The motion prevailed and the resolution was unanimously adopted.

Senator Elthon:

MR. PRESIDENT AND MEMBERS OF THE SENATE: I am deeply touched on this occasion. It is true that during my years with you here in the Senate I have in some instances disagreed with some of you, but it has in no way severed the true friendship which I have for all of you. I thank you from the bottom of my heart.

Senator Byers asked and received unanimous consent that Senate Concurrent Resolution 20 be immediately messaged to the House which request was complied with.

Senator Elthon took the chair at 11:40 a.m.

#### HOUSE AMENDMENTS CONSIDERED

Senator Weichman called up for consideration House File 617, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1951, and ending June 30, 1953, funds for various departments and various divisions thereof, of the State of Iowa, for the purpose provided by law, amended by the House, and moved that the Senate recede from its amendments to House File 617.

The motion was lost and the Senate refused to recede from its amendments to House File 617.

#### CONFERENCE COMMITTEE APPOINTED

President Nicholas appointed on the part of the Senate on the conference committee on House File 617: Senators Weichman, Fishbaugh, Mercer and Watson of Pottawattamie.

#### UNFINISHED BUSINESS

Senator Colburn called up for further consideration House File 634, a bill for an act creating the general contingent fund of the state for the biennium beginning July 1, 1951, and appropriating

thereto the sum of one and one-half million dollars from the general fund of the state, specifying the purposes for which the appropriation may be used, and providing for a report of the dispositions made of the fund.

Senator Tudor called up the following amendment filed by him to House File 634 and moved its adoption and requested a roll call:

**Amend House File 634 by adding a new section thereto as follows:**

"Sec. 2. The budget and financial control committee is authorized to investigate and determine whether or not there is need for an addition to the State University of Iowa Hospitals and if such need is determined by the committee to exist, it is authorized to use not to exceed thirty-five thousand dollars (\$35,000) from the general contingent fund for the purpose of having prepared, by the board of education, preliminary plans and specifications for such addition."

On the question "Shall the amendment be adopted?" the vote was:

**Ayes, 40:**

Anderson	Hattery	Myrland	Tudor
Augustine	Hedin	Nesmith	Utzig
Bateson	Henningsen	Oltman	Van Eaton
Bekman	Hultman	O'Malley	Vest
Berg	Humbert	Parker	Walter
Byers	Linnevold	Prentis	Watson of
Dailey	Lord	Ridout	O'Brien
Dykhous	Lynes	Risk	Watson of
Elthon	McCarville	Roberts	Pottawattamie
Fletcher	Mercer	Sharp	West
Gillespie	Molison		

**Nays, 3:**

Colburn	Fishbaugh	Knudson
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**Absent or not voting, 7:**

Doud	Jacobson	Weichman	Zastrow
Hart	Van Patten	Whitehead	

The amendment was adopted.

Senator Colburn moved that the bill be read a third 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:**

Anderson	Dykhous	Hultman	Molison
Augustine	Elthon	Humbert	Myrland
Bateson	Fishbaugh	Jacobson	Nesmith
Bekman	Fletcher	Knudson	Oltman
Berg	Gillespie	Linnevold	O'Malley
Byers	Hart	Lord	Parker
Colburn	Hattery	Lynes	Prentis
Dailey	Hedin	McCarville	Ridout
Doud	Henningsen	Mercer	Risk

Roberts	Van Eaton	Watson of	Weichman
Sharp	Van Patten	O'Brien	West
Tudor	Vest	Watson of	Whitehead
Utzig	Walter	Pottawattamie	

Nays, none.

Absent or not voting, 1:

Zastrow

The bill having received a constitutional and two-thirds majority was declared to have passed the Senate and the title was agreed to.

CONFERENCE COMMITTEE REPORT  
ON HOUSE FILE 421 ADOPTED

Senator Jacobson called up the following report and moved its adoption:

CONFERENCE COMMITTEE REPORT ON HOUSE FILE 421

TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE:

We, the undersigned members of the conference committee appointed to consider the difference between the House and the Senate on House File 421, a bill for an act to increase fees to be charged by county officials, beg leave to report and make the following recommendation:

That the House concur in the Senate amendment to section 14.

That the title be amended by changing the semicolon (;) in line 19 to a period (.) and striking the remainder.

Respectfully submitted,

ARTHUR H. JACOBSON.

HARRY E. WEICHMAN.

J. T. DYKHOUSE.

EDWARD S. PARKER.

A. C. HANSON.

CLARK H. MCNEAL.

H. R. WHITE.

ELMER A. BASS.

On the Part of the Senate.

On the Part of the House.

The motion prevailed and the resolution was adopted.

On motion of Senator Jacobson, the amendment contained therein 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, 47:

Anderson	Colburn	Fletcher	Hultman
Augustine	Dailey	Gillespie	Humbert
Bateson	Doud	Hart	Jacobson
Bekman	Dykhouse	Hattery	Knudson
Berg	Elthon	Hedin	Linnevoled
Byers	Fishbaugh	Henningesen	Lord

Lynes	Oltman	Roberts	Vest
McCarville	O'Malley	Sharp	Walter
Mercer	Parker	Tudor	Watson of
Molison	Prentis	Utzig	O'Brien
Myrland	Ridout	Van Eaton	Weichman
Nesmith	Risk	Van Patten	Whitehead

Nays, 2:

Watson of	West
Pottawattamie	

Absent or not voting, 1:

Zastrow

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### THIRD READING OF BILLS

On motion of Senator Walter, Senate File 506, 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 recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Weichman offered the following amendment and moved its adoption:

Amend Senate File 506, section 4, as follows:

1. By inserting after the word "in" in line 3 the words "the Cedar Valley Times".
2. By inserting after the word "at" in line 4 the word "Vinton"; further amend by inserting after the word "in" in line 4 the words "the Star Clipper".
3. By inserting after the word "at" in line 5 the word "Traer".

The amendment was adopted.

Senator Weichman moved that the bill be read a third 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:

Anderson	Doud	Hattery	Linnevoled
Augustine	Dykhous	Hedin	Lord
Bekman	Elthon	Henningsen	Lynes
Berg	Fishbaugh	Hultman	McCarville
Byers	Fletcher	Humbert	Mercer
Colburn	Gillespie	Jacobson	Molison
Dailey	Hart	Knudson	Myrland

Nesmith	Roberts	Van Patten	Watson of
Oltman	Sharp	Vest	Pottawattamie
O'Malley	Tudor	Walter	Weichman
Parker	Utzig	Watson of	West
Ridout	Van Eaton	O'Brien	Whitehead
Risk			

Nays, none.

Absent or not voting, 3:

Bateson	Prentis	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.

On motion of Senator Walter, Senate File 507, a bill for an act to make appropriation to trustee of Robert O. Winn in settlement of claim made against the State of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Walter moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

President Nicholas took the chair at 12:10 p.m.

On the question "Shall the bill pass?" the vote was:

**Ayes, 49:**

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhousé	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	

Nays, none.

Absent or not voting, 1:

Zastrow

The bill having received a constitutional and two-thirds majority was declared to have passed the Senate and the title was agreed to.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the

House has passed the following bill in which the concurrence of the House was asked:

Senate File 7, a bill for an act providing for an increase in the number of copies of the Code, etc., that are distributed to the law library of the State University.

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 to provide for the payment of expenses of the Iowa State Guard.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 341, a bill for an act providing for rehabilitation of alcoholics.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 28, providing for the presentation to the President of the Senate and the Speaker of the House of the chairs occupied by them during the Fifty-fourth General Assembly.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 31, authorizing the budget and financial control committee to reserve certain rooms for the storing of the supplies and equipment of the Fifty-fourth General Assembly.

Also: That the House has adopted the conference committee report on, and concurred in Senate amendments to, House File 421, a bill for an act to increase fees to be charged by county officials.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION 28

*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 for shipment to the home residences of the Speaker of the House and the President of the Senate.

#### HOUSE CONCURRENT RESOLUTION 31

*Whereas,* the Fifty-fourth General Assembly has enacted Senate File 1, and the Governor has approved the same, which creates the budget and financial control committee, and

*Whereas,* the Fifty-fourth General Assembly by the adoption of House Concurrent Resolution 26 has authorized said budget and financial control committee to direct all details in connection with the closing up of the Fifty-fourth General Assembly,

*Now, Therefore, Be It Resolved by the House, the Senate Concurring:* That said budget and financial control committee is hereby authorized to reserve, for the exclusive use of the General Assembly during the interim,

such rooms and offices now occupied and used by said General Assembly for the purpose of storing supplies and equipment as it may deem proper and advisable, and

*Be It Further Resolved:* That said budget and financial control committee is hereby authorized to notify the executive council of its conclusions in said matter, and the executive council shall in no wise make other assignments of the rooms which are so reserved by the budget and financial control committee.

### MESSAGES FROM THE HOUSE

The following messages were received from the House:

**MR. PRESIDENT:** I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 560, a bill for an act relating to the number of inhabitants in a county for the purpose of zoning.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 629, a bill for an act relating to compensation of employees of the state for the biennium beginning July 1, 1951.

A. C. GUSTAFSON, *Chief Clerk.*

### HOUSE MESSAGES CONSIDERED

House File 560, a bill for an act to amend section three hundred fifty-eight A point one (358A.1), Code 1950, relating to the number of inhabitants in a county for the purpose of zoning.

Read first and second times, and referred to the sifting committee.

House File 629, a bill for an act relating to the approval of compensation of employees of the state during the biennial fiscal period beginning July 1, 1951, and ending June 30, 1953.

Read first and second times, and referred to the sifting committee.

### EXECUTIVE SESSION

On motion of Senator Elthon, the Senate resolved itself into executive session.

The Senate arose from executive session and resumed regular session.

On motion of Senator Elthon, the Senate recessed until 1:30 p.m.

### AFTERNOON SESSION

The Senate reconvened, President Nicholas 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 insists on its amendments to Senate File 33, a bill for an act relating to the ordinances of municipal corporations; and requests a conference committee, and the Speaker has appointed as such committee, on the part of the House, Representatives Nelson of Woodbury, Goode of Davis, McFarlane of Black Hawk and Palmer of Lee.

Also: That the House insists on its amendment to Senate File 165, a bill for an act relating to the forms of government, classification and fiscal year of municipal corporations and to the election of officers thereof; and requests a conference committee, and the Speaker has appointed as such committee, on the part of the House, Representatives Nelson of Woodbury, Goode of Davis, McFarlane of Black Hawk and Palmer of Lee.

Also: That the House insists on its amendment to Senate File 212, a bill for an act relating to taxation and other sources of municipal revenue; and requests a conference committee, and the Speaker has appointed as such committee, on the part of the House, Representatives Nelson of Woodbury, Goode of Davis, McFarlane of Black Hawk and Palmer of Lee.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 108, a bill for an act relating to the findings and orders of the county commission of insanity.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE AMENDMENTS TO SENATE FILE 108

Amend Senate File 108 by adding a new section as follows:

"Amend section two hundred thirty point twenty-four (230.24), Code 1950, by adding a new paragraph as follows:

"The county board of supervisors are authorized to expend from the county insane fund as provided in this section funds for psychiatric examination and treatment of persons in need thereof in each county where they have facilities available for such treatment, and any county not having such facilities may contract through its board of supervisors with any other county, which has facilities for psychiatric examination and treatment, for the use thereof."

Further amend the title to Senate File 108 by striking the period (.) at the end of line three (3) and adding the following: "; and to amend section two hundred thirty point twenty-four (230.24), Code 1950, providing for the expenditure of county funds for psychiatric examination and treatment."

## SENATE CONCURRENT RESOLUTION 21

Senator Walter called up Senate Concurrent Resolution 21 filed



and found on pages 1078 to 1081, inclusive, of the Senate Journal and moved its adoption.

The motion prevailed and the resolution was adopted.

#### SENATE CONCURRENT RESOLUTION 19

Senator Walter called up Senate Concurrent Resolution 19 filed and found on pages 1055 to 1059, inclusive, of the Senate Journal and moved its adoption.

The motion prevailed and resolution was adopted.

#### REPORT OF COMMITTEE ACCEPTED

Senator Walter called up "Report of the Committee" filed and found on pages 1076 and 1077 of the Senate Journal.

On motion of Senator Walter, the report of the committee was adopted.

#### RECONSIDERATION OF SENATE FILE 506

Senator Walter asked and received unanimous consent to reconsider the vote by which Senate File 506 passed the Senate.

Senator Walter asked and received unanimous consent to reconsider the vote by which Senate File 506 went to its third reading.

Senator Walter asked and received unanimous consent to reconsider the vote by which the amendment to Senate File 506 was adopted.

Senator Walter asked and received unanimous consent to withdraw the amendment to Senate File 506.

Senator Walter offered the following amendment and moved its adoption:

Amend Senate File 506 by striking section 4.

The amendment was adopted.

Senator Walter moved that the bill be read a third 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:

Anderson  
Augustine  
Bateson

Bekman  
Berg  
Colburn

Dailey  
Doud  
Dykhouse

Elthon  
Fishbaugh  
Fletcher

Gillespie	Lord	Parker	Van Patten
Hart	Lynes	Prentis	Walter
Hattery	McCarville	Ridout	Watson of
Hedin	Mercer	Risk	O'Brien
Henningsen	Molison	Roberts	Watson of
Hultman	Myrland	Sharp	Pottawattamie
Jacobson	Nesmith	Tudor	Weichman
Knudson	Oltman	Utzig	West
Linnevoid	O'Malley	Van Eaton	Whitehead

Nays, none.

Absent or not voting, 4:

Byers	Humbert	Vest	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.

On motion of Senator Walter, Senate File 508, a bill for an act to make appropriations to certain named persons in settlement of claims made against the State of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Walter offered the following amendment and moved its adoption:

Amend Senate File 508 by striking section 2.

The amendment was adopted.

Senator Walter moved that the bill be read a third 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:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevoid	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	

Nays, none.

Absent or not voting, 1:

Zastrow

The bill having received a constitutional and two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Walter, Senate File 509, a bill for an act to make appropriations to certain persons in settlement of claims for refunds for motor vehicle license, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Weichman offered the following amendment and moved its adoption:

Amend Senate File 509 by striking section 4.

The amendment was adopted.

Senator Walter moved that the bill be read a third 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:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevoid	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	

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.

On motion of Senator Walter, Senate File 510, a bill for an act to make appropriations to certain named persons in settlement of claims made against the State of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Walter offered the following amendment and moved its adoption:

Amend Senate File 510 by striking section 2.

The amendment was adopted.

Senator Walter offered the following amendment and moved its adoption:

Amend Senate File 510 as follows:

1. Strike from section 1, page 3, as follows: claim No. 90 the word "Clinton" and insert in lieu thereof the words "Council Bluffs",

Claim No. 91 the word "Clinton" and insert in lieu thereof the word "Sidney",

Claim No. 92 the word "Clinton" and insert in lieu thereof the word "Cresco", and

Claim No. 96 the word "Clinton" and insert in lieu thereof the words "Council Bluffs".

2. Add to section 1 the following claim, page 4 after claim 152  
County Treasurer

Adams County

Corning, Iowa

153

Agricultural land tax  
credit refund

\$876.72

The amendment was adopted.

Senator Walter asked and received unanimous consent to withdraw the duplicate of the amendment.

Senator Walter moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Jacobson took the chair at 2:35 p.m.

On the question "Shall the bill pass?" the vote was:

Ayes, 47:

Anderson	Hart	Mercer	Tudor
Augustine	Hattery	Molison	Utzig
Bateson	Hedin	Myrland	Van Eaton
Bekman	Henningesen	Nesmith	Van Patten
Berg	Hultman	Oltman	Vest
Byers	Humbert	O'Malley	Walter
Colburn	Jacobson	Parker	Watson of
Dailey	Knudson	Prentis	O'Brien
Dykhouse	Linnevold	Ridout	Watson of
Elthon	Lord	Risk	Pottawattamie
Fishbaugh	Lynes	Roberts	West
Fletcher	McCarville	Sharp	Whitehead
Gillespie			

Nays, none.

Absent or not voting, 3:

Doud	Weichman	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.

On motion of Senator Colburn, Senate File 300, a bill for an act to provide for an engineering survey preparatory to the establish-

ment of a state owned lake in Polk County and to make appropriation therefor, with report of committee recommending amendment in accordance with the following amendment by the committee on conservation and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

Amend Senate File 300 as follows:

1. By striking the period (.) at the end of the title and inserting in lieu thereof the following: “; to provide for engineering survey and preliminary work preparatory to dredging Lizard Lake in Pocahontas County and make appropriation therefor; to provide for an appropriation to purchase land on the site in Montgomery County where engineering plans have been completed; to provide additional appropriation for dredging Little Wall Lake in Hamilton County; to provide additional appropriation for dredging Silver Lake in Dickinson County; to provide for additional riprap on Brown’s Lake in Woodbury County and make an appropriation therefor.”

2. Section two (2), line three (3), is amended by striking the following: “thirty thousand dollars (\$30,000)” and inserting in lieu thereof the following: “fifteen thousand dollars (\$15,000)”.

3. By inserting the following new sections:

“Sec. 3. There is hereby appropriated, out of any funds in the general funds of the State of Iowa, not otherwise appropriated, an additional sum of thirty-seven thousand dollars (\$37,000), or so much thereof as may be necessary, for payment of expenses for dredging Little Wall Lake in Hamilton County.

“Sec. 4. There is hereby appropriated, out of any funds in the general funds of the State of Iowa, not otherwise appropriated, an additional sum of forty thousand dollars (\$40,000), or so much thereof as may be necessary, for payment of expenses for dredging Silver Lake in Dickinson County.

“Sec. 5. There is hereby appropriated, out of any funds in the general funds of the State of Iowa, not otherwise appropriated, the sum of twenty-five thousand dollars (\$25,000), or so much thereof as may be necessary for payment of expenses for a preliminary survey regarding the dredging of Lizard Lake in Pocahontas County.

“Sec. 6. There is hereby appropriated, out of any funds in the general funds of the State of Iowa, not otherwise appropriated, the sum of twenty thousand dollars (\$20,000), or so much thereof as may be necessary, to provide additional shore riprap on Brown’s Lake in Woodbury County.

“Sec. 7. There is hereby appropriated, out of any funds in the general funds of the State of Iowa, not otherwise appropriated, the sum of one hundred fifteen thousand dollars (\$115,000), or so much thereof as may be necessary, to purchase land on the site in Montgomery County where engineering plans, for creation of a lake, have been completed.”

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, 47:

Anderson	Gillespie	McCarville	Sharp
Augustine	Hart	Mercer	Tudor
Bateson	Hattery	Molison	Utzig
Bekman	Hedin	Myrland	Van Eaton
Berg	Henningsen	Nesmith	Van Patten
Byers	Hultman	Oltman	Walter
Colburn	Humbert	O'Malley	Watson of
Dailey	Jacobson	Parker	O'Brien
Doud	Knudson	Prentis	Watson of
Dykhouse	Linnevold	Ridout	Pottawattamie
Elthon	Lord	Risk	West
Fishbaugh	Lynes	Roberts	Whitehead
Fletcher			

Nays, 1:

Weichman

Absent or not voting, 2:

Vest                      Zastrow

The bill having received a constitutional and two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Colburn, House File 615, a bill for an act to appropriate from the general fund of the State of Iowa to the state soil conservation committee the sum of six hundred thousand dollars (\$600,000) to carry on soil conservation work in soil conservation districts as provided in chapter four hundred sixty-seven A (467A), Code 1950, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Prentis moved that the bill be read a third 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:

Anderson	Elthon	Jacobson	Oltman
Augustine	Fishbaugh	Knudson	O'Malley
Bateson	Fletcher	Linnevold	Parker
Bekman	Gillespie	Lord	Prentis
Berg	Hart	Lynes	Ridout
Byers	Hattery	McCarville	Risk
Colburn	Hedin	Mercer	Roberts
Dailey	Henningsen	Molison	Sharp
Doud	Hultman	Myrland	Tudor
Dykhouse	Humbert	Nesmith	Utzig

Van Eaton  
Van Patten  
Vest

Walter  
Watson of  
O'Brien

Watson of  
Pottawattamie  
Weichman

West  
Whitehead

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.

On motion of Senator Bekman, Senate File 216, a bill for an act to provide for the termination of contracts for the construction of public improvements when construction or work thereon is stopped because of a national emergency, and to prescribe procedures, the adjustment and payment of compensation, and to provide a method for settlement of disputes in connection therewith, 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 action on Senate File 216 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator O'Malley, Senate File 433, a bill for an act to amend section three hundred twenty-one point four hundred sixty-seven (321.467), Code 1950, so as to authorize the issuance of permits for the operation of electric trolley buses, or trackless trolley buses, on certain rural highways, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator O'Malley asked and received unanimous consent that House File 527 be substituted for Senate File 433.

On motion of Senator O'Malley, House File 527, a bill for an act to amend section three hundred twenty-one point four hundred sixty-seven (321.467), Code 1950, so as to authorize the issuance of permits for the operation of electric trolley buses, or trackless trolley buses, on certain rural highways, was taken up, and considered.

Senator O'Malley offered the following amendment and moved its adoption:

Amend House File 527 by adding the following as an additional section:

"Section four hundred thirty-four point fifteen (434.15), Code 1950, is hereby amended by adding thereto the following: 'For the purpose of

assessment of its property which is subject to property taxation, every corporation, company or person operating a public passenger transit system in cities having a population of one hundred twenty-five thousand (125,000) or over, consisting of street cars or trackless-trolley passenger buses propelled by electric power obtained from overhead trolley wires and/or self-propelled motor driven passenger buses operated between fixed termini shall be subject to assessment in the same manner as a railway.'"

Further amend the title of House File 527 by striking the period (.) at the end thereof and substituting in lieu thereof the following: "and to amend section four hundred thirty-four point fifteen (434.15), Code 1950, relating to the valuation and assessment for taxation of property for railway companies; and to provide that property subject to taxation of companies operating a public passenger transit system in cities having a population of one hundred twenty-five thousand (125,000) or over shall be subject to assessment in the same manner as a railway."

The amendment was adopted.

Senator O'Malley moved that the bill be read a third 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:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	

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 as amended was agreed to.

#### BILL WITHDRAWN

Senator O'Malley asked and received unanimous consent that Senate File 433 be withdrawn from further consideration of the Senate.



On motion of Senator Colburn, Senate File 43, a bill for an act transferring any unallocated balance of appropriation made by chapter two (2), Acts of the Forty-eighth General Assembly, to the state board of control, and any unallocated balance of appropriation made to the state board of control by chapter three (3), Acts of the Forty-ninth General Assembly, to the capitol improvement fund created by chapter three (3), Acts of the Fifty-first General Assembly, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Colburn moved that the bill be read a third 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:**

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	

**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.

On motion of Senator O'Malley, Senate File 270, a bill for an act to amend section two hundred ninety-seven point two (297.2), Code 1950, relating to the acreage limitation on schoolhouse sites, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Doud asked and received unanimous consent that House File 370 be withdrawn from the sifting committee.

Senator O'Malley asked and received unanimous consent that House File 370 be substituted for Senate File 270.

On motion of Senator O'Malley, House File 370, a bill for an act to amend section two hundred ninety-seven point two (297.2), Code 1950, relating to the acreage limitation on schoolhouse sites, was taken up, and considered.

Senator O'Malley moved that the bill be read a third 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:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	

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.

#### BILL WITHDRAWN

Senator O'Malley asked and received unanimous consent that Senate File 270 be withdrawn from further consideration of the Senate.

On motion of Senator Watson of Pottawattamie, Senate File 469, a bill for an act to change the name of the Cherokee State Hospital, Clarinda State Hospital, Independence State Hospital and Mount Pleasant State Hospital, was taken up, and considered.

Senator Doud asked and received unanimous consent that House File 592 be withdrawn from the sifting committee.

Senator Watson of Pottawattamie asked and received unanimous consent that House File 592 be substituted for Senate File 469.

Senator Watson of Pottawattamie asked and received unanimous consent that action on House File 592 be deferred and that the bill retain its place on the calendar.

On motion of Senator West, Senate File 494, a bill for an act to legalize and validate the proceedings taken by the board of supervisors of Appanoose County for authority to erect a building to be used for the storage and repair of county road working machinery and bridge and road building materials, was taken up, and considered.

Senator West moved that the bill be read a third 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:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	

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.

On motion of Senator Vest, Senate File 495, a bill for an act relating to the payment of expenses incurred under the uniform criminal extradition act, was taken up, and considered.

Senator Vest offered the following amendment and moved its adoption:

Amend Senate File 495 by striking all of section 2 and inserting in lieu thereof the following:

"Sec. 2. This Act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in The Sac Sun, a newspaper published at Sac City, Iowa, and the Carroll Daily Times Herald, a newspaper published at Carroll, Iowa."

The amendment was adopted.

Senator Vest moved that the bill be read a third 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:

Anderson	Fletcher	Lord	Sharp
Augustine	Gillespie	Lynes	Tudor
Bateson	Hattery	McCarville	Van Eaton
Bekman	Hedin	Mercer	Vest
Berg	Henningsen	Molison	Walter
Colburn	Hultman	Myrland	Watson of
Dailey	Humbert	Nesmith	O'Brien
Doud	Jacobson	Oltman	Weichman
Elthon	Knudson	Parker	West
Fishbaugh	LinnevoId	Ridout	

Nays, 5:

Byers	Prentis	Watson of	Whitehead
O'Malley		Pottawattamie	

Absent or not voting, 7:

Dykhouse	Risk	Utzig	Zastrow
Hart	Roberts	Van Patten	

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 for consideration Senate File 108, a bill for an act to amend section two hundred twenty-nine point nine (229.9), Code 1950, relating to the findings and orders of the county commission of insanity, amended by the House, and moved that the Senate concur in the House amendments.

The Senate concurred in the House amendments.

Senator Doud moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 46:

Anderson	Fletcher	Lynes	Roberts
Augustine	Gillespie	McCarville	Sharp
Bateson	Hart	Mercer	Tudor
Bekman	Hattery	Molison	Utzig
Berg	Hedin	Myrland	Van Eaton
Byers	Henningsen	Nesmith	Van Patten
Colburn	Hultman	Oltman	Walter
Dailey	Humbert	O'Malley	Watson of
Doud	Jacobson	Parker	O'Brien
Dykhouse	Knudson	Prentis	Watson of
Elthon	LinnevoId	Ridout	Pottawattamie
Fishbaugh	Lord	Risk	West

Nays, none.

Absent or not voting, 4:

Vest                      Weichman                      Whitehead                      Zastrow

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

#### BILL WITHDRAWN

Senator Parker asked and received unanimous consent that Senate File 500 be withdrawn from further consideration of the Senate.

On motion of Senator Watson of Pottawattamie, House File 592, a bill for an act to change the official designation of the four state hospitals for insane to Mental Health Institutes at the cities and towns wherein located, was taken up, and considered.

Senator Watson of Pottawattamie offered the following amendment and moved its adoption:

Amend House File 592 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. The "Cherokee State Hospital" shall hereafter be designated as follows:

"Mental Health Institute,  
Cherokee, Iowa".

Sec. 2. The "Clarinda State Hospital" shall hereafter be designated as follows:

"Mental Health Institute,  
Clarinda, Iowa".

Sec. 3. The "Independence State Hospital" shall hereafter be designated as follows:

"Mental Health Institute,  
Independence, Iowa".

Sec. 4. The "Mount Pleasant State Hospital" shall hereafter be designated as follows:

"Mental Health Institute,  
Mount Pleasant, Iowa".

Sec. 5. The Code editor is hereby authorized and directed to change the designation of the institutions herein mentioned by striking all references to "State Hospitals" wherever in the statutes they appear and inserting in lieu thereof the "Mental Health Institute" designation followed by the appropriate location thereof as herein set forth.

The amendment was adopted.

Senator Watson of Pottawattamie moved that the bill be read a third 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:

Anderson	Henningsen	Myrland	Utzig
Augustine	Hultman	Nesmith	Van Eaton
Bekman	Humbert	Oltman	Watson of
Berg	Knudson	O'Malley	O'Brien
Byers	Lord	Parker	Watson of
Colburn	Lynes	Prentis	Pottawattamie
Elthon	McCarville	Risk	Weichman
Gillespie	Mercer	Roberts	West
Hattery	Molison	Sharp	Whitehead
Hedin			

Nays, 8:

Bateson	Fletcher	Linnevoild	Vest
Fishbaugh	Jacobson	Van Patten	Walter

Absent or not voting, 7:

Dailey	Dykhous	Ridout	Zastrow
Doud	Hart	Tudor	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

#### BILL WITHDRAWN

Senator Watson of Pottawattamie asked and received unanimous consent to withdraw Senate File 469 from further consideration of the Senate.

#### CONFERENCE COMMITTEES APPOINTED

President Nicholas appointed on the part of the Senate on the conference committee on Senate Files 33, 165 and 212: Senators Hattery, Van Eaton, Myrland and Whitehead.

#### SENATE CONCURRENT RESOLUTION 22

By Committee on Military Affairs

*Whereas*, the 3657th Ordnance Medium Maintenance Company of the Iowa National Guard (Army) is now stationed at Camp Rucker, Alabama, having been inducted into the federal service on January 23, 1951; and

*Whereas*, the 3657th Ordnance Medium Maintenance Company is composed of men from Cedar Rapids and the area surrounding Cedar Rapids, State of Iowa, and it is appropriate that the General Assembly, as the representatives of the people of the State of Iowa, extend to all personnel the heartfelt appreciation of our people for the service which they are performing to protect the United States from its enemies in these troubled times; and

*Whereas*, it is the desire of the General Assembly to wish all personnel a resounding Godspeed and to express the prayer that they be always in

His keeping, and that they be returned, in due time, to their homes and loved ones,

*Now, Therefore, Be It Resolved by the Senate of the Fifty-fourth General Assembly, the House Concurring:* That a delegation from the General Assembly, composed of five Senators to be appointed by the President of the Senate and five Representatives to be appointed by the Speaker of the House of Representatives, call upon the adjutant general of the State of Iowa to convey the sentiments of the General Assembly in accordance with this resolution, and

*Be It Further Resolved:* That enrolled copies of this resolution be presented to the adjutant general of the State of Iowa, to be forwarded to the commanding officer of said 3657th Ordnance Medium Maintenance Company.

### SENATE CONCURRENT RESOLUTION 23

By Committee on Military Affairs

*Whereas,* the units of the 194th Field Artillery Battalion of the Iowa National Guard (Army) are now stationed at Camp McCoy, Wisconsin, having been inducted into the federal service on September 11, 1950; and

*Whereas,* the 194th Field Artillery Battalion is composed of men from the cities of Humboldt, Algona, Spencer, Estherville and Mapleton, State of Iowa, and it is appropriate that the General Assembly, as the representatives of the people of the State of Iowa, extend to all personnel the heartfelt appreciation of our people for the service which they are performing to protect the United States from its enemies in these troubled times; and

*Whereas,* it is the desire of the General Assembly to wish all personnel a resounding Godspeed and to express the prayer that they be always in His keeping, and that they be returned, in due time, to their homes and loved ones,

*Now, Therefore, Be It Resolved by the Senate of the Fifty-fourth General Assembly, the House Concurring:* That a delegation from the General Assembly, composed of five Senators to be appointed by the President of the Senate and five Representatives to be appointed by the Speaker of the House of Representatives, call upon the adjutant general of the State of Iowa to convey the sentiments of the General Assembly in accordance with this resolution, and

*Be It Further Resolved:* That enrolled copies of this resolution be presented to the adjutant general of the State of Iowa, to be forwarded to the commanding officer of said 194th Field Artillery Battalion.

### RESIGNATION OF PAGES

Dennis Montgomery of Polk County and Billy Ridout of Emmet County tendered their resignations as pages of the Fifty-fourth General Assembly of Iowa, which resignations were accepted by the President of the Senate.

## RESIGNATION OF CLERK

MR. PRESIDENT: I hereby tender my resignation as committee clerk for Senator DeVere Watson.

LOIS REEDQUIST.

## RE-ASSIGNMENT OF BILL

President Nicholas announced re-assignment of House File 4 to the sifting committee.

## APPOINTMENT OF COMMITTEE

• In accordance with House Joint Resolution 10, duly adopted, President Nicholas appointed on the part of the Senate Senators Lord, Zastrow and Molison.

## BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that, on April 14, the Governor had approved the following bills:

Senate File 20, relating to cities under the commission form of government.

Senate File 50, relating to inheritance tax.

Senate File 122, relating to the regulation of nursing homes.

Senate File 177, relating to school transportation.

Senate File 202, relating to tuberculous hospitals.

Senate File 217, relating to the school of the blind.

Senate File 328, relating to taxation of loan agencies.

Senate File 350, relating to the assignment of rooms in the capitol or capitol building.

Senate File 368, relating to certain lands in Allamakee and Clayton Counties.

## REPORT OF JOINT COMMITTEE ON CAPITOL IMPROVEMENTS

MR. PRESIDENT: Your joint committee on capitol improvements respectfully reports the following and recommends the following repairs of the capitol, adjacent buildings, and grounds as approved by the legislative improvement and advisory committee:

The installation of two boilers and replacement of breeching and other equipment specified by the Brown Engineering Company of Des Moines is estimated at a total cost of.....\$125,000.00

The building committee approved of this amount to be paid from the new building fund..... 55,000.00

At the heating plant, the east masonry wall of the boiler room is bulging badly. It is in need of rebuilding which can be done at an estimated cost of..... 8,000.00



Our steam lines and Johnson Service Control equipment are in need of some repairs. Estimated cost..... 1,000.00

The sidewalks between Grand Avenue and East Walnut Street on both sides of the street leading to the new office building and the Amos Hiatt School Building should be renewed. Estimated cost..... 4,500.00

The west steps at the State House leading from the driveway to East Ninth Street should be reset. Estimated cost..... 1,000.00

The outside construction of the Capitol Building requires repair of stonework and caulking. Estimated cost..... 12,000.00

The rotunda is in need of paint, and the lunettes in the rotunda on the second floor should be repaired. Total estimated cost of these items is..... 8,000.00

Materials for carpentry work and painting in the building are estimated at a cost of..... 3,000.00

New roofs for the heating plant and the Amos Hiatt School Building are estimated at a cost of..... 2,500.00

An appropriation should be made for rewiring the lights on the Capitol extension grounds and streets. Estimated cost..... 6,000.00

The legislative improvement committee recommended that five windows on the west side of the House chamber and five windows on the west side of the Senate Chamber should be renewed. Estimated cost per window..... 1,500.00

Draperies for both the House and Senate chambers were approved by the legislative improvement committee. The estimate on draperies is to duplicate, as nearly as possible, the ones which are now installed as to style and materials. For the Senate chamber, including all materials and labor, completely installed, the approximate cost is..... 2,872.00

For the House of Representatives chamber, including all materials and labor, completely installed, the approximate cost is ..... 2,720.00

The total approximate cost for draperies in the House and Senate chambers is..... 5,592.00

Also recommended by the legislative improvement committee was the repair of the seats in the balcony of the House chamber. The estimated cost for these repairs is..... 1,755.00

The matter of a loud speaker system for the Senate chamber was discussed but not approved.

Total cost of recommendations.....\$193,347.00

J. M. TUDOR.

MORSE E. CROSIER.

PHILIP T. HEDIN.

GLENN E. ROBINSON.

J. H. NESMITH.

ROY J. SMITH.

On the Part of the Senate.

On the Part of the House.

REPORT OF JOINT COMMITTEE ON CAPITOL IMPROVEMENTS

MR. PRESIDENT: Your joint committee on capitol improvements respectfully reports the following estimated equipment costs:

52 microphones, necessary control signals, console, base amplifier speakers, and wiring not installed.....\$9,500.00  
 Estimated cost of installation and additional.....\$1,200.00 to \$1,500.00

J. M. TUDOR.

MORSE E. CROSIER.

PHILIP T. HEDIN.

GLENN E. ROBINSON.

J. H. NESMITH.

ROY J. SMITH.

On the Part of the Senate.

On the Part of the House.

#### AMENDMENTS FILED

Amend Senate File 2, as found in the House amendment on pages 513 and 514 of the Senate Journal, by inserting in line 51 after the words "attorney general" the following:  
 "and those employees under the state banking board".

JOHN R. HATTERY.

Amend the Prentis amendment, filed April 13, 1951, to Senate File 486 by inserting in section 8, line 39, after the word "building" the following: "located at the seat of government".

Further amend line 41, section 8, by inserting after the word "state" the following: "located at the seat of government".

LEROY S. MERCER.

Amend House File 27 by adding the following new section:

"Sec. 2. Subsection fourteen (14) of section four hundred twenty-seven point one (427.1), Code 1950, is hereby amended by striking the period (.) after the word "payee" in line 2 and adding the following: ", or property sold to a member of his own family on a contract or mortgage, that would otherwise create a double tax, and where no new wealth was created."

HARRY E. WEICHMAN.

Amend House File 629 by inserting in line 5 after the word "Education," the following: "the professional employees under the state superintendent of public instruction,".

HARRY E. WEICHMAN.

Amend House File 632, section 3, by striking the period at the end thereof and adding the following:

" , provided, that five thousand dollars (\$5,000) of such receivership funds shall be turned over to the banking department now for the purpose of completing the liquidation and closing up of the bank receiverships remaining as of this date."

JOHN R. HATTERY.

On motion of Senator Lynes, the Senate adjourned until 10:00 a.m., Tuesday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 17, 1951.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Oscar Engebretson, pastor of the Washington Prairie Lutheran Church, Decorah, Iowa.

## PETITION

The following petition was presented and placed on file:

By Senator Doud, from members of the American Federation of State, County and Municipal Employees, Story County, favoring legislation relating to certain benefits for county officers.

## INTRODUCTION OF BILL

Senate File 514, by committee on appropriations, a bill for an act making appropriations for payment of miscellaneous expense incurred or authorized by the Fifty-fourth General Assembly.

Read first and second times, and placed on the calendar.

## PRESENTATION OF VISITORS

Senator Doud asked and received unanimous consent to present to the Senate the members of the grade school of Spickard, Missouri, who were present in the balcony with their teacher, Nota Lee Wood.

Senator Hultman asked and received unanimous consent to present to the Senate the members of the seventh and eighth grade classes of the Stanton Grade School, consisting of twenty-three pupils, who were present in the balcony with three of the mothers and their teacher, Mrs. Janet Nimrod.

Senator O'Malley asked and received unanimous consent to present to the Senate the members of the sixth grade class of the Elmwood School who were present in the balcony with their teacher, Mrs. Leander.

Senator Byers asked and received unanimous consent to present to the Senate the members of the American government class of

Cornell College who were present in the balcony with their professor in political science, Doctor H. W. Ward.

### MESSAGES FROM THE HOUSE

The following messages were received from the House :

**MR. PRESIDENT:** I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 33, approving miscellaneous expenses of the Fifty-fourth General Assembly.

**Also:** That the House has adopted the report of the joint committee on capitol improvements covering the estimated cost of a loud speaker system for the Senate chamber.

**Also:** That the House has adopted the report of the joint committee on capitol improvements recommended certain repairs of the capitol, adjacent buildings and ground.

**Also:** That the Speaker has appointed as conference committee on the part of the House, on House File 617, a bill for an act relating to biennium appropriation for various departments, Representatives Olson of Mitchell, Goode of Davis, McFarlane of Black Hawk and Nelson of Woodbury.

**Also:** That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 20, providing for the presentation to Senator Leo Elthon of the chair which he has occupied during this session.

**Also:** That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 32, providing for a joint convention of the Fifty-fourth General Assembly to listen to a broadcast of the address of General Douglas MacArthur before the Congress of the United States.

**Also:** That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 43, a bill for an act relating to transfer of unallocated balances of certain appropriations made to state board of control; of capitol improvement fund created by Fifty-first General Assembly.

**Also:** That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 484, a bill for an act making an appropriation for the contribution by the state to the peace officer's retirement system.

**Also:** That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 490, a bill for an act providing for the construction of a tunnel from the capitol building to the state office building.

**Also:** That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 506, a bill for an act making an appropriation for settlement of damages sustained by persons on account of accidents on primary roads, etc.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 507, a bill for an act making an appropriation for the trustee of Robert O. Winn in settlement of a claim made against the state.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 508, a bill for an act making an appropriation to certain named persons in settlement of claims made 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 509, a bill for an act making an appropriation for certain persons in settlement of claims for refunds for motor vehicle license.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 510, a bill for an act making an appropriation to certain named persons in settlement of claims made against the State of Iowa.

Also: That the House has concurred in Senate amendment to House amendment to Senate Concurrent Resolution 15, and has reconsidered the motion by which said resolution was adopted, and further amended the resolution, all relating to the sine die adjournment of the Fifty-fourth General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 43

Amend Senate File 43, section 3, by striking line 8 and substituting in lieu thereof: "budget and financial control committee".

#### HOUSE CONCURRENT RESOLUTION 33

By Appropriations Committee

*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 section two point twenty (2.20), Code 1950:

A. C. Gustafson, refinishing desk, travel expense for Jane Doerr, postage (House) .....	\$218.63
Addressograph-Multigraph Corp., supplies, mats, etc., for multi-lith room (House and Senate) .....	93.68
Des Moines Rubber Stamp Works, badges (House) .....	30.50
International Business Machines Corp., service on typewriter (House) .....	4.55
Royal Typewriter Co., repairs on typewriter (House) .....	3.95
Industrial Towel Service, wiping towels, aprons (House and Senate) multilith room .....	9.40
Dictaphone Corp., maintenance for 3 months (House) .....	11.00
Edwin L. Getz, transportation January 7 through April 21, inc.....	28.00

Lozier the Florist, candles, palms, etc., for Memorial Session (House) .....	21.16
Backman Sheet Metal Works, stainless steel outlet covers (House) .....	140.00
Northwestern Bell Telephone, miscellaneous telephone calls .....	15.80
Commercial Office Supply Co., index tabs (Senate) .....	6.00
Bonds, 6 jackets for pages (Senate) .....	65.70
Des Moines Rubber Stamp Works, badges (Senate) .....	30.50
William Fife, car fare re mail and stamps (Senate) .....	13.52
International Business Machine Corp., typewriter and ribbons (Senate) .....	557.30
Koch Brothers, office supplies (Senate) .....	7.55
Carroll A. Lane, page's jacket (Senate) .....	10.95
Radio Trade Supply Co., public address system (Senate) .....	414.05
Remington Rand Co., servicing typewriters (Senate) .....	49.70
Royal Typewriter Co., servicing typewriter .....	2.75
Frank Sacco, mileage .....	39.20
Storey-Kenworthy Co., supplies .....	383.18

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.

#### HOUSE CONCURRENT RESOLUTION 32

*Whereas*, General Douglas MacArthur is now on his way to the United States after having been relieved of his command by the President, and

*Whereas*, General MacArthur has served with great distinction and honor both to himself and to his country in the Asiatic sector of the world during the past fourteen years, and

*Whereas*, his long and successful experience as head of the military occupation in Japan, preceded by his very successful Asiatic campaign in World War II, and his long residence in that area, has enabled him to acquire extraordinary and valuable information relative to the world-wide problems which center in that area, and

*Whereas*, he has been invited to address a joint session of the Congress of the United States upon his return to Washington,

*Now, Therefore, Be It Resolved by the House, the Senate Concurring:* That a joint convention be held fifteen minutes prior to the announced hour of his appearance before the Congress of the United States and that suitable arrangements be made whereby the members of the Fifty-fourth General Assembly, in joint convention assembled, may listen to the broadcast of his address.

#### HOUSE AMENDMENT TO SENATE CONCURRENT RESOLUTION 15

Amend Senate Concurrent Resolution 15 by striking the words "twelve o'clock noon" and inserting in lieu thereof the words "five o'clock afternoon".

## SENATE CONCURRENT RESOLUTION

Senator Berg called up the following resolution and moved its adoption:

## SENATE CONCURRENT RESOLUTION 22

By Committee on Military Affairs

*Whereas*, the 3657th Ordnance Medium Maintenance Company of the Iowa National Guard (Army) is now stationed at Camp Rucker, Alabama, having been inducted into the federal service on January 23, 1951; and

*Whereas*, the 3657th Ordnance Medium Maintenance Company is composed of men from Cedar Rapids and the area surrounding Cedar Rapids, State of Iowa, and it is appropriate that the General Assembly, as the representatives of the people of the State of Iowa, extend to all personnel the heartfelt appreciation of our people for the service which they are performing to protect the United States from its enemies in these troubled times; and

*Whereas*, it is the desire of the General Assembly to wish all personnel a resounding Godspeed and to express the prayer that they be always in His keeping, and that they be returned, in due time, to their homes and loved ones,

*Now, Therefore, Be It Resolved by the Senate of the Fifty-fourth General Assembly, the House Concurring*: That a delegation from the General Assembly, composed of five Senators to be appointed by the President of the Senate and five Representatives to be appointed by the Speaker of the House of Representatives, call upon the adjutant general of the State of Iowa to convey the sentiments of the General Assembly in accordance with this resolution, and

*Be It Further Resolved*: That enrolled copies of this resolution be presented to the adjutant general of the State of Iowa, to be forwarded to the commanding officer of said 3657th Ordnance Medium Maintenance Company.

The motion prevailed and the resolution was adopted.

## SENATE CONCURRENT RESOLUTION

Senator Berg called up the following resolution and moved its adoption:

## SENATE CONCURRENT RESOLUTION 23

By Committee on Military Affairs

*Whereas*, the units of the 194th Field Artillery Battalion of the Iowa National Guard (Army) are now stationed at Camp McCoy, Wisconsin, having been inducted into the federal service on September 11, 1950; and

*Whereas*, the 194th Field Artillery Battalion is composed of men from the cities of Humboldt, Algona, Spencer, Estherville and Mapleton, State

of Iowa, and it is appropriate that the General Assembly, as the representatives of the people of the State of Iowa, extend to all personnel the heartfelt appreciation of our people for the service which they are performing to protect the United States from its enemies in these troubled times; and

*Whereas*, it is the desire of the General Assembly to wish all personnel a resounding Godspeed and to express the prayer that they be always in His keeping, and that they be returned, in due time, to their homes and loved ones,

*Now, Therefore, Be It Resolved by the Senate of the Fifty-fourth General Assembly, the House Concurring*: That a delegation from the General Assembly, composed of five Senators to be appointed by the President of the Senate and five Representatives to be appointed by the Speaker of the House of Representatives, call upon the adjutant general of the State of Iowa to convey the sentiments of the General Assembly in accordance with this resolution, and

*Be It Further Resolved*: That enrolled copies of this resolution be presented to the adjutant general of the State of Iowa, to be forwarded to the commanding officer of said 194th Field Artillery Battalion.

The motion prevailed and the resolution was adopted.

#### HOUSE CONCURRENT RESOLUTION

Senator Elthon called up the following resolution and moved its adoption:

#### HOUSE CONCURRENT RESOLUTION 31

*Whereas*, the Fifty-fourth General Assembly has enacted Senate File 1, and the Governor has approved the same, which creates the budget and financial control committee, and

*Whereas*, the Fifty-fourth General Assembly by the adoption of House Concurrent Resolution 26 has authorized said budget and financial control committee to direct all details in connection with the closing up of the Fifty-fourth General Assembly,

*Now, Therefore, Be It Resolved by the House, the Senate Concurring*: That said budget and financial control committee is hereby authorized to reserve, for the exclusive use of the General Assembly during the interim, such rooms and offices now occupied and used by said General Assembly for the purpose of storing supplies and equipment as it may deem proper and advisable, and

*Be It Further Resolved*: That said budget and financial control committee is hereby authorized to notify the executive council of its conclusions in said matter, and the executive council shall in no wise make other assignments of the rooms which are so reserved by the budget and financial control committee.

The motion prevailed and the resolution was adopted.



## HOUSE CONCURRENT RESOLUTION 32

Senator Elthon asked and received unanimous consent to take up House Concurrent Resolution 32, a resolution relating to the address by General MacArthur, and moved its adoption.

The motion prevailed and the resolution was adopted.

## HOUSE CONCURRENT RESOLUTION

Senator Knudson called up for consideration the following resolution:

## HOUSE CONCURRENT RESOLUTION 28

*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 for shipment to the home residences of the Speaker of the House and the President of the Senate.

Senator Knudson offered the following amendment and moved its adoption:

Amend House Concurrent Resolution 28 by adding thereto the following:

*"Bt It Further Resolved:* That a copper plate with the proper inscription thereon showing that the chair was presented by the Fifty-fourth General Assembly be properly attached to said chair."

The amendment was adopted.

On motion of Senator Knudson, the resolution as amended was adopted.

## UNFINISHED BUSINESS

On motion of Senator Bekman, Senate File 216, a bill for an act to provide for the termination of contracts for the construction of public improvements when construction or work thereon is stopped because of a national emergency, and to prescribe procedures, the adjustment and payment of compensation, and to provide a method for settlement of disputes in connection therewith, was taken up for further consideration.

Senator Bekman asked unanimous consent that House File 288 be substituted for Senate File 216.

Objection was raised.

Senator Bekman moved that House File 288 be substituted for Senate File 216, which motion prevailed, and the substitution was made.

### THIRD READING OF BILLS

On motion of Senator Bekman, House File 288, a bill for an act to provide for the termination of contracts for the construction of public improvements when construction or work thereon is stopped because of a national emergency, and to prescribe procedures, and the adjustment and payment of compensation, and to provide a method for settlement of disputes in connection therewith, was taken up, and considered.

Senator Jacobson offered the following amendment:

Amend House File 288 by striking section 3 and substituting in lieu thereof the following sections and by renumbering the remaining sections:

"Sec. 3. Any party to the contract may have the issue in dispute determined by filing in the district court of the county in which the public improvement or any part thereof is located a verified petition which shall allege in detail the ultimate facts upon which the petitioner relies for the termination of such contract. All subcontractors and the sureties upon all bonds given in connection with the contract and subcontracts shall be made parties to the proceeding.

"Sec. 4. The Rules of Civil Procedure shall be applicable to such action. The cause shall be tried forthwith in equity, and the court shall give such cases preference over other cases, except criminal cases.

"Sec. 5. The district court shall have jurisdiction of the issue which is thus presented, and of all parties including any public corporation as defined in this act. The court shall make findings and render its judgment determining the issues involved in accordance with the purpose and spirit of this act."

Senator Bekman offered the following amendment to the amendment and moved its adoption:

Amend the amendment by adding thereto the following section:

"Sec. 6. Any party aggrieved by the findings and judgment of the district court may appeal to the supreme court as in other cases and the case shall be given preference over other cases in the supreme court."

The amendment to the amendment was adopted.

On motion of Senator Jacobson, the amendment as amended was adopted.

Senator Sharp asked and received unanimous consent to with-

draw the amendment filed by the committee on public lands and buildings and found on page 1015 of the Senate Journal.

Senator Zastrow offered the following amendment:

Amend House File 288 by striking all of section 6 and inserting in lieu thereof the following:

"The provisions of this act shall not apply unless it is specifically contracted for between the contracting parties."

Senator Bekman asked and received unanimous consent that action on House File 288 be deferred and that the bill retain its place on the calendar.

#### UNFINISHED BUSINESS

On motion of Senator Watson of Pottawattamie, Senate File 279, a bill for an act to amend section four hundred twenty-two point thirteen (422.13), Code 1950, relating to income taxes to provide for a joint return by a husband and wife, and splitting of income by a husband and wife equally for income tax purposes, was taken up for further consideration.

Senator Watson of Pottawattamie called up for consideration the amendment filed by him to Senate File 279 and found on pages 805 and 806 of the Senate Journal, the subject matter of which is contained in House File 109.

Senator Doud asked and received unanimous consent that House File 109 be withdrawn from the sifting committee.

Senator Watson of Pottawattamie asked and received unanimous consent that House File 109 be substituted for Senate File 279.

On motion of Senator Watson of Pottawattamie, House File 109, a bill for an act to amend sections four hundred twenty-two point five (422.5), four hundred twenty-two point twelve (422.12), four hundred twenty-two point thirteen (422.13), Code 1950, chapter forty-one (41), Acts of the Fifty-third General Assembly and chapter one (1), Acts of the Fifty-second General Assembly, relating to decreasing the rate of tax imposed on income; increasing the deductions from the computed tax and relating to returns by individuals for the filing of individual income tax for the years nineteen hundred fifty-one and nineteen hundred fifty-two; and also providing for refunds and making such credit applicable to returns on a fiscal year basis, was taken up, and considered.

Senator Jacobson moved that action on House File 109 be de-

ferred and that the bill retain its place on the calendar, which motion was lost.

Senator Watson of Pottawattamie moved that the bill be read a third 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:**

Auustine	Hart	Molison	Utzig
Bateson	Hattery	Myrland	Van Eaton
Bekman	Hedin	Nesmith	Van Patten
Berg	Henningesen	Oltman	Vest
Byers	Hultman	O'Malley	Walter
Colburn	Humbert	Parker	Watson of
Dailey	Knudson	Prentis	O'Brien
Doud	Linnevold	Ridout	Watson of
Elthon	Lord	Risk	Pottawattamie
Fishbaugh	Lynes	Roberts	Weichman
Fletcher	McCarville	Sharp	Whitehead
Gillespie	Mercer	Tudor	Zastrow

**Nays, 2:**

Jacobson                      West

**Absent or not voting, 2:**

Anderson                      Dykhouse

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

**BILL WITHDRAWN**

Senator Watson of Pottawattamie asked and received unanimous consent that Senate File 279 be withdrawn from further consideration.

On motion of Senator Elthon, the Senate recessed until 1:30 p.m.

**AFTERNOON SESSION**

The Senate reconvened, President Nicholas presiding.

**HOUSE AMENDMENT CONSIDERED**

Senator Elthon called up for consideration Senate Concurrent Resolution 15, relating to the sine die adjournment of the Fifty-fourth General Assembly amended by the House, and moved that the Senate concur in the following amendment:

Amend by striking the words "twelve o'clock noon," and inserting in lieu thereof the words "five c'clock afternoon".

The Senate concurred in the House amendment.

On motion of Senator Elthon, the resolution as amended was adopted.

### THIRD READING OF BILLS

On motion of Senator Hattery, House File 64, a bill for an act to amend section three hundred twenty-one point one hundred ninety-one (321.191), Code 1950, relating to fees for operator's and chauffeur's licenses, was taken up, and considered.

Senator Hattery moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

#### Ayes, 43:

Anderson	Fishbaugh	Lord	Roberts
Augustine	Fletcher	Lynes	Sharp
Bateson	Gillespie	McCarville	Tudor
Bekman	Hart	Mercer	Utzig
Berg	Hattery	Molison	Van Eaton
Byers	Hedin	Myrland	Vest
Colburn	Henningsen	Nesmith	Walter
Dailey	Hultman	O'Malley	Watson of
Doud	Jacobson	Parker	O'Brien
Dykhouse	Knudson	Ridout	Weichman
Elthon	Linnevold	Risk	Zastrow

#### Nays, 4:

Humbert	Prentis	Watson of	West
		Pottawattamie	

#### Absent or not voting, 3:

Oltman	Van Patten	Whitehead
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### BILL WITHDRAWN

Senator Hattery asked and received unanimous consent to withdraw Senate File 81 from further consideration of the Senate.

On motion of Senator Hattery, House File 65, a bill for an act to amend section eighty point four (80.4), Code 1950, relating to members of the Iowa highway safety patrol, was taken up, and considered.

Senator Hattery offered the following amendment and moved its adoption:

Amend House File 65 by inserting after the words "two hundred" in line 3 the word "twenty-five."

Senator Weichman moved the previous question on the amendment and the main bill, which motion prevailed.

The amendment was adopted.

Senator Hattery moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 50:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

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.

#### BILL WITHDRAWN

Senator Hattery asked and received unanimous consent that Senate File 80 be withdrawn from further consideration of the Senate.

On motion of Senator Hart, House File 27, a bill for an act to amend subsection twenty (20) of section four hundred twenty-seven point one (427.1), Code 1950, relating to exemptions from moneys and credits taxation of the capital stock in certain manufacturing corporations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Jacobson offered the following amendment by Senators Jacobson and Utzig and moved its adoption:

As a substitute for all amendments, amend House File 27 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Subsection twenty (20) of section four hundred twenty-seven point one (427.1), Code 1950, is hereby amended and revised to read as follows:

“20. Capital stock. The shares of stock of corporations not organized for pecuniary profit.”

Amend the title to House File 27 by striking all after the word “Act” and inserting in lieu thereof the following:

“to amend and revise subsection twenty (20) of section four hundred twenty-seven point one (427.1), Code 1950, relating to exemptions from moneys and credits taxation of the capital stock of corporations.”

Senator Hart raised a point of order for the reason that the amendment by Senators Jacobson and Utzig was not germane to the bill.

The Chair ruled the point not well taken.

Division was called for.

The amendment was lost.

Senator Jacobson moved that House File 27 be laid on the table.

Roll call was requested.

On the question “Shall House File 27 be laid upon the table?” the vote was:

Ayes, 12:

Anderson	Fishbaugh	Jacobson	Vest
Augustine	Gillespie	Roberts	West
Bateson	Hattery	Utzig	Zastrow

Nays, 32:

Bekman	Henningsen	Myrland	Van Eaton
Berg	Hultman	Nesmith	Van Patten
Byers	Humbert	Oltman	Walter
Colburn	Knudson	Parker	Watson of
Doud	Lord	Prentis	O'Brien
Dykhouse	Lynes	Risk	Watson of
Elthon	McCarville	Sharp	Pottawattamic
Fletcher	Mercer	Tudor	Whitehead
Hart	Molison		

Absent or not voting, 6:

Dailey	Linnevold	Ridout	Weichman
Hedin	O'Malley		

The motion was lost.

Senator Utzig asked and received unanimous consent to withdraw the amendment filed by him and found on page 888 of the Senate Journal.

Senator Weichman offered the following amendment and moved its adoption:

Amend House File 27 by adding the following new section:

"Sec. 2. Subsection fourteen (14) of section four hundred twenty-seven point one (427.1), Code 1950, is hereby amended by striking the period (.) after the word "payee" in line 2 and adding the following: ", or property sold to a member of his own family on a contract or mortgage, that would otherwise create a double tax, and where no new wealth was created."

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 8:

Anderson	Berg	Utzig	West
Augustine	Roberts	Weichman	Zastrow

Nays, 34:

Bateson	Hart	Mercer	Van Eaton
Bekman	Henningsen	Myrland	Van Patten
Byers	Hultman	Nesmith	Vest
Colburn	Humbert	Oltman	Walter
Dailey	Knudson	Parker	Watson of
Doud	Linnevold	Prentis	O'Brien
Dykhouse	Lord	Risk	Watson of
Elthon	Lynes	Sharp	Pottawattamie
Fletcher	McCarville	Tudor	Whitehead

Absent or not voting, 8:

Fishbaugh	Hattery	Jacobson	O'Malley
Gillespie	Hedin	Molison	Ridout

The amendment was lost.

Senator Jacobson offered the following amendment and moved its adoption:

Amend House File 27 by adding the following section:

"Insert the word 'domestic' before the word 'telegraph' in line two (2), before the word 'transmission' in line four (4) and before the word 'corporations' in line five (5) of subsection twenty (20) of section four hundred twenty-seven point one (427.1), Code 1950."

Roll call was requested.

Senator Prentis moved that action on House File 27 be deferred, which motion was lost.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 17:

Augustine	Fishbaugh	O'Malley	Vest
Bateson	Gillespie	Prentis	Weichman
Bekman	Jacobson	Roberts	West
Byers	Lynes	Utzig	Zastrow
Dailey			



## Nays, 23:

Anderson	Knudson	Oltman	Walter
Colburn	Lord	Parker	Watson of
Dykhouse	McCarville	Risk	O'Brien
Hart	Mercer	Sharp	Watson of
Henningsen	Myrland	Tudor	Pottawattamie
Hultman	Nesmith	Van Eaton	Whitehead
Humbert			

## Absent or not voting, 10:

Berg	Fletcher	Linnevold	Ridout
Doud	Hattery	Molison	Van Patten
Elthon	Hedin		

The amendment was lost.

Senator Jacobson asked and received unanimous consent to withdraw the amendment to House File 27 filed by him and found on page 1035 of the Senate Journal.

Senator Fishbaugh offered the following amendment and moved its adoption:

Amend House File 27 by adding thereto the following: "to the extent, only, that such capital stock does not exceed the five thousand dollar (\$5,000) moneys and credits tax exemption established in chapter 197, Laws of the Fifty-third General Assembly,".

Senator Dykhouse moved the previous question on all amendments and the main bill, which motion prevailed.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

## Ayes, 17:

Augustine	Gillespie	Prentis	Vest
Bateson	Jacobson	Roberts	Weichman
Dailey	McCarville	Utzig	West
Fishbaugh	O'Malley	Van Patten	Zastrow
Fletcher			

## Nays, 29:

Anderson	Henningsen	Molison	Van Eaton
Bekman	Hultman	Myrland	Walter
Berg	Humbert	Nesmith	Watson of
Byers	Knudson	Oltman	O'Brien
Colburn	Linnevold	Parker	Watson of
Dykhouse	Lord	Risk	Pottawattamie
Elthon	Lynes	Sharp	Whitehead
Hart	Mercer	Tudor	

## Absent or not voting, 4:

Doud	Hattery	Hedin	Ridout
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The amendment was lost.

Senator Fishbaugh offered the following amendment and moved its adoption :

Amend House File 27 by adding thereto the following: "providing they first file in the office of the Secretary of State of Iowa their consent to submit to the jurisdiction of the Iowa courts and waive their right to remove causes to the district courts of the United Sates of America,".

The amendment was lost.

Senator Dailey offered the following amendment and moved its adoption :

Amend House File 27 by adding the following new section:

"Sec. 2. Subsection three (3) of section four hundred twenty-seven point three (427.3), Code 1950, is hereby amended by striking the word 'seven' in line one (1) thereof and inserting in lieu thereof the word 'nine' and subsection four (4) of section four hundred twenty-seven point three (427.3), Code 1950, is hereby amended by striking the word 'five' in line one (1) and inserting in lieu thereof the word 'seven'."

Senator Hart raised a point of order for the reason that amendment was not germane to the bill.

The Chair ruled the point not well taken.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 14:

Dailey	McCarville	Tudor	Weichman
Fishbaugh	Prentis	Utzig	West
Jacobson	Roberts	Vest	Zastrow
Lord	Sharp		

Nays, 25:

Anderson	Elthon	Humbert	Van Eaton
Bateson	Fletcher	Lynes	Watson of
Bekman	Gillespie	Myrland	O'Brien
Berg	Hart	Nesmith	Watson of
Byers	Hattery	Oltman	Pottawattamie
Colburn	Henningsen	Parker	Whitehead
Dykhouse	Hultman	Risk	

Absent or not voting, 11:

Augustine	Knudson	Molison	Van Patten
Doud	Linnevold	O'Malley	Walter
Hedin	Mercer	Ridout	

The amendment was lost.

Senator Hart moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

**Ayes, 31:**

Anderson	Hart	Mercer	Tudor
Bekman	Hedin	Molison	Van Eaton
Berg	Henningsen	Myrland	Walter
Byers	Hultman	Nesmith	Watson of
Colburn	Humbert	Oltman	O'Brien
Doud	Knudson	Parker	Watson of
Dykhouse	Linnevoold	Risk	Pottawattamie
Elthon	Lord	Sharp	Whitehead
Fletcher			

**Nays, 17:**

Augustine	Hattery	Prentis	Vest
Bateson	Jacobson	Roberts	Weichman
Dailey	McCarville	Utzig	West
Fishbaugh	O'Malley	Van Patten	Zastrow
Gillespie			

**Absent or not voting, 2:**

Lynes	Ridout
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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 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.

#### BILL WITHDRAWN

Senator Hart asked and received unanimous consent that Senate File 131 be withdrawn from further consideration of the Senate.

#### BILLS RE-REFERRED TO SIFTING COMMITTEE

Senator Lord asked and received unanimous consent that House Files 494 and 495 be re-referred to the sifting committee.

#### REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE 617

TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE:

We, the undersigned members of the conference committee appointed to consider the difference between the House and the Senate on House File 617, a bill to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1951, and ending June 30, 1953, funds for various departments and various divisions thereof, of the State of Iowa, for the purpose provided by law, beg leave to report and make the following recommendations:

1. That the Senate recede in their amendment to section 2 and that section 2 be amended by striking the words and figures "fifty-two thousand dollars (\$52,000.00)" in lines 4 and 5, and inserting in lieu thereof

the words and figures "sixty thousand two hundred fifty dollars (\$60,250.00)";

That section 2, line 8, be amended by striking the figures "\$7,500.00" and inserting in lieu thereof the figures "\$8,250.00";

That section 2, line 10, be amended by striking the figures "44,500.00" and inserting in lieu thereof the figures "52,000.00";

That section 2, line 13, be amended by striking the figures "\$52,000.00" and inserting in lieu thereof the figures "\$60,250.00".

2. That the Senate recede from their amendment to section 8.

3. That the Senate recede from their amendment to section 12 and that section 12, line 7, be amended by striking the figures "\$6,000.00" and inserting in lieu thereof the figures "\$6,180.00";

That section 12, line 9, be amended by striking the figures "\$74,000.00" and inserting in lieu thereof the figures "\$73,820.00".

4. That the House concur in the Senate amendments to section 14.

5. That the Senate recede from their amendments to section 22 and that section 22, lines 4 and 5, be amended by striking the words and figures "three hundred eighty-four thousand four hundred fifty dollars (\$384,450.00)" and inserting in lieu thereof the words and figures "three hundred eighty-nine thousand four hundred fifty dollars (\$389,450.00)";

That section 22, line 31, be amended by striking the figures "\$60,000.00" and inserting in lieu thereof the figures "\$65,000.00";

That section 22, line 83, be amended by striking the figures "\$384,450.00" and inserting in lieu thereof the figures "\$389,450.00".

6. That the Senate recede in their amendments to lines 7 and 11 of section 32, and that section 32, line 11, be amended by striking the figures "\$46,400.00" and inserting in lieu thereof the figures "\$46,050.00".

ALLERT G. OLSON.

HARRY E. WEICHMAN.

DEWEY E. GOODE.

EARL C. FISHBAUGH, JR.

ARCH W. MCFARLANE.

LEROY S. MERCER.

HAROLD F. NELSON.

DEVERE WATSON.

On the Part of the House.

On the Part of the Senate.

#### REPORT OF SENATE COMMITTEE ON INTERSTATE COOPERATION

Your Senate committee on Interstate Cooperation submits herewith its report and attaches thereto a communication from Robert L. Larson, Chairman of the Iowa Commission on Interstate Cooperation, and a comprehensive report of the activities of the Council of State Governments in the interim.

For some years it has been the practice and custom for the President of the Senate and the Speaker of the House to appoint an interim committee on Interstate Cooperation. This committee, upon adjournment of the legislature, is constituted as the Iowa Commission on Interstate Cooperation. The undersigned committee was duly appointed and has functioned as such in the course of the interim and has continued to maintain an active interest in legislation sponsored by the Council of State Governments in the course of the present session of the legislature.

A resolution was duly adopted by the Fifty-third General Assembly extending an invitation to the Mid-western Regional Conference of State

Governments to hold its 1949 annual meeting in the city of Davenport. An appropriation of three thousand dollars was made by the legislature for this purpose. Of this amount one thousand four hundred forty-nine dollars and ninety-four cents was returned to the general fund.

A committee on arrangements consisting of Fred Schwengel, Eldon Walter, Paul E. McCarville and Ernest Palmer made arrangements for the meeting. The Chamber of Commerce, the press and radio and the people of Davenport, cooperated to make the meeting most successful. Governor William S. Beardsley, state officials and members of the legislature all participated in the meeting.

Consideration was given in panel discussion to the problem of weights and sizes of motor trucks operating upon the highways of the state. The increasing tendency of some truckers to overload causing damage to roads was contemplated and it was observed that all states are confronted with the same situation. This matter was considered at the subsequent meetings of the council, and it was disclosed that the highway commission of several states east of the Mississippi had arranged for a special test to be made of the damage to highways resulting from overloading along a certain strip of highway in the State of Maryland. Reports of this investigation have been received by the Iowa State Highway Commission among others. The Fifty-fourth General Assembly has enacted legislation which is designed to take the profit out of overloads and to improve the enforcement of existing laws so that maintenance costs on our highways may be reduced. House File 360 provides that the Public Safety Commissioner of the State of Iowa may negotiate reciprocal agreements under certain circumstances with other states involving the use of our roads and highways in interstate commerce.

At the Davenport meeting fiscal problems confronting the state; school legislation and reorganization of state governments were subjects also under consideration.

The 1950 meeting of the Midwestern Regional Conference was held at Mackinac Island, Michigan, on the 7th and 8th of August. The main subject under consideration at this meeting was the progress of reorganization of state government then under study in many states throughout the country.

The Assembly of States was held in Chicago, Illinois, on December 7 and 8, 1950. Civil Defense Legislation was given primary consideration. A model Civil Defense bill was prepared and submitted to those in attendance. This bill was of great help and assistance to the Senate and House joint committees which prepared and submitted to the legislature Senate Files 354 and 355, both of which were approved by the Senate as a committee of the whole. The Civil Defense bill was passed by the Senate but as yet has not been placed upon the House calendar.

The Fifty-fourth General Assembly has approved a resolution increasing the membership of the committees on Interstate Cooperation to seven members. W. H. Nicholas, President of the Senate, named and appointed a committee in the present session of the legislature. In the course of the Fifty-fourth General Assembly, legislation has been considered involving matters of reciprocity between the states.

It is possible that your committee appointed to serve in the interim may be of assistance in the promotion of cordial relations with our neighboring states.

W. ELDON WALTER.  
PAUL E. MCCARVILLE.  
F. M. ROBERTS.  
O. H. HENNINGSEN.  
R. E. BENSON.

February 23, 1951.

Mr. Carroll A. Lane, Secretary,  
Senate Chamber.

Dear Sir:

In conformance with section 8 of House Concurrent Resolution 18 of the Forty-ninth General Assembly, I am herewith submitting to the Senate the biennial report of the Iowa commission on interstate cooperation.

Very truly yours,  
ROBERT L. LARSON, *Chairman*,  
*Commission on Interstate Cooperation.*

STATE OF IOWA  
COMMISSION ON INTERSTATE COOPERATION

BIENNIAL REPORT

To the Governor and the General Assembly

JANUARY, 1951

TO HIS EXCELLENCY, WILLIAM S. BEARDSLEY,  
GOVERNOR OF THE STATE OF IOWA, AND TO  
THE SENATE AND HOUSE OF REPRESENTATIVES OF IOWA:

The Iowa Commission on Interstate Cooperation herewith submits its Biennial Report, in accordance with the provisions of its basic act (House Concurrent Resolution 25, adopted by the Forty-eighth General Assembly, 1939).

Respectfully,  
ROBERT L. LARSON, *Chairman.*

Report of  
IOWA COMMISSION ON INTERSTATE COOPERATION

\* \* \*

Honorable Robert L. Larson, Chairman

*Senate Members*  
Ralph E. Benson  
O. H. Henningsen  
Paul E. McCarville  
Dr. F. M. Roberts  
W. Eldon Walter

*House Members*  
J. E. Hansen  
Allert G. Olson  
Ernest Palmer, Jr.  
Fred Schwengel  
Albert Weiss

*Administrative Members*

Hon. Robert L. Larson,  
Attorney General  
Hon. John M. Grimes,  
Treasurer of State  
Hon. C. B. Akers,  
Auditor of State

*Ex-Officio Members*

Hon. William S. Beardsley,  
Governor  
Hon. K. A. Evans,  
Lieutenant Governor  
Hon. G. T. Kuester,  
Speaker of House

\* \* \*

Affiliated with  
THE COUNCIL OF STATE GOVERNMENTS  
1313 East 60th Street  
Chicago 37, Illinois

\* \* \*

## FOREWORD

By the terms of the Act establishing the Commission, Iowa has joined with the other forty-seven states of the Union in organizing and developing a Council of State Governments.

The Council was established by the states and is supported by the states for service to the states. It fulfills this function in the following ways:

1. As an information clearing house for the forty-eight states.
2. As a research center for all the states.
3. By promoting interstate cooperation, through conferences and exchange of information; in legislation, administration, and through the judicial branch of government.
4. By assisting in the development and improvement of intrastate policies, procedures, and practices.
5. As a central liaison agency for the states in their relationships with the federal government.
6. By providing facilities and staff for the servicing of the national associations of the major, over-all state officials, including the Governors' Conference, the Association of Attorneys General, Conference of Chief Justices, and others.
7. By publishing material to serve state officials and state government including the monthly journal, *State Government*; the biennial reference manual, *The Book of the States*; *The Washington Legislative Bulletin*; the *Legislative Research Checklist*; and reports embodying the results of studies concerning special subjects.

The Commission on Interstate Cooperation is the Iowa agency charged by law with responsibility in forming a more perfect union among the various governments in the United States. This report is made to the Governor and the General Assembly in an attempt to indicate, in summary, some of the activities in which Iowa has participated to that end.

## SCOPE OF ACTIVITY

The primary function of the Commission is to permit Iowa to participate with the 47 other states, all of which have similar agencies, in the

solution of problems not coming properly within the jurisdiction of the Federal Government but at the same time appearing too large or too broad to be dealt with by individual state action. The commissions on interstate cooperation in the several states are engaged in a concerted and continuing effort to strengthen state government in every area where the states can operate effectively. Our objective and function, in other words, is to develop and implement programs of cooperative unity—of harmonious legislative and administrative action—among the states in all appropriate fields, thus supplying a balance between over-centralization at the federal level and uncoordinated, unrelated action at the state and local levels.

Increasingly, solutions of problems that overlap state lines are being found through adoption of interstate compacts, contemplated by Article L, Section 10, of the Constitution of the United States; through enactment of uniform and model legislation by the various states; through promotion of regional programs to serve the citizens of states within different areas of the country; and through development of uniform and reciprocal administrative acts and agreements.

In addition to its interstate activities, the Commission is charged with furthering cooperation between this state and the Federal Government and between this state and its subordinate units of government. It also serves as a medium of interchange and clearance of research and information within the field of intergovernmental cooperation.

#### PARTICIPATION IN MANAGEMENT AND FINANCING OF THE COUNCIL OF STATE GOVERNMENTS

The statutes creating the Iowa Commission on Interstate Cooperation and the interstate cooperation commissions of the other 47 states designate the Council of State Governments as a joint governmental service agency of the states, and establish the cooperation commissions as the major constituent components of which the Council is composed.

The Council is governed by a Board of Managers consisting of 48 delegate members selected by the individual states; nineteen ex officio members and ten members-at-large. During the past two years, Attorney General Robert L. Larson has served as the Iowa delegate member on the Board of Managers, and in 1948-1949 he was Vice President of the Council of State Governments.

The Council is financed solely by state appropriations. All of the states are participating in its support. The pro rata share of the Council's support suggested for Iowa is \$7,500 per year.

The Commission feels that the necessity for cooperative activities among all levels of government has become increasingly apparent during the past few years. It is apparent also that if the states are to maintain their proper place in the structure of our government, they must be adequately equipped, particularly from the standpoint of research and information as to what other states and the Federal Government are doing. For these reasons, it is felt that the continuing work of interstate cooperation, with and through the Council of State Governments, deserves wholehearted support.



### SERVICES OF THE COUNCIL OF STATE GOVERNMENTS

The services performed by the Council of State Governments may be summed up as follows:

1. It serves state legislators, officials, and others, as a clearing house for information and research concerning governmental problems;
2. It is a medium by which constitutional, legislative, administrative, and judicial problems in government can be studied by legislators and officials of the several states, and improved practices developed;
3. It encourages cooperation among the states in solving interstate problems, both regional and national; and
4. It operates as an official agency of the states in coordinating the activities and views of the states with respect to federal-state problems, and in facilitating and improving federal-state relations.

In addition to its affiliation with the interstate cooperation commissions, the Council officially serves the following organizations of state officials:

Governors' Conference;

American Legislators' Association;

National Association of Attorneys General;

Conference of Chief Justices;

National Association of Secretaries of State;

National Association of State Budget Officers;

National Association of State Purchasing Officials;

Legislative Service Conference;

Association of Administrators of the Interstate Compact for the Supervision of Parolees and Probationers.

The Council also cooperates in the program of the National Conference of Commissioners on Uniform State Laws.

The Council maintains its central office in Chicago, regional offices in New York and San Francisco, and an office in Washington, D. C.

Inquiry and informational services of the Council are available to all state legislators and officials on request. In addition, the various publications of the Council—including *State Government* magazine, *The Book of the States*, the *Washington Legislative Bulletin*, the *Legislative Research Checklist*, and special bulletins—provide extensive information on governmental questions.

For several years past, the undertaking of extensive research programs and development of recommendations in various fields of state government and intergovernmental relations have been major services which the Council has rendered the States at their request. Recent research studies of the Council include the following:

The Forty-Eight State School Systems—This comprehensive study of public education, released in 1949, was one of the most important projects ever undertaken by the states through the Council, and it has had far-reaching results. The report examined the organization, administration, and financing of public elementary and secondary education in the several states, and concluded with suggestions relative to state and local school administration, teachers' salaries, training programs, etc.; school plant and facilities; and school finance practices.

**Highway Safety—Motor Truck Regulation—**This report, released in 1950, was prepared with the cooperation of the Governors and the state administrative agencies concerned with highway problems, and in consultation with all interested organizations and agencies, both public and private.

Recommendations in the section on Highway Safety include:

1. Adoption of the Uniform Vehicle Code by all states and adoption of the provisions of the Manual on Uniform Traffic Control Devices for Streets and Highways.
2. Establishment of the state motor vehicle agency as a separate, adequately staffed unit with a single executive head responsible to the governor or a commission, and coordination of all departments concerned with traffic functions.
3. A merit system to cover all motor vehicle and highway employees. They should be qualified, well-trained and adequately compensated civil service employees, chosen on the basis of examination. Greater use should be made of efficiency reports and central personnel files.
4. Enactment of an adequate licensing program, under a single state agency rather than local authorities. A central file of permanent records on each driver should be kept, and the states should provide for interstate reporting and exchange of information on withdrawal and restoration of motor vehicle privileges. The state force should record and analyze state-wide accident reports, and when possible, investigate accidents at the scene.

Other recommendations concern the size of local administrative districts; state police and highway patrol personnel; court procedures; highway planning and construction programs; and standards for the design of new highways.

Recommendations for Motor Truck Regulation include:

1. Enactment of the size and weight limitations standards developed by the American Association of State Highway Officials.
2. No increase in present size and weight restrictions pending completion of current investigations of road capacity and surface strength.
3. Penalties for violations—including withdrawal of license for repeated, willful violations—adequate to insure compliance with state laws; and adequate personnel and modern equipment for effective enforcement.
4. Special speed limits or speed zones for motor transport.
5. Individual state surveys of the highway tax structure and highway fiscal needs. Particular consideration should be given to equitable distribution of highway costs among the several classes of highway users.
6. Consideration of weight and mileage taxes, based on gross weight carried and miles traveled; or, as an alternative, increased registration fees or special weight taxes on motor carriers so that these vehicles may bear their proportionate share of the tax burden.

**The Mental Health Programs of the Forty-Eight States—**Also released in 1950, this report by the Council on the organization, administration, and operation of state programs for the care and treatment of

the mentally ill deals with one of the major responsibilities of the states. The report with its detailed analyses and recommendations has been distributed widely among all of the states for their information and such action as seems desirable.

**Reorganizing State Government.**—During the past two years, over half of the states have authorized studies of the structure and operation of their state governments. This movement reflects the widespread determination that administration of government shall be effective and economical, that it shall be properly organized and competently administered. In general, the agencies studying reorganization are recommending a pattern of organization as follows:

An over-all organization of the government which insures its responsibility—responsibility for the government as a whole to the people themselves, and responsibility of the officials thereof to duly constituted authorities:

A limited number of major departments and the coordination of similar activities and functions within these departments; and

The selection of personnel on the basis of merit with advancement and compensation adjusted on the basis of performance.

By direction of the Board of Managers and at the request of the states, The Council of State Governments, during 1949-50, has worked with all of the reorganization commissions; has held conferences for the benefit of the study commissions; and has conducted studies and developed reports for them, especially dealing with organizational structure and revenue problems which are common to all states.

### MEETINGS IN COOPERATION WITH OTHER STATES

Since its purpose is to foster cooperation wherever needed in solving problems affecting two or more states, this Commission has met with representatives of other states in regional and national meetings sponsored by the Council of State Governments. Following is a summary of the major meetings held during 1949-50:

#### Midwestern Regional Conference Davenport, Iowa, July 25-26, 1949

The Iowa Commission on Interstate Cooperation was host to the 1949 Midwestern Regional Conference of the Council of State Governments, at Davenport, on July 25-26. Interstate cooperation commissioners, and legislative and administrative officials from twelve midwestern states attended this meeting which included round-table discussions of: Education and the States; Reorganization of State Government; Highway Size and Weight Restrictions; and Tax and Fiscal Policy.

In the discussion of Education, the states were urged to consider the following suggestions:

1. Provision should be made for studying and maintaining on an up-to-date basis adequate facts concerning the state's school system;
2. Each state should consider establishing a single state policy-making board composed, not of educators or ex officio members, but of lay citizens who represent the general public interest;

3. Local administrative units should be large enough and financially strong enough to provide appropriate educational opportunities at a reasonable cost;
4. In order to attain effective educational leadership in both state and local administration, school administrators and superintendents should be selected on a professional basis by boards of education rather than by popular election.
5. Well-qualified teachers should be maintained in all phases of elementary and secondary education.

The discussion of Highway problems revealed a consensus in favor of more effective enforcement of motor truck size and weight restrictions, particularly in regard to overloads, and for more equitable means of sharing the costs of highway maintenance and construction.

Conference on State Government Reorganization  
Chicago, Illinois, September 29-30, 1949

Over half of the states and territories, during 1948-50, authorized studies of their governmental organization and operation. Expanding costs of government, increased demands for public services, overlapping and duplication of functions, and interest aroused by the Hoover Commission, are among the factors which have led to the revival of interest in governmental practices and procedures at all levels.

At the request of the state reorganization agencies in the various states, the Council of State Governments called a conference in September, 1949, to enable representatives of the various agencies to pool their experience, discuss their common problems with each other and with experts in the field, and to determine what aspects of research and fact-finding might be performed centrally by the Council of State Governments to be of benefit to all state reorganization agencies.

It was the consensus that the movement toward increased simplification and responsibility in governmental organization represents not only an increased interest in efficiency and economy, but in the future of state government and of the federal system generally.

Midwestern Regional Conference

Mackinac Island, Michigan, August 7-8, 1950

The 1950 Midwestern Regional Conference of the Council of State Governments was held at Mackinac Island, Michigan, on August 7-8, 1950. The twelve midwestern states were represented by their commissioners on interstate cooperation, legislators, and administrative officials. The conference included discussion of current investigations of organized crime, and round-table discussions of: Reorganization of State Government; Highway Safety and Motor Truck Regulation and Control; and Care and Treatment of the Mentally Ill.

The Highway panel underlined the importance of legislation and enforcement in the interest of safety; adherence to the uniform traffic code, effective driver examinations, vehicle inspections, and related provisions. With respect to truck regulation, it was generally agreed that the profit must be taken out of overloading to obtain real conformity with load restrictions.

The states face challenging problems in regard to their responsibilities to the mentally ill. These problems, it was pointed out, involve improvements in the physical facilities; attendants, doctors, nurses, and other trained personnel; restudy of commitment, release, rehabilitation, and prevention procedures and programs. Custodial care under separate arrangements for the senile and incurable patients are other aspects which require attention.

Tenth General Assembly of the States  
Chicago, Illinois, December 7-9, 1950

The Tenth Biennial General Assembly of the States, called by the Council of State Governments, was held at the Edgewater Beach Hotel, Chicago, on December 7-9, 1950. Commissioners on Interstate Cooperation, governors, legislators, and administrative officials from states throughout the country were present. The discussion sessions during the conference considered problems facing the states in the field of: Civil Defense; Social Security Revision; State Disability Programs; Natural Resources; and Tax and Fiscal Policy. Consideration also was given to the suggested legislative program developed by the Drafting Committee of the Council of State Governments (discussed in the following section).

The conferees regarded an effective and expeditious attack on the problem of civil defense to be the major problem facing the states and the nation today—" . . . an effectively operated civil defense program is essential as a first line of security for the nation. In case of atomic attack, the battleground will be our cities and communities. Adequate civil defense is the only answer, and all levels of government—federal, state, and local—must be prepared to move expeditiously." By resolution, the General Assembly recorded its belief:

"The Tenth General Assembly of the States goes on record as strongly insisting that federal civil defense legislation should adhere to the administrative principle of working with and through state governments, rather than directly with localities, in the development of a national civil defense program. It is also urged that all civil defense operations be continued under the control of a civilian agency, rather than subject to military authority. . . .

"The Tenth General Assembly of the States strongly urges that all states take prompt steps to enact adequate basic civil defense legislation and that they enter into the proposed interstate civil defense and disaster compact with their sister states. It is suggested that consideration be given to calling special sessions of the legislatures in states where no regular legislative sessions are impending. The state legislatures are urged to appropriate sufficient funds to make civil defense effective immediately, and there should be no delay or doubts with respect to the need for adequate appropriations to accomplish this purpose."

The economic implications of the present world crisis were considered in the panel on Tax and Fiscal Policy, and the sense of the discussion was summed up in the following resolution:

"The exigencies of world crises make necessary greatly increased expenditures for national defense. To assist in maintaining a stable and productive national economy, the states should make every effort to defer or eliminate capital outlay and non-essential expenditures and to conserve manpower in the state services to the greatest extent possible. Therefore, the Tenth General Assembly of the States urged that the states develop a fiscal program, for the duration of the emergency period, which will make manpower, materials, and money available for the defense effort."

The conference discussed—and wholeheartedly endorsed—the movement, well established during recent years, of developing joint, interstate cooperative programs to solve common problems and to provide needed services in an increasing number of fields. The interstate compact was recommended in particular "as a method of handling interstate problems," and the conference urged the states "to participate actively in exploring ways and means by which the interstate compact may be applied to existing and future interstate activities."

It was the view of the General Assembly that the states should assume responsibility for increasing the protection of workers:

"Although social responsibility in our modern industrial economy is now recognized, adequate protection against non-occupational disability remains as an unfilled gap in social insurance programs.

"The Tenth General Assembly of the States recommends that this problem be met by action at the state level of government to insure that proper and adequate protection will be provided to the individual worker. We suggest that all states take immediate steps toward meeting of this problem by initiating such studies as will lead to the adoption of the appropriate programs."

The Tenth General Assembly summed up the various discussions and study of highway problems with the following recommendations for the consideration of all of the states:

- "1. No increases should be permitted in present size and weight restrictions pending completion of scientific studies being made by various state highway departments in cooperation with the U. S. Bureau of Public Roads;
- "2. The states should consider the imposition of fines and other penalties sufficiently severe to enforce existing size and weight laws;
- "3. The states should increase the size of enforcement staffs and should install or utilize existing scales necessary for effective enforcement of size and weight laws; and
- "4. The states should enforce more adequately speed regulations governing commercial motor vehicles."

#### SUGGESTED LEGISLATIVE PROGRAM FOR 1951

The Drafting Committee of the Council of State Governments, composed of Commissioners on Interstate Cooperation, Attorneys General, Uniform Law Commissioners, and representatives of legislative councils, acts as a channel for developing legislative solutions for federal-state and interstate problems. The cooperative machinery which the Drafting

Committee represents was initiated in 1940. Proposals developed by the Committee originate with agencies of the federal or state governments. These proposals are reviewed and approved by the Board of Managers of the Council of State Governments before submission to the states for their consideration. General Larson has been a member of the Council's Drafting Committee for several years.

#### 1. Model State Civil Defense Act

This act is designed to provide for the establishment of the necessary state and local civil defense organizations in a state, and to furnish the requisite authority to the Governor and to the heads of local government to implement the Civil Defense Program. It provides for the necessary organizations to deal with potential enemy-caused disasters as well as natural disasters, such as floods, fires, explosions and the like. Briefly, the act provides for a civil defense agency in the executive branch of the state government, headed by a director responsible to the Governor. An Advisory Council of representative citizens with special qualifications to advise the Governor and Director is provided for. This act is based in part on the State Council of Defense and the Emergency War Powers Acts developed by the Drafting Committee during World War II.

#### 2. Model State Law Relating to Military Leave

This act provides employees of the several states with the privilege, long since allowed employees of the Federal Government, of 15 calendar days per year for training with reserve components of the armed forces of the United States, without deduction from leave, efficiency rating, or other benefits.

#### 3. Veterans' Re-employment Rights Act

This proposed bill provides a means for extending to those employees of state and local governments the same re-employment rights and privileges formerly extended to government employees who served in the armed forces during World War II.

#### 4. Federal Old-Age and Survivors Insurance Coverage Enabling Act

This act has been prepared for consideration by those states which desire to extend to their state and local government employees the old-age and survivors insurance benefits which are now available, if the individual states so desire, as a result of the 1950 amendments to the Social Security Act.

#### 5. State Government Budgeting of Federal Grants-in-Aid Act.

This proposal would enable the state budget director to maintain some manageable control over the several departments and agencies of the state government which apply for, receive, and expend federal aid funds. It reflects a type of control which has long been favored by the National Association of State Budget Officers and by the Council of State Governments.

#### 6. Payroll Savings Plan Act

The general purpose of this act is to authorize the comptroller of the state and the appropriate disbursing or fiscal officer of any municipality or other political subdivision to withhold, at the request of an employee of the state, municipality or other political subdivision, portions of the

salary or compensation of such employee for the purchase of U. S. bonds. Of the four million employees of state and local governments at present, approximately one million have the Payroll Savings Plan available to them.

#### 7. Exchange of Tax Information Act

The purpose of this proposed act is to permit exchange of tax information relating to all types of taxes in aid of administering tax laws by the states, other taxing jurisdictions such as municipalities, and the Federal Government. In cases in which the same or similar taxes are imposed by various units of government, intergovernmental cooperation is particularly important in order to aid tax compliance and collection. By exchanging information as to returns, taxpayers' lists, tax audits and investigations, enforcement of tax laws would be substantially improved. At the same time, the exchange of tax information would reduce the aggregate cost of tax administration by effecting savings in money, personnel, and equipment.

#### 8. Act Concerning Interstate Transportation of the Mentally Ill

This proposal was drafted to enable the negotiations of reciprocal agreements between and among the states to provide for the return to the state of their residence of persons who, while sojourning in other states, become mentally ill. States party to the agreement contemplated by this act would accept the return of their residents, providing reciprocity is extended under similar circumstances.

#### 9. Uniform Reciprocal Enforcement of Support Act

This act, drafted by a special committee of the National Conference of Commissioners on Uniform State Laws and endorsed by the Drafting Committee of the Council of State Governments, has been prepared to provide an effective civil remedy to enforce support of abandoned wives and children in cases where the father has absconded to another state.

#### 10. Milk and Food Codes Adoption by Reference Act

This proposed statute authorizes a municipality to enact a milk or food code by reference in place of the expensive procedure of publishing the code itself. The provisions of this act are similar to those in the Building Codes Adoption by Reference Act, carried in the Drafting Committee Report for 1949.

#### 11. Model School Bus Act

This act has been designed to provide effective and appropriate procedures and requirements covering: 1). uniform school bus color; 2). uniform passing law; 3). school bus construction standards; 4). mechanical inspection of school buses; and 5). driver training.

#### 12. An Act to Require the Filing of Notice of Intention to Offer Evidence of an Alibi in a Criminal Case

The purpose of this proposal is to require that in any case in which a defendant intends to rely upon an alibi he shall be required to file and serve notice in writing upon the prosecuting attorney of his intention to assert such an alibi. Experience has shown that the use of an alibi defense without advance notice puts the prosecution in a position in which it is impossible to determine by investigation whether or not there is corroboration of the alibi defense.



13. An Act Relating to Testimony of Public Officials Regarding Conduct in Office

This bill would remove the impediment to investigation which is contained in constitutional provisions protecting the privilege against self-incrimination. It would penalize any person who refuses to testify upon matters relating to his office on the ground that his answer might tend to incriminate him by requiring that he forfeit his office and be prohibited from holding other office for a period of five years.

14. Burglar's Tools Bill

This proposal, based on laws previously adopted in several states and developed at the request of the U. S. Post Office Department, makes it a crime to possess or manufacture burglar's tools. While it is debatable whether such a law would actually decrease the number of burglaries, it is felt that the law would enable state authorities to prosecute persons, particularly known criminals, caught with burglar's tools in their possession.

15. Brucellosis Control and Eradication Act

This bill has been prepared to assist states that wish to embody in their agricultural laws the recommendations of the U. S. Livestock Sanitary Association for eradication of brucellosis in cattle (which is the source of undulant fever in human beings).

16. An Act Relating to Custom Application of Insecticides, Fungicides, and Herbicides

This proposal is designed to assist states which find it necessary to regulate the application of insecticides, fungicides, and herbicides. Thus, it covers an entirely different area than the suggested State Insecticide, Fungicide, and Rodenticide Act which dealt with the sale of these economic poisons, and was first carried in the Drafting Committee report for 1947.

17. Farm Products Market Facilities Amendment

This bill is an amendment to the Farm Products Market Facilities Act carried in the Drafting Committee's program for 1947. The purpose of the amendment is to clarify that portion of the 1947 proposal which enabled localities to create public benefit corporations for the purpose of building and leasing facilities for the wholesale handling of perishable food.

18. State Channeling of Federal Airport Funds Act

This measure, endorsed by the Governors' Conference and the National Association of State Aviation Officials, requires that Federal grants-in-aid to municipalities for airport construction shall be expended in the state only upon receiving the approval of the state aviation agency. The enactment of this measure will help to preserve the long-established principle and policy of federal grants-in-aid being administered through the states to political subdivisions on specific projects. Over half of the states have enacted this measure.

19. An Act to Provide for the Registration and Protection of Trade-Marks

This proposal was approved by the Drafting Committee in substantially the same form as it was developed by the National Association of Secre-

taries of State. It is designed to provide the states which adopt it with a modern workable statute in keeping with modern business methods and conditions and to protect the public and trade-mark owners from the dangers of trade-mark piracy and misrepresentation. Its various provisions were drafted in accordance with state and federal court decisions and the federal statutory law on trade-marks.

#### 20. Model Deferred Posting Statute

This model act, already enacted in some thirty-three of the states, is designed to provide uniformity from state to state in the provisions governing bookkeeping practices of banks in posting their ledgers. Developed initially by the American Bankers Association in cooperation with attorneys of the Federal Reserve System, this proposal reflects a practice which has been adopted in recent years by many banks throughout the country and has been recognized by clearing house rules and laws in over two-thirds of the states.

#### 21. Shore and Beach Erosion Control Act

This act is designed to enable the states to control the erosion of their shores and beaches in collaboration with the Federal Government as well as independently.

#### 22. An Act Authorizing the Purchase of Obligations Issued or Guaranteed by the International Bank

This act, originally carried in the Drafting Committee's program for 1947, is to enable investors—but notably insurance companies, trustees, and banks—to invest in obligations of the International Bank. Legislation of this nature has been adopted in almost half of the states.

### RECOMMENDATIONS OF THE DRAFTING COMMITTEE

As in the past, the Drafting Committee has recommended that the states consider certain important subjects requiring legislative attention. In some cases, specific suggested legislation is available; more often, it has been found impractical to develop drafts of suggested proposals. The Committee, accordingly, suggests the inclusion of certain principles in drafting legislation on these subjects. Specific recommendations were made on the following subjects:

#### 1. Hospitalization of the Mentally Ill

In response to many requests for suggestions for revision of current state laws governing hospitalization of the mentally ill, and in recognition of the great interest in the problem evidenced by the Governors' Conference in 1949 and 1950, the Federal Security Agency in consultation with public and private medical authorities developed and sent to all Governors a draft act dealing with this subject. The act embodies principles set forth in the Council of State Governments' report on "The Mental Health Programs of the Forty-Eight States," and seeks to assure that hospitalization of the mentally ill shall assure: 1). Maximum opportunity for prompt medical care; 2). freedom from emotionally harmful or degrading treatment; and 3). protection against wrongful confinement and deprivation of rights.

## 2. State Programs on Alcoholism

This recommendation takes account of the increasing interest in developing specific programs to deal with alcoholism as a major public health problem. Over half of the states have enacted various types of legislation authorizing programs in this field. These recommendations are submitted for consideration of the states in the form in which they were developed by the National States' Conference on Alcoholism—to provide adequate factual information, recognition of the problem as one affecting public health, and an agency with outlined powers and duties.

## 3. Revision of State Adoption Laws

It is recommended that the states incorporate in their laws standards governing adoption procedures suggested by the Children's Bureau of the Federal Security Agency. These standards would protect the welfare of the child, the rights of the natural parents, and the security of the adopting parents. This proposal stems from the fact that adoption has become very largely an unregulated business, and in some states its conduct and operation resemble a racket.

## 4. State Food, Drug, and Cosmetic Legislation

The Drafting Committee suggests that the several states compare their existing food, drug, and cosmetic laws with the Federal Food, Drug, and Cosmetic Act of 1938, with a view to making uniform the federal and state laws on this subject.

## 5. State Water Pollution Control Legislation

The Drafting Committee endorses and recommends for favorable consideration by the states the Suggested State Water Pollution Control Act developed by the Federal Works Agency to provide a coordinated approach to problems of pollution control. The proposed act includes as principal features: 1). definition of pollution; 2). type of administrative agency; 3). classification of waters—standards of water quality; 4). permits; 5). enforcement; and 6). administrative powers.

## 6. Highway Safety and Motor Truck Regulation

This recommendation directs the attention of the states to the proposals contained in the report of the Council of State Governments to the Governors' Conference—"Highway Safety—Motor Truck Regulation."

## 7. Legislation Respecting Control and Treatment of Sex Offenders

It is recommended that states review and improve their laws governing criminal sex offenders to provide for psychiatric and psychological study, diagnosis, and treatment of sex offenders; to provide for awarding indeterminate sentences against dangerous sex criminals by criminal court judges; and to require complete psychiatric reports prior to placing offenders on probation or to suspension of sentence.

## 8. Interstate Crime Control Legislation

The Council of State Governments' uniform crime control program has been one of the most forceful demonstrations of effective interstate cooperation. The various proposals which comprise this program, as shown below, have been adopted by most of the states. It is suggested that the states review their laws on this subject and take appropriate action to bring their laws in conformity with the provisions of the uniform program, including the:

- 1). Fresh Pursuit of Criminals Across State Lines Act;
  - 2). Uniform Extradition Act;
  - 3). Out-of-State Witnesses Act;
  - 4). Interstate Compact for Supervision of Out-of-State Parolees and Probationers;
  - 5). Uniform Pistol Act.
9. Forestry Legislation

This recommendation was developed to assist in preparing state legislation and educational programs which have as their objective the encouragement of better conservation and utilization of our forest resources. The need for such steps has been recognized increasingly during recent years.

10. Airport Authorities Legislation

The Drafting Committee recommends the enactment by each state of general enabling legislation which would authorize counties, cities, towns, villages, and other political subdivisions, either independently or by joint action of two or more such political subdivisions, to create government corporations having the power to establish, acquire, develop, operate and maintain public airports to serve such political subdivisions, and to accept Federal aid for such purposes.

11. School Redistricting Legislation

The study of "The Forty-Eight State School Systems" prepared by the Council of State Governments for the Governors' Conference examines in detail the current situation among the states regarding local school organization. On the basis of the recommendations in this study, the Drafting Committee suggests that the several states re-examine their laws on this subject, survey existing situations in their localities, and develop legislation to facilitate needed redistricting.

12. State Enabling Legislation for Slum Clearance and Urban Redevelopment

The Drafting Committee refers for consideration by the states the suggested legislation prepared by the Federal Housing and Home Finance Agency to enable states and localities to implement the U.S. Housing Act of 1949. This act was designed to provide a comprehensive attack upon slums by the state and local governments by offering financial assistance to cover large capital outlays and high write-down costs for preparing slum lands for re-use.

### SENATE RESOLUTION 3

By McCarville, Hattery, Bekman, Henningsen and Dailey

*Whereas*, the members of the Fifty-fourth General Assembly have used the services of the legal research department for: research work, conferences, legal opinions, the drafting and re-drafting of bills and/or amendments, and the editing and typing of same, and,

*Whereas*, some 1,075 instruments have been compiled, prepared and delivered to various members of this legislature by said legal research department, and,

*Whereas*, the helpful, constructive cooperation of said legal research department has greatly saved both time and efforts for members of this legislature, which in turn has enabled us to fulfill many other pressing demands upon our time;

*Now, Therefore, Be It Resolved by the Senate*: That our appreciation be expressed in the form of this resolution, extending our grateful thanks to the attorneys, Anthony T. Renda, director, and Henry McKnight, Leonard Abels, Norma Warren and Ray Rosecrans of said department and to the other members of the legislative research staff, for their able assistance and willing cooperation to the members of this Senate during this Fifty-fourth General Assembly in legislative session.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files 94, 152, 183 and 422.

JAMES H. NESMITH, *Chairman Senate Committee.*

ELMER A. BASS, *Chairman House Committee.*

Report adopted.

#### BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: House Files 94, 152, 183 and 422.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that, on April 16, the Governor had approved the following bills:

Senate File 44, relating to claims for homestead exemption.

Senate File 295, relating to board of parole.

Senate File 318, relating to inheritance of aliens.

Senate File 370, relating to lands and waters of the state.

Senate File 403, relating to Workmen's Compensation laws.

Senate File 447, relating to payments charged against an employer.

Senate File 491, relating to coinsurance riders.

#### REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

S. F. 504	H. F. 492	H. F. 563
S. F. 501	H. F. 633	H. F. 564
S. F. 518	H. F. 436	H. F. 630
S. F. 443	H. F. 348	H. F. 631
S. F. 429	H. F. 417	H. F. 449
H. F. 619	H. F. 586	H. F. 58
H. F. 60	H. F. 624	H. F. 59
H. F. 474	H. F. 531	H. F. 365

ALDEN L. DOUD, *Chairman.*

### REPORTS OF COMMITTEE

Senator Colburn submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 188**, a bill for an act relating to state aid for vocational education, 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 188, section 3, by striking in lines 9 and 10 the words and figures "three hundred thousand dollars (\$300,000.00)" and insert in lieu thereof the words and figures "two hundred thousand dollars (\$200,000.00)".

JAY C. COLBURN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 502**, a bill for an act relating to acquisition of facilities for military use, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JAY C. COLBURN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 505**, a bill for an act relating to making appropriations to certain persons and/or certain school districts, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JAY C. COLBURN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 512**, a bill for an act to make appropriations to members of the committee on interstate cooperation, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JAY C. COLBURN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House Concurrent Resolution 33**, authorizing payment of bills as provided by section two point twenty (2.20), Code 1950, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAY C. COLBURN, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

Amend Senate File 502 by striking all of section 3.

JOHN P. BERG.

Amend House File 288, section 6, by inserting after the word "improvement" in line 4 the following: "except a public improvement the cost of which is paid by special assessment against benefited property located in an assessment district,".

E. K. BEKMAN.

Amend House File 449 by striking the period at the end of line 5, section 2, and adding the following: "but shall not include motor trucks used in the operations defined in paragraphs (a) and (b) of section 3 of this act.

HARRY E. WATSON.

On motion of Senator Elthon, the Senate recessed until the fall of the gavel.

\*

The Senate reconvened, President Nicholas presiding.

Prayer was offered by Reverend Paul Figge, pastor of the Presbyterian Church, Brooklyn, Iowa.

#### PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Byers, from members of the executive council of Tyler School Parent-Teacher Association of Cedar Rapids favoring legislation relating to general aid for schools; also, certification of teachers.

By Senator Doud, from residents of Polk County favoring legislation relating to general aid for schools; also, certification of teachers.

By Senator Hart, from members of the American Legion Auxiliary, Holtz-Geers Unit 668, West Point, Lee County, favoring legislation relating to the Soldiers' Home at Marshalltown.

#### PRESENTATION OF VISITORS

Senator Hattery asked and received unanimous consent to present to the Senate nine members of the senior class of the Nevada High School who were present in the balcony with their superintendent, Mr. Jones.

Senator Hart asked and received unanimous consent to present to the Senate the members of the vocational agriculture class, Future Farmers, of the Donaldson High School who were present in the balcony with their instructor, Charles Purdice.

Senator Nesmith asked and received unanimous consent to present to the Senate twelve members of the American government class of the Newburg High School who were present in the balcony with their principal, Del C. Smith.

Senator West asked and received unanimous consent to present to the Senate the members of the American government class of the Mystic High School who were present in the balcony with their superintendent, Sam Lynn, Mrs. Noble, Miss Evans and Mr. Macalaso.



## REPORTS OF JOINT COMMITTEE ON CAPITOL IMPROVEMENTS

Senator Tudor called up the following reports and moved their adoption:

## REPORT OF JOINT COMMITTEE ON CAPITOL IMPROVEMENTS

**MR. PRESIDENT:** Your joint committee on capitol improvements respectfully reports the following and recommends the following repairs of the capitol, adjacent buildings, and grounds as approved by the legislative improvement and advisory committee:

The installation of two boilers and replacement of breeching and other equipment specified by the Brown Engineering Company of Des Moines is estimated at a total cost of.....\$125,000.00

The building committee approved of this amount to be paid from the new building fund..... 55,000.00

At the heating plant, the east masonry wall of the boiler room is bulging badly. It is in need of rebuilding which can be done at an estimated cost of..... 8,000.00

Our steam lines and Johnson Service Control equipment are in need of some repairs. Estimated cost..... 1,000.00

The sidewalks between Grand Avenue and East Walnut Street on both sides of the street leading to the new office building and the Amos Hiatt School Building should be renewed. Estimated cost..... 4,500.00

The west steps at the State House leading from the driveway to East Ninth Street should be reset. Estimated cost..... 1,000.00

The outside construction of the Capitol Building requires repair of stonework and caulking. Estimated cost..... 12,000.00

The rotunda is in need of paint, and the lunettes in the rotunda on the second floor should be repaired. Total estimated cost of these items is..... 8,000.00

Materials for carpentry work and painting in the building are estimated at a cost of..... 3,000.00

New roofs for the heating plant and the Amos Hiatt School Building are estimated at a cost of..... 2,500.00

An appropriation should be made for rewiring the lights on the Capitol extension grounds and streets. Estimated cost..... 6,000.00

The legislative improvement committee recommended that five windows on the west side of the House chamber and five windows on the west side of the Senate chamber should be renewed. Estimated cost per window..... 1,500.00

Draperies for both the House and Senate chambers were approved by the legislative improvement committee. The estimate on draperies is to duplicate, as nearly as possible, the ones which are now installed as to style and materials. For the Senate chamber, including all materials and labor, completely installed, the approximate cost is..... 2,872.00

For the House of Representatives chamber, including all materials and labor, completely installed, the approximate cost is .....	2,720.00
The total approximate cost for draperies in the House and Senate chambers is.....	5,592.00
Also recommended by the legislative improvement committee was the repair of the seats in the balcony of the House chamber. The estimated cost for these repairs is.....	1,755.00
The matter of a loud speaker system for the Senate chamber was discussed but not approved.	
Total cost of recommendations.....	\$193,347.00
J. M. TUDOR.	MORSE E. CROSIER.
PHILIP T. HEDIN.	GLENN E. ROBINSON.
J. H. NESMITH.	ROY J. SMITH.
On the Part of the Senate.	On the Part of the House.

#### REPORT OF JOINT COMMITTEE ON CAPITOL IMPROVEMENTS

MR. PRESIDENT: Your joint committee on capitol improvements respectfully reports the following estimated equipment costs:

52 microphones, necessary control signals, console, base amplifier speakers, and wiring not installed.....	\$9,500.00
Estimated cost of installation and additional.....	\$1,200.00 to \$1,500.00
J. M. TUDOR.	MORSE E. CROSIER.
PHILIP T. HEDIN.	GLENN E. ROBINSON.
J. H. NESMITH.	ROY J. SMITH.
On the Part of the Senate.	On the Part of the House.

The motion prevailed and the reports were adopted.

#### UNFINISHED BUSINESS

On motion of Senator Bekman, House File 288, a bill for an act to provide for the termination of contracts for the construction of public improvements when construction or work thereon is stopped because of a national emergency, and to prescribe procedures, and the adjustment and payment of compensation, and to provide a method for settlement of disputes in connection therewith, was taken up for further consideration.

Senator Bekman offered the following amendment:

Amend House File 288, section 6, by inserting after the word "improvement" in line 4 the following: "except a public improvement the cost of which is paid by special assessment against benefited property located in an assessment district,".

Senator Bateson offered the following amendment to the amendment and moved its adoption:

Amend the amendment by inserting after the word "paid" and before the word "by" in line four (4) the following: "in whole or in part".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Zastrow offered the following amendment and moved its adoption:

Amend House File 288 by striking all of section 6 and inserting in lieu thereof the following:

"The provisions of this act shall not apply unless it is specifically contracted for between the contracting parties."

Senator Van Patten moved the previous question on all amendments and the main bill which motion was lost.

Senator Van Eaton moved the previous question on all amendments and the main bill, which motion prevailed.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

**Ayes, 34:**

Anderson	Gillespie	Myrland	Utzig
Augustine	Hart	Oltman	Van Eaton
Bateson	Hattery	O'Malley	Vest
Byers	Hedin	Parker	Walter
Colburn	Jacobson	Prentis	Weichman
Doud	Knudson	Ridout	West
Elthon	Lynes	Risk	Whitehead
Fishbaugh	McCarville	Roberts	Zastrow
Fletcher	Molison		

**Nays, 16:**

Bekman	Hultman	Nesmith	Watson of
Berg	Humbert	Sharp	O'Brien
Dailey	Linnevoold	Tudor	Watson of
Dykhouse	Lord	Van Patten	Pottawattamie
Henningsen	Mercer		

Absent or not voting, none.

The amendment was adopted.

Senator Fishbaugh asked and received unanimous consent to withdraw the amendment to House File 288 filed by Senators Fishbaugh and Zastrow and found on page 1016 of the Senate Journal.

Senator Fishbaugh offered the following amendment:

Amend House File 288 as follows:

1. Strike the words "or indirectly" in line 2 of section 1.
2. Insert after the word "a" in line 5 of section 1 the words "situation which the President of the United States has declared to be".
3. Strike sections 2, 3, 4, 5, 6 and 8.
4. Renumber section 7.

Senator Fishbaugh asked and received unanimous consent to withdraw division 1 of the amendment.

Senator Fishbaugh asked and received unanimous consent to amend division 2 of the amendment by adding following the word "President" the following "or the Congress".

On motion of Senator Fishbaugh, division 2 of the amendment as amended was adopted.

Senator Fishbaugh asked and received unanimous consent to withdraw divisions 3 and 4 of the 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, 45:

Anderson	Hart	Molison	Van Eaton
Augustine	Hedin	Nesmith	Van Patten
Bateson	Henningsen	Oltman	Vest
Bekman	Hultman	O'Malley	Walter
Berg	Humbert	Parker	Watson of
Byers	Jacobson	Prentis	O'Brien
Colburn	Knudson	Ridout	Watson of
Dailey	Linnevold	Risk	Pottawattamie
Doud	Lord	Roberts	West
Dykhouse	Lynes	Sharp	Whitehead
Elthon	McCarville	Tudor	Zastrow
Gillespie	Mercer	Utzig	

Nays, 5:

Fishbaugh	Hattery	Myrland	Weichman
Fletcher			

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 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

Senator Bekman asked and received unanimous consent that Senate File 216 be withdrawn from further consideration of the Senate.

## CONFERENCE COMMITTEE REPORT ON SENATE FILE 33

TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE:

We, the undersigned members of the conference committee appointed to consider the difference between the House and the Senate on Senate File 33, a bill for an act relating to the ordinances of municipal corporations, beg leave to report and make the following recommendations:

That section one (1) of the bill be stricken and the remaining sections renumbered.

That the Senate concur in division 1 of the House amendment (which appears on page 984 of the Senate Journal).

That the House recede from divisions 2 to 6, inclusive, of the House amendment (which appear on page 984 of the Senate Journal).

Respectfully submitted,

JOHN R. HATTERY.

E. C. MYRLAND.

G. E. WHITEHEAD.

CHARLES S. VAN EATON.

On the Part of the Senate.

H. F. NELSON.

DEWEY E. GOODE.

ERNEST PALMER, JR.

ARCH W. MCFARLANE.

On the Part of the House.

## CONFERENCE COMMITTEE REPORT ON SENATE FILE 165

TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE:

We, the undersigned members of the conference committee appointed to consider the difference between the House and the Senate on Senate File 165, a bill for an act relating to the forms of government, classification, and fiscal year of municipal corporations and to the election of officers thereof, beg leave to report and make the following recommendations:

That the House recede from division 2 of its amendment (which appears on page 975 of the Senate Journal) and that section 9 of the bill be stricken and the following inserted in lieu thereof: "Sec. 9. All elective municipal officers shall be elected for a term of office of two years except as hereinafter provided. Members of the council in cities operating under the council manager plan by popular election shall be elected for terms of office of four years. In all municipal corporations the terms of office of any or all elective municipal officials may be changed from two year terms to four year terms or from four year terms to two year terms upon petition and election. The procedure for change in form of government provided in sections thirty-five (35) to thirty-nine (39) hereof shall be applicable to changes in duration of terms of office except that the number of signers of the petition need equal only 10 per cent of the votes cast for the candidate for any municipal office receiving the

greatest number of votes at the last preceding regular municipal election. In all municipal corporations where members of the council are elected for four year terms such terms shall be staggered so that one-half of the members of the council, as nearly as may be, are elected at each regular municipal election.

"The references in sections ten (10) to fourteen (14) hereof to 'longer' and 'shorter' terms shall apply only to municipal corporations where members of the council are elected for four year terms."

That section twelve (12) of the bill be amended by striking from line five (5) the words "provided in sections ten (10) and eleven (11), hereof", and by striking from line twenty-one (21) the word "(Temporary)."

Respectfully submitted,

JOHN R. HATTERY.

G. E. WHITEHEAD.

E. C. MYRLAND.

CHARLES S. VAN EATON.

On the Part of the Senate.

H. F. NELSON.

ERNEST PALMER, JR.

DEWEY E. GOODE.

ARCH W. MCFARLANE.

On the Part of the House.

#### CONFERENCE COMMITTEE REPORT ON SENATE FILE 212

TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE:

We, the undersigned members of the conference committee appointed to consider the difference between the House and the Senate on Senate File 212, a bill for an act relating to taxation and other sources of municipal revenue, beg leave to report and make the following recommendation:

That the House recede from division 14 of the House amendment (which appears on page 1043 of the Senate Journal).

Respectfully submitted,

JOHN R. HATTERY.

E. C. MYRLAND.

G. E. WHITEHEAD.

CHARLES S. VAN EATON.

On the Part of the Senate.

H. F. NELSON.

ERNEST PALMER, JR.

DEWEY E. GOODE.

ARCH W. MCFARLANE.

On the Part of the House.

#### CONFERENCE COMMITTEE REPORT ON SENATE FILE 212 ADOPTED

Senator Hattery called up for consideration the report of the conference committee on Senate File 212 and moved its adoption.

The motion prevailed and the report was adopted.

Senator Lord took the chair.

Senator Hattery moved that Senate File 212 be read a third 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:

Anderson	Hattery	Molison	Utzig
Augustine	Hedin	Myrland	Van Eaton
Bateson	Henningsen	Nesmith	Van Patten
Bekman	Hultman	Oltman	Vest
Byers	Humbert	O'Malley	Walter
Colburn	Jacobson	Parker	Watson of
Dailey	Knudson	Prentis	O'Brien
Doud	Linnevold	Ridout	Watson of
Dykhouse	Lord	Risk	Pottawattamie
Fishbaugh	Lynes	Roberts	Weichman
Fletcher	McCarville	Sharp	West
Gillespie	Mercer	Tudor	Whitehead

Nays, none.

Absent or not voting, 4:

Berg	Elthon	Hart	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.

#### CONFERENCE COMMITTEE REPORT ON SENATE FILE 33 ADOPTED

Senator Hattery called up for consideration the report of the conference committee on Senate File 33 and moved its adoption.

The motion prevailed and the report was adopted.

Senator Hattery moved that Senate File 33 be read a third 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:

Anderson	Hattery	Myrland	Van Eaton
Augustine	Hedin	Nesmith	Van Patten
Bateson	Henningsen	Oltman	Vest
Bekman	Hultman	O'Malley	Walter
Berg	Humbert	Parker	Watson of
Colburn	Jacobson	Prentis	O'Brien
Dailey	Knudson	Ridout	Watson of
Doud	Linnevold	Risk	Pottawattamie
Dykhouse	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	West
Fishbaugh	McCarville	Tudor	Whitehead
Fletcher	Mercer	Utzig	Zastrow
Gillespie	Molison		

Nays, none.

Absent or not voting, 2:

Byers	Hart
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONFERENCE COMMITTEE REPORT ON  
SENATE FILE 165 ADOPTED

Senator Hattery called up for consideration the report of the conference committee on Senate File 165 and moved its adoption.

The motion prevailed and the report was adopted.

Senator Hattery moved that Senate File 165 be read a third 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:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

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.

ANNOUNCEMENT

Senator Byers arose on a point of personal privilege and called to the attention of the members of the Senate the provision of the Constitution of Iowa which requires the legislature at the next session following the last census to reapportion the Senators and their districts according to the population, and stated that this was a part of the Constitution that all members had taken an oath to uphold and support. He then called attention to Senate File 419, an act to apportion the Senators which bill as originally introduced does not apportion them according to population, and stated that he had filed an amendment to the bill which apportions the Senators according to population and he also particularly called the matter to the attention of the members of the sifting committee.



## THIRD READING OF BILLS

On motion of Senator Colburn, Senate File 188, a bill for an act to amend chapter two hundred fifty-eight (258), Code 1950, relating to state aid for vocational education, with report of committees recommending passage and amendment and passage, was taken up, considered, and the reports of the committees adopted.

The following committee amendment was considered:

Amend Senate File 188, section 3, by striking in lines 9 and 10 the words and figures "three hundred thousand dollars (\$300,000.00)" and insert in lieu thereof the words and figures "two hundred thousand dollars (\$200,000.00)".

On motion of Senator Elthon, the Senate recessed until the fall of the gavel.

The Senate reconvened, President Nicholas 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 19, relating to claims rejected by the joint claims committee of the Fifty-fourth General Assembly.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 21, relating to claims rejected by the joint claims committee of the Fifty-fourth General Assembly.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 22, providing for the appointment of a committee to convey the good wishes of the Fifty-fourth General Assembly to the 3657th Ordnance Medium Maintenance Company of the Iowa National Guard.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 23, providing for the appointment of a committee to convey the good wishes of the Fifty-fourth General Assembly to the units of the 194th Field Artillery Battalion of the Iowa National Guard.

Also: That the House has concurred in Senate amendment to and adopted House Concurrent Resolution 28, providing 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.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 477, a bill for an act making an appropriation to the board of education for the biennium beginning July 1, 1951.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 494, a bill for an act to legalize and validate the proceedings taken by the board of supervisors of Appanoose County.

Also: That the House has concurred in Senate amendments to and passed House File 65, a bill for an act relating to increase in number of members of Iowa highway safety patrol.

Also: That the House has concurred in Senate amendments to and passed House File 117, a bill for an act relating to establishing districts for members of boards of supervisors elected at large.

Also: That the House has concurred in Senate amendments to and passed House File 527, a bill for an act authorizing the issuance of permits for operation of electric trolley buses on certain rural highways.

Also: That the House has concurred in Senate amendments to and passed House File 592, a bill for an act providing for a change in the official designation of four state hospitals for the insane.

Also: That the House has rejected the conference committee report on House File 617, a bill for an act making an appropriation for the various departments of state, and requests a second conference; and the Speaker has appointed, as members of such second conference committee, Representatives Strawman, Patrick, Brown and Uhlenhopp.

Also: That the House has concurred in Senate amendments 1 and 3, and refused to concur in Senate amendment 2 to House File 634, a bill for an act creating a general contingent fund of the state for the biennium beginning July 1, 1951.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 635, a bill for an act providing for the issuance of a patent to a certain tract of land in Monroe County.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 636, a bill for an act providing for the issuance of a patent to George D. Lyon and Otto V. Schrader in Jackson County.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 637, a bill for an act legalizing the conveyance of certain property to Iowa State College.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 638, a bill for an act making appropriations to members of the house improvement committee.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE AMENDMENTS TO SENATE FILE 477

1. Amend Senate File 477, section one (1), lines five (5) and six (6), by striking the following: "twenty million six hundred ninety thousand nineteen dollars (\$20,690,019.00)" and inserting in lieu thereof the following: "twenty million eight hundred nine thousand nine hundred nineteen dollars (\$20,809,919.00)".

2. Amend Senate File 477, section nine (9), lines four (4) and five (5), by striking the following words and figures: "four hundred three thousand four hundred dollars (\$403,400.00)" and inserting in lieu thereof the following: "four hundred forty thousand three hundred dollars (\$440,300.00)".

Further amend said section nine (9), line eight (8), by striking the figures "\$373,400.00" and inserting in lieu thereof the figures "\$415,300.00".

Further amend said section nine (9), line nine (9), by striking the figures "20,000.00" and inserting in lieu thereof the figures "15,000.00".

Further amend said section nine (9), line eleven (11), by striking the figures "403,400.00" and inserting in lieu thereof the figures "440,300.00".

3. Amend Senate File 477, section ten (10), by striking lines ten (10), eleven (11), twelve (12) and thirteen (13) thereof.

4. Amend Senate File 477, section eleven (11), line four (4), by striking the words and figures "six hundred eighty-seven thousand dollars (\$687,000.00) and inserting in lieu thereof the following: "seven hundred seventy thousand dollars (\$770,000.00)".

Further amend section eleven (11), line eight (8), by striking the figures "\$677,000.00" and inserting in lieu thereof the figures "\$760,000.00".

Further amend section eleven (11), line ten (10), by striking the figures "\$687,000.00" and inserting in lieu thereof the figures "\$770,000.00".

Further amend section eleven (11), line thirteen (13), by striking the figures "\$20,690,019.00" and inserting in lieu thereof the figures "\$20,809,919.00".

## HOUSE MESSAGES CONSIDERED

House File 635, a bill for an act to amend Senate File 393 passed by the Fifty-fourth General Assembly, and approved by the Governor, providing for the issuance of a patent to a certain tract of land in Monroe County, Iowa.

Read first and second times, and referred to the sifting committee.

House File 636, a bill for an act authorizing patent to issue to the west half ( $W\frac{1}{2}$ ) of the southwest quarter ( $SW\frac{1}{4}$ ) of section sixteen (16) in township eighty-four (84) north, range three (3)

east of the fifth (5th) principal meridian, lying south of the Maquoketa River in Jackson County, Iowa.

Read first and second times, and referred to the sifting committee.

House File 637, a bill for an act to legalize the conveyance of certain property in Buchanan County to the Iowa State College of Ames, Iowa, as a conveyance to the State of Iowa for the benefit of the state board of education and the Iowa State College of Agriculture and Mechanic Arts, and to authorize the issuance of a patent for such property.

Read first and second times, and referred to the sifting committee.

House File 638, a bill for an act to make appropriations to Allert G. Olson, Osage, Iowa; Howard E. Brookings, Oakland, Iowa; Jacob Van Zwol, Paullina, Iowa; Gene Poston, Corydon, Iowa, and Morse E. Crosier, Coggon, Iowa, for services rendered as members of the house improvement committee.

Read first and second times, and referred to the committee on appropriations.

#### APPOINTMENT OF SECOND CONFERENCE COMMITTEE ON HOUSE FILE 617

President Nicholas announced the appointment of a second conference committee on House File 617 on the part of the Senate: Senators Lynes, Bateson, Vest and O'Malley.

#### REPORT OF COMMITTEE

Senator Colburn submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 638**, a bill for an act to make appropriation to Allert G. Olson, Osage, Iowa, et al., for services rendered as members of the House improvement committee, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAY C. COLBURN, *Chairman*.

Ordered passed on file.

#### THIRD READING OF BILLS

The Senate resumed consideration of Senate File 188 and the amendment by the committee on appropriations.

On motion of Senator Van Patten, the committee amendment was adopted.

Senator Van Patten moved that the bill be read a third 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:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhous	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

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.

On motion of Senator Colburn, Senate File 512, a bill for an act to make appropriations to members of the committee on interstate cooperation, namely: Paul E. McCarville, J. E. Hansen, Allert G. Olson, Albert Weiss, Ernest Palmer, Jr., Fred Schwengel, W. Eldon Walter and F. M. Roberts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Colburn offered the following amendment and moved its adoption:

Amend Senate File 512 by striking section 4.

The amendment was adopted.

Senator Van Patten moved that the bill be read a third 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:

Anderson	Colburn	Fletcher	Hultman
Augustine	Dailey	Gillespie	Humbert
Bateson	Doud	Hart	Jacobson
Bekman	Dykhous	Hattery	Knudson
Berg	Elthon	Hedin	Linnevold
Byers	Fishbaugh	Henningsen	Lord

Lynes	O'Malley	Tudor	Watson of
Mercer	Parker	Utzig	Pottawattamie
Molison	Prentis	Van Eaton	Weichman
Myrland	Ridout	Van Patten	West
Nesmith	Risk	Vest	Whitehead
Oltman	Sharp	Watson of	
		O'Brien	

Nays, none.

Absent or not voting, 4:

McCarville	Roberts	Walter	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.

On motion of Senator Walter, Senate File 505, a bill for an act to make appropriations to sheriff of Marshall County (General Mills, Inc.), West Riverside Independent School District, Grant Township Independent School District, Garfield Township Independent School District, Red Oak Township School District, Stennett Consolidated School District, Pomeroy Independent School District, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Colburn offered the following amendment and moved its adoption:

Amend Senate File 505 by striking section 11.

The amendment was adopted.

Senator Walter moved that the bill be read a third 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:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

Nays, none.

Absent or not voting, none.

The bill having received a constitutional and two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Colburn, Senate File 502, a bill for an act assenting to the provisions of the act of congress entitled "An act to provide for the acquisition, construction, expansion, rehabilitation, conversion, and joint utilization of facilities necessary for the administration and training of units of the Reserve components of the Armed Forces of the United States, and for other purposes", approved September 11, 1950, and to make an appropriation therefor, 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 502 by striking section 3.

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:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhousé	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

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.

On motion of Senator Colburn, Senate File 514, a bill for an act making appropriations for payment of miscellaneous expense incurred or authorized by the Fifty-fourth General Assembly, 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, 46:

Anderson	Hart	Mercer	Van Eaton
Augustine	Hattery	Myrland	Van Patten
Bateson	Hedin	Nesmith	Vest
Bekman	Henningsen	Oltman	Walter
Berg	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Elthon	Linnevold	Risk	Weichman
Fishbaugh	Lord	Roberts	West
Fletcher	Lynes	Sharp	Whitehead
Gillespie	McCarville	Tudor	Zastrow

Nays, none.

Absent or not voting, 4:

Byers	Dykhouse	Molison	Utzig
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The bill having received a constitutional and two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Colburn, House File 634, a bill for an act creating the general contingent fund of the state for the biennium beginning July 1, 1951, and appropriating thereto the sum of one and one-half million dollars from the general fund of the state, specifying the purposes for which the appropriation may be used, and providing for a report of the dispositions made of the fund.

Senator Colburn moved that the Senate recede from division 2 of the Senate amendment to House File 634, which motion prevailed, and the Senate receded from division 2 of the amendment.

Senator Colburn moved that the bill be read a third 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:

Anderson	Elthon	Jacobson	Oltman
Augustine	Fishbaugh	Knudson	O'Malley
Bateson	Fletcher	Linnevold	Parker
Bekman	Gillespie	Lord	Prentis
Berg	Hart	Lynes	Ridout
Byers	Hattery	McCarville	Risk
Colburn	Hedin	Mercer	Roberts
Dailey	Henningsen	Molison	Sharp
Doud	Hultman	Myrland	Tudor
Dykhouse	Humbert	Nesmith	Utzig



Van Eaton	Walter	Watson of	West
Van Patten	Watson of	Pottawattamie	Whitehead
Vest	O'Brien	Weichman	Zastrow

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.

#### HOUSE AMENDMENTS CONSIDERED

Senator Colburn called up for consideration Senate File 477, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1951, and ending June 30, 1953, to the board of education for the support, maintenance, repairs, replacements or alterations of institutions under said board of education, and to allocate capital improvement appropriations, amended by the House, and moved that the Senate concur in the House amendments.

The Senate concurred in the House amendments.

Senator Colburn moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 50:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lord	Roberts	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher	McCarville	Tudor	Zastrow

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.

## HOUSE CONCURRENT RESOLUTION

Senator Colburn called up the following resolution:

## HOUSE CONCURRENT RESOLUTION 33

By Appropriations Committee

*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 section two point twenty (2.20), Code 1950:

A. C. Gustafson, refinishing desk, travel expense for Jane Doerr, postage (House) .....	\$218.63
Addressograph-Multigraph Corp., supplies, mats, etc., for multilith room (House and Senate) .....	93.68
Des Moines Rubber Stamp Works, badges (House) .....	30.50
International Business Machines Corp., service on typewriter (House) .....	4.55
Royal Typewriter Co., repairs on typewriter (House) .....	3.95
Industrial Towel Service, wiping towels, aprons (House and Senate) multilith room .....	9.40
Dictaphone Corp., maintenance for 3 months (House) .....	11.00
Edwin L. Getz, transportation January 7 through April 21, inc....	28.00
Lozier the Florist, candles, palms, etc., for Memorial Session (House) .....	21.16
Backman Sheet Metal Works, stainless steel outlet covers (House)	140.00
Northwestern Bell Telephone, miscellaneous telephone calls .....	15.80
Commercial Office Supply Co., index tabs (Senate) .....	6.00
Bonds, 6 jackets for pages (Senate) .....	65.70
Des Moines Rubber Stamp Works, badges (Senate) .....	30.50
William Fife, car fare re mail and stamps (Senate) .....	13.52
International Business Machine Corp., typewriter and ribbons (Senate) .....	557.30
Koch Brothers, office supplies (Senate) .....	7.55
Carroll A. Lane, page's jacket (Senate) .....	10.95
Radio Trade Supply Co., public address system (Senate).....	414.05
Remington Rand Co., servicing typewriters (Senate) .....	49.70
Royal Typewriter Co., servicing typewriter .....	2.75
Frank Sacco, mileage .....	39.20
Storey-Kenworthy Co., supplies .....	383.18

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.

On motion of Senator Colburn, the report of the committee on appropriations recommending passage was adopted.

On motion of Senator Lynes, the resolution was adopted.

## HOUSE AMENDMENTS CONSIDERED

Senator Prentis called up for consideration Senate File 2, a bill for an act relating to the administration of state budget and finances and to assign or transfer certain duties relating thereto to the auditor of state, state comptroller, or treasurer of state, amended by the House, as found on pages 513 and 514 of the Senate Journal.

Senator Prentis offered the following amendment by Senators Prentis and Lynes to the amendment and moved its adoption:

Amend House amendment to Senate File 2, page 513 of the Senate Journal, as follows:

Strike in section 3, subsection 2, following the comma after the word "director" the words "the Governor with the cooperation of" in lines 36 and 37.

Further amend by striking in line 42, section 3, subsection 2, the word "Governor" and insert in lieu thereof the words "executive council".

Senator Jacobson took the chair.

The amendment to the amendment was adopted.

Senator Prentis asked and received unanimous consent to withdraw the amendment filed by him and found on pages 555 and 556 of the Senate Journal.

Senator Prentis offered the following amendment to the House amendment:

Amend the amendment by inserting in line fifty-one (51) after the words "attorney general" the following: ", employees of the supreme court, employees of the clerk and reporter of the supreme court,".

On motion of Senator Prentis, the amendment to the amendment was adopted.

Senator Hattery offered the following amendment to the House amendment and moved its adoption:

Amend the amendment by inserting in line 51 after the words "attorney general" the following: "and those employees under the state banking board".

Senator Utzig moved the previous question on the amendment which motion prevailed.

Roll call was requested.

On the question "Shall the amendment to the House amendment be adopted?" the vote was:

## Ayes, 30:

Anderson	Gillespie	McCarville	Van Eaton
Bekman	Hart	Mercer	Vest
Berg	Hattery	Molison	Watson of
Byers	Hedin	Oltman	O'Brien
Colburn	Henningsen	Parker	Weichman
Dykhousé	Humbert	Ridout	West
Fishbaugh	Linnevold	Sharp	Whitehead
Fletcher	Lord	Tudor	

## Nays, 15:

Bateson	Jacobson	Nesmith	Utzig
Dailey	Knudson	O'Malley	Walter
Doud	Lynes	Prentis	Watson of
Elthon	Myrland	Roberts	Pottawattamie

## Absent or not voting, 5:

Augustine	Risk	Van Patten	Zastrow
Hultman			

The amendment to the amendment was adopted.

Senator Bekman offered the following amendment to the House amendment and moved its adoption:

Amend line 51 of subsection 3, section 3, by inserting the words “, employees of the conservation commission” after the word “general”.

Senator Elthon moved the previous question on the amendment which motion prevailed.

Roll call was requested.

On the question “Shall the amendment to the House amendment be adopted?” the vote was:

## Ayes, 19:

Augustine	Hart	Lord	Parker
Bekman	Hattery	McCarville	Ridout
Dailey	Hedin	Mercer	Roberts
Dykhousé	Henningsen	Nesmith	Walter
Gillespie	Hultman	Oltman	

## Nays, 26:

Bateson	Fletcher	Myrland	Wasson of
Berg	Humbert	O'Malley	O'Brien
Byers	Jacobson	Prentis	Watson of
Colburn	Knudson	Sharp	Pottawattamie
Doud	Linnevold	Utzig	Weichman
Elthon	Lynes	Van Eaton	West
Fishbaugh	Molison	Vest	Whitehead

## Absent or not voting, 5:

Anderson	Tudor	Van Patten	Zastrow
Risk			

The amendment was lost.

Senator Bekman asked and received unanimous consent to withdraw the amendment filed by Senators Bekman, Jacobson and McCarville and found on page 530 of the Senate Journal.

Senator Gillespie offered the following amendment to the amendment and moved its adoption:

Amend House amendment to Senate File 2, section 3, as follows:

1. By striking the word "and" after the word "general" in line 51 and inserting in lieu thereof a comma (,).

2. In line 52 after the word "education" insert the following: ", and the employees of the state board of public instruction".

Senator Elthon moved the previous question on the amendment, which motion prevailed.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 5:

Fletcher	Parker	Ridout	Tudor
Gillespie			

Nays, 35:

Anderson	Hart	McCarville	Van Eaton
Augustine	Hattery	Mercer	Vest
Bateson	Henningsen	Myrland	Walter
Berg	Hultman	Nesmith	Watson of
Byers	Jacobson	O'Malley	O'Brien
Colburn	Knudson	Prentis	Watson of
Dailey	Linnevoed	Roberts	Pottawattamie
Doud	Lord	Sharp	West
Elthon	Lynes	Utzig	Whitehead
Fishbaugh			

Absent or not voting, 10:

Bekman	Humbert	Risk	Weichman
Dykhouse	Molison	Van Patten	Zastrow
Hedin	Oltman		

The amendment to the amendment was lost.

On motion of Senator Prentis, the House amendment as amended was adopted and concurred in by the Senate.

President Nicholas took the chair.

Senator Elthon moved the previous question on the bill which motion prevailed.

Senator Prentis 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.

## Ayes, 23:

Anderson	Henningsen	Mercer	Van Eaton
Colburn	Jacobson	Molison	Van Patten
Doud	Knudson	O'Malley	Vest
Elthon	Linnevold	Prentis	Watson of
Fishbaugh	Lynes	Tudor	Pottawattamie
Hattery	McCarville	Utzig	West

## Nays, 24:

Augustine	Fletcher	Lord	Roberts
Bateson	Gillespie	Myrland	Sharp
Bekman	Hart	Nesmith	Walter
Berg	Hedin	Oltman	Watson of
Byers	Hultman	Parker	O'Brien
Dailey	Humbert	Ridout	Whitehead
Dykhouse			

## Absent or not voting, 3:

Risk	Weichman	Zastrow
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

## MOTION TO RECONSIDER

I move to reconsider the vote by which Senate File 2 failed to pass the Senate.

HARRY E. WATSON.

## HOUSE AMENDMENTS CONSIDERED

Senator West called up for consideration Senate File 494, a bill for an act to legalize and validate the proceedings taken by the board of supervisors of Appanoose County for authority to erect a building to be used for the storage and repair of county road working machinery and bridge and road building materials, amended by the House, and moved that the Senate concur in the House amendment:

The Senate concurred in the House amendment.

Senator West moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

## Ayes, 47:

Anderson	Dailey	Colburn	Hultman
Augustine	Doud	Gillespie	Humbert
Bateson	Dykhouse	Hart	Jacobson
Bekman	Elthon	Hattery	Knudson
Berg	Fishbaugh	Hedin	Linnevold
Byers	Fletcher	Henningsen	Lord

Lynes	O'Malley	Tudor	Watson of
McCarville	Parker	Utzig	O'Brien
Mercer	Prentis	Van Eaton	Watson of
Molison	Ridout	Van Patten	Pottawattamie
Myrland	Roberts	Vest	West
Nesmith	Sharp	Walter	Whitehead
Oltman			

Nays, none.

Absent or not voting, 3:

Risk	Weichman	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.

### 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 on, and acted affirmatively on, all recommendations contained therein, and passed Senate File 33, a bill for an act relating to the ordinances of municipal corporations.

Also: That the House has adopted the conference committee report on, and acted affirmatively on, all recommendations contained therein, and passed Senate File 165, a bill for an act relating to the forms of government, classification and fiscal year of municipal corporations and to the election of officers thereof.

Also: That the House has adopted the conference committee report on, and acted affirmatively on, all recommendations contained therein, and passed Senate File 212, a bill for an act relating to taxation and other sources of municipal revenue.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 505, a bill for an act making an appropriation 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 House was asked:

Senate File 512, a bill for an act making an appropriation for the payment of certain claims against the State of Iowa.

Also: That the House has concurred in Senate amendments to and passed House File 288, a bill for an act providing for the termination of contracts for the construction of public improvements.

A. C. GUSTAFSON, *Chief Clerk.*

### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

**MR. PRESIDENT:** Your joint committee on enrolled bills respectfully re-

ports that it has examined and finds correctly enrolled: Senate Files 163 and 498.

JAMES H. NESMITH, *Chairman Senate Committee.*  
ELMER A. BASS, *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 163 and 498.

#### BILLS SENT TO THE GOVERNOR

Senator Nesmith, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 17th day of April, 1951, sent to the Governor for his approval: Senate Files 163 and 498.

JAMES H. NESMITH, *Chairman.*

Passed on file.

#### PROOF OF PUBLICATION

Published copy of House File 619 and verified proof of publication of said bill in the Spirit Lake Beacon on March 15, 1951, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE, *Secretary of Senate.*

#### BILL DISAPPROVED BY THE GOVERNOR

The following communication was received announcing that, on April 16, the Governor had disapproved the following bill:

Honorable William H. Nicholas,  
Lieutenant Governor,  
President of the Senate.

Dear Mr. President:

I am returning Senate File 476 without my signature, according to the provisions of section 16, Article III, of the State Constitution.

My reason for vetoing this measure is because of the fact that, in its general application, it will serve no material benefit or gain for the sportsmen of our state; and because of the added fact that, in my judgment, it is not a desirable policy to raise discriminatory legislation between the states.

On the other hand, it is desirable for our state to set an example of good will and understanding, and I rather think the results of this action on this legislation will impress the people of South Dakota with the fact that



we seek to deal fairly and considerately, and will encourage them in all good faith to correct any discrimination against the sportsmen of our state.

Respectfully,  
WM. S. BEARDSLEY, *Governor*.

SENATE CONCURRENT RESOLUTION 24  
By Committee on Military Affairs

*Whereas*, since the attack upon the Republic of South Korea on June 25, 1950, there has been a valiant defense of that republic by substantial components of the naval services of the United States; and

*Whereas*, hundred of our fellow-citizens, men and women of our great State of Iowa, who were members of the United States Naval Reserve, the United States Marine Corps Reserve, and the United States Coast Guard Reserve, have been recalled to active duty in the Naval, Marine Corps and Coast Guard services of the United States, and have taken their places alongside the other fighting men and women of the Regular Navy, Marine Corps, and Coast Guard, in this defense against aggression; and

*Whereas*, these fellow Iowans, moved by the highest motives of patriotism, and devotion to their country, and to their state, have joined the reserve units of the Navy, Marine Corps, and Coast Guard, established in our state following the cessation of hostilities of World War II, that our country and our state might have a strong and ready military reserve strength, and are now in action on the high seas, and in lands around the world; and

*Whereas*, it is appropriate that the General Assembly, as the representatives of the people of the State of Iowa, extend to all of its Naval, Marine Corps, and Coast Guard reservists called to active duty the deep appreciation and understanding of our people for the service which each of them is performing to protect the United States from its enemies in these troubled times; and

*Whereas*, it is the desire of the General Assembly to commend each of them to the care of Our Heavenly Father, and to ask the protection of Divine Providence upon each of them as each does perform the duties assigned in the defense of the United States, and to express the prayer that each may be returned to home and loved ones in due time,

*Now, Therefore, Be It Resolved by the Senate of the Fifty-fourth General Assembly, the House Concurring*: That a delegation from the General Assembly, composed of five Senators to be appointed by the President of the Senate, and five Representatives to be appointed by the Speaker of the House of Representatives, call upon the Governor as commander-in-chief of the military forces of the State of Iowa to convey the sentiments of the General Assembly in accordance with this resolution, and

*Be It Further Resolved*, that enrolled copies of this resolution be presented to the commandant of the Ninth Naval District, at Great Lakes, Illinois, the director of 9th Marine Corps Reserve District at Chicago, Illinois, and the commandant of the 2nd United States Coast Guard Dis-

trict at St. Louis, Missouri, of which such districts Iowa is a part, with the request that this concurrent resolution be published in the official publications of said district offices for the information of all hands.

**SENATE CONCURRENT RESOLUTION 25**  
By Committee on Military Affairs

*Whereas*, since the attack upon the Republic of South Korea on June 25, 1950, there has been a valiant defense of that republic by substantial components of the military services of the United States; and

*Whereas*, hundreds of our fellow-citizens, men and women of our great State of Iowa, who were members of the United States Army Reserve and the United States Air Force Reserve have been recalled to active duty in the Army and Air services of the United States, and have taken their places alongside the other fighting men and women of the Regular Army and Air Force, in this defense against aggression; and

*Whereas*, these fellow Iowans, moved by the highest motives of patriotism, and devotion to their county, and to their state, have joined the reserve units of the Army and Air Force, established in our state following the cessation of hostilities of World War II, that our country and our state might have a strong and ready military reserve strength, and are now in action in the air, and in lands around the world; and

*Whereas*, it is appropriate that the General Assembly, as the representatives of the people of the State of Iowa, extend to all of its Army and Air Force reservists called to active duty the deep appreciation and understanding of our people for the service which each of them is performing to protect the United States from its enemies in these troubled times; and

*Whereas*, it is the desire of the General Assembly to commend each of them to the care of Our Heavenly Father, and to ask the protection of Divine Providence upon each of them as each does perform the duties assigned in the defense of the United States, and to express the prayer that each may be returned to home and loved ones in due time,

*Now, Therefore, Be It Resolved by the Senate of the Fifty-fourth General Assembly, the House Concurring:* That a delegation from the General Assembly, composed of five senators to be appointed by the President of the Senate, and five Representatives to be appointed by the Speaker of the House of Representatives, call upon the Governor as commander-in-chief of the military forces of the State of Iowa to convey the sentiments of the General Assembly in accordance with this resolution, and

*Be It Further Resolved*, that enrolled copies of this resolution be presented to the chief of the Iowa Military District, United States Army Reserve at Des Moines, Iowa, and the commanding general, 10th Air Force Reserve Section, Selfridge Air Force Base, Michigan, of which such districts Iowa is a part, with the request that this concurrent resolution be published in the official publications of said district offices for the information of all personnel.

## EXECUTIVE SESSION

On motion of Senator Elthon, the Senate resolved itself into executive session.

The Senate, in executive session, confirmed the following appointments:

Mrs. Estelle E. Archie of Page County as a member of the board of education for the regular term ending June 30, 1957.

Alfred Dement of Cass County as a member of the Iowa real estate commission for the regular term ending June 30, 1955.

Otto Henningsen of Clinton County as a member of the board of parole for the regular term ending June 30, 1957.

Chris H. Jensen of Audubon County as a member of the Iowa natural resources council for the regular term ending June 30, 1957.

Chris H. Jensen of Audubon County as a member of the soil conservation committee for the regular term ending June 30, 1957.

Ray E. Johnson of Muscatine County as a member of state tax commission for the regular term ending June 30, 1957.

The Senate arose from executive session and resumed regular session, Senator Vest presiding.

## AMENDMENTS FILED

Amend the title to House File 449 by striking lines 9, 10 and 11.

HARRY E. WATSON.

1. Amend House File 619, section 1, line 1, by striking the word "the" and inserting in lieu thereof the word "any".

2. Section 1, line 2, by striking the words "the city of Spirit Lake, Iowa," and inserting in lieu thereof the words "cities of less than 5,000 population".

3. Section 1, line 3, by striking the words "the" and "on" and inserting in lieu thereof the words "any" and "in" respectively.

4. Section 1, line 4, by striking the word and figures "March 27," and inserting in lieu thereof the words "the year of".

5. Section 1, line 6, by inserting after the word "of" the words "not more than".

HARRY E. WATSON.

Amend House File 629, line 4, by striking the word "educational".

LEROY S. MERCER.

On motion of Senator Elthon, the Senate recessed until the fall of the gavel.

\* \*

The Senate reconvened, President Nicholas presiding.

Prayer was offered by Reverend Paul Miller, pastor of the Brethren Faith Church, Adel, Iowa.

#### PETITION AND MEMORIAL

The following petition was presented and placed on file:

By Senator Bateson, from members of the American Legion Auxiliary of Eagle Grove, Wright County, favoring legislation relating to the Soldiers' Home at Marshalltown.

#### REPORT OF COMMITTEE ON INTERSTATE COOPERATION ADOPTED

Senator McCarville called up for consideration the report of the commission on interstate cooperation filed and found on pages 1152 to 1168, inclusive, of the Senate Journal and moved its adoption.

The motion prevailed and the report was adopted.

Senator McCarville called up for consideration Senate Resolution 3 filed and found on pages 1168 and 1169 of the Journal and moved its adoption.

The motion prevailed and the resolution was adopted.

#### THIRD READING OF BILLS

On motion of Senator Anderson, House File 483, a bill for an act to amend chapter one hundred ninety-two (192), and section one hundred ninety-five point seven (195.7), Code 1950, relating to the handling and sale of market milk, was taken up, and considered.

Senator Anderson asked and received unanimous consent to withdraw the amendment to House File 483 filed by him and found on page 1015 of the Senate Journal.

Senator Anderson moved that the bill be read a third 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:

Anderson  
Augustine  
Bateson

Bekman  
Berg  
Byers

Colburn  
Dailey  
Doud

Dykhouse  
Elthon  
Fishbaugh

Fletcher	Linnevold	O'Malley	Van Patten
Gillespie	Lord	Parker	Walter
Hart	Lynes	Prentis	Watson of
Hattery	McCarville	Ridout	O'Brien
Hedin	Mercer	Risk	Watson of
Henningsen	Molison	Sharp	Pottawattamie
Hultman	Myrland	Tudor	Weichman
Humbert	Nesmith	Utzig	West
Jacobson	Oltman	Van Eaton	Whitehead
Knudson			

Nays, none.

Absent or not voting, 3:

Roberts	Vest	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.

On motion of Senator Watson of Pottawattamie, House File 31, a bill for an act to amend section two hundred twenty-three point sixteen (223.16), Code 1950, to provide for the creation of a lien for the cost of care of inmates in Woodward State Hospital and Glenwood State School, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lord took the chair.

Senator Watson of Pottawattamie moved that the bill be read a third 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:

Anderson	Fletcher	Lynes	Sharp
Augustine	Gillespie	Mercer	Tudor
Bateson	Hart	Molison	Van Eaton
Bekman	Hattery	Myrland	Van Patten
Berg	Hedin	Nesmith	Walter
Byers	Henningsen	Oltman	Watson of
Colburn	Hultman	O'Malley	O'Brien
Dailey	Humbert	Parker	Watson of
Doud	Jacobson	Prentis	Pottawattamie
Dykhous	Knudson	Ridout	Weichman
Elthon	Linnevold	Risk	Whitehead
Fishbaugh	Lord		

Nays, 3:

McCarville	Utzig	West
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Absent or not voting, 3:

Roberts	Vest	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.

## BILL WITHDRAWN

Senator Watson of Pottawattamie asked and received unanimous consent that Senate File 133 be withdrawn from further consideration of the Senate.

On motion of Senator Doud, House File 5, a bill for an act to amend section seven hundred eighty-nine point eleven (789.11), Code 1950, relating to the entry of criminal judgments, with report of committee recommending amendment and passage, was taken up.

The following committee amendment was considered:

Amend House File 5 by striking section 2.

On motion of Senator Doud, the committee 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.

President Nicholas took the chair.

On the question "Shall the bill pass?" the vote was:

Ayes, 47:

Anderson	Gillespie	McCarville	Tudor
Augustine	Hart	Mercer	Utzig
Bateson	Hattery	Molison	Van Eaton
Bekman	Hedin	Myrland	Van Patten
Berg	Henningsen	Nesmith	Walter
Byers	Hultman	Oltman	Watson of
Colburn	Humbert	O'Malley	O'Brien
Dailey	Jacobson	Parker	Watson of
Doud	Knudson	Prentis	Pottawattamie
Dykhouse	Linnevoid	Ridout	Weichman
Elthon	Lord	Risk	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher			

Nays, none.

Absent or not voting, 3:

Roberts	Vest	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.

On motion of Senator O'Malley, House File 115, a bill for an act to amend section six hundred two point forty-six (602.46) and section six hundred two point forty-nine (602.49), Code 1950, relating to salaries of court reporters and the clerk and bailiff of the municipal court, was taken up, and considered.

Senator O'Malley moved that the bill be read a third 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:

Anderson	Gillespie	McCarville	Tudor
Augustine	Hart	Mercer	Utzig
Bateson	Hattery	Molison	Van Eaton
Bekman	Hedin	Myrland	Van Patten
Berg	Henningsen	Nesmith	Walter
Byers	Hultman	Oltman	Watson of
Colburn	Humbert	O'Malley	O'Brien
Dailey	Jacobson	Parker	Watson of
Doud	Knudson	Prentis	Pottawattamie
Dykhous	Linnevold	Ridout	Weichman
Elthon	Lord	Risk	West
Fishbaugh	Lynes	Sharp	Whitehead
Fletcher			

Nays, none.

Absent or not voting, 3:

Roberts	Vest	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.

#### BILL WITHDRAWN

Senator O'Malley asked and received unanimous consent that Senate File 234 be withdrawn from further consideration of the Senate.

On motion of Senator Doud, House File 155, a bill for an act to amend section five hundred ninety-five point seventeen (595.17), Code 1950, relating to the requiring of blood test by persons exempted from the licensing provisions on religious grounds, with report of committee recommending passage, was taken up, considered, and the report of the committee 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, 47:

Anderson	Dailey	Hart	Knudson
Augustine	Doud	Hattery	Linnevold
Bateson	Dykhous	Hedin	Lord
Bekman	Elthon	Henningsen	Lynes
Berg	Fishbaugh	Hultman	McCarville
Byers	Fletcher	Humbert	Mercer
Colburn	Gillespie	Jacobson	Molison

Myrland	Ridout	Van Eaton	Watson of
Nesmith	Risk	Van Patten	Pottawattamie
Oltman	Sharp	Walter	Weichman
O'Malley	Tudor	Watson of	West
Parker	Utzig	O'Brien	Whitehead
Prentis			

Nays, none.

Absent or not voting, 3:

Roberts	Vest	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.

On motion of Senator Fishbaugh, House File 401, a bill for an act to amend section six hundred thirty-eight point forty-one (638.41), Code 1950, relating to payment of small legacies to minors or incompetents, was taken up, and considered.

Senator Fishbaugh moved that the bill be read a third 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:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevold	Risk	Weichman
Elthon	Lord	Sharp	West
Fishbaugh	Lynes	Tudor	Whitehead
Fletcher	McCarville		

Nays, none.

Absent or not voting, 2:

Roberts	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.

On motion of Senator Vest, House File 485, a bill for an act to amend section three hundred seventeen point four (317.4) and section three hundred seventeen point eighteen (317.18), Code 1950, relating to the control and destruction of noxious weeds, was taken up, and considered.

Senator Elthon took the chair.



Senator Vest moved that the bill be read a third 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:

Anderson	Hart	Mercer	Utzig
Augustine	Hattery	Molison	Van Eaton
Berg	Hedin	Nesmith	Van Patten
Byers	Henningsen	Oltman	Vest
Colburn	Hultman	O'Malley	Walter
Dailey	Knudson	Prentis	Watson of
Doud	Linnevold	Ridout	O'Brien
Dykhouse	Lord	Risk	Watson of
Elthon	Lynes	Sharp	Pottawattamie
Fishbaugh	McCarville	Tudor	Whitehead

Nays, 7:

Bateson	Humbert	Parker	West
Fletcher	Myrland	Weichman	

Absent or not voting, 5:

Bekman	Jacobson	Roberts	Zastrow
Gillespie			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Doud, House File 157, a bill for an act to amend section six hundred forty-nine point two (649.2), Code 1950, relating to affidavits attached to petitions in actions to quiet title, was taken up, and considered.

Senator Watson of Pottawattamie offered the following amendment and moved its adoption:

Amend House File 157 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section six hundred forty-nine point two (649.2), Code 1950, is hereby amended by adding after the word 'makes' in line six (6) the following: 'or may make'."

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:

Anderson	Byers	Elthon	Hattery
Augustine	Colburn	Fishbaugh	Hedin
Bateson	Dailey	Fletcher	Henningsen
Bekman	Doud	Gillespie	Hultman
Berg	Dykhouse	Hart	Humbert

Jacobson	Myrland	Sharp	Watson of
Knudson	Nesmith	Tudor	O'Brien
Linnevold	Oltman	Utzig	Watson of
Lord	O'Malley	Van Eaton	Pottawattamie
Lynes	Parker	Van Patten	Weichman
McCarville	Prentis	Vest	West
Mercer	Ridout	Walter	Whitehead
Molison	Risk		

Nays, none.

Absent or not voting, 2:

Roberts                      Zastrow

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Hattery, House File 410, a bill for an act to amend section three hundred twenty-one point three hundred ten (321.310), Code 1950, relating to weight limit on pickup truck registration, was taken up, and considered.

Senator Hattery moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

President Nicholas took the chair.

On the question "Shall the bill pass?" the vote was:

Ayes, 48:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhous	Linnevold	Risk	Weichman
Elthon	Lord	Sharp	West
Fishbaugh	Lynes	Tudor	Whitehead
Fletcher	McCarville		

Nays, none.

Absent or not voting, 2:

Roberts                      Zastrow

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Dykhous, House File 357, a bill for an act to amend section four hundred twenty-seven point one (427.1), subsection seventeen (17), Code 1950, relating to personal tax ex-

emption for United States armed forces members on certain personal property, 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, 48:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Humbert	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Linnevoid	Risk	Weichman
Elthon	Lord	Sharp	West
Fishbaugh	Lynes	Tudor	Whitehead
Fletcher	McCarville		

Nays, none.

Absent or not voting, 2:

Roberts                      Zastrow

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Colburn, House File 638, a bill for an act to make appropriations to Allert G. Olson, Osage, Iowa; Howard E. Brookings, Oakland, Iowa; Jacob Van Zwol, Paullina, Iowa; Gene Poston, Corydon, Iowa, and Morse E. Crosier, Coggon, Iowa, for services rendered as members of the house improvement committee, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Colburn moved that the bill be read a third 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:

Anderson	Doud	Hedin	Lynes
Augustine	Dykhouse	Henningsen	McCarville
Bateson	Elthon	Hultman	Mercer
Bekman	Fishbaugh	Humbert	Molison
Berg	Fletcher	Jacobson	Myrland
Byers	Gillespie	Knudson	Nesmith
Colburn	Hart	Linnevoid	Oltman
Dailey	Hattery	Lord	O'Malley

Parker	Tudor	Vest	Watson of
Prentiss	Utzig	Walter	Pottawattamie
Ridout	Van Eaton	Watson of	West
Risk	Van Patten	O'Brien	Whitehead
Sharp			

Nays, 1:  
Weichman

Absent or not voting, 2:  
Roberts                      Zastrow

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Watson of O'Brien, House File 619, a bill for an act to legalize and validate the proceedings of the city council of the city of Spirit Lake, Iowa, authorizing and providing for the issuance and delivery of bonds for the construction of a city hall and for the levy of taxes for the payment of said bonds, and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said city, was taken up, and considered.

Senator Watson of O'Brien offered the following amendment:

1. Amend House File 619, section 1, line 1, by striking the word "the" and inserting in lieu thereof the word "any".
2. Section 1, line 2, by striking the words "the city of Spirit Lake, Iowa," and inserting in lieu thereof the words, "cities of less than 5,000 population".
3. Section 1, line 3, by striking the words "the" and "on" and inserting in lieu thereof the words "any" and "in" respectively.
4. Section 1, line 4, by striking the word and figures "March 27," and inserting in lieu thereof the words "the year of".
5. Section 1, line 6, by inserting after the word "of" the words "not more than".

#### JOINT CONVENTION COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention for the purpose of hearing General MacArthur.

The Senate proceeded to the House under the direction of the sergeant-at-arms.

#### JOINT CONVENTION

In accordance with House Concurrent Resolution 32, duly adopted, the joint convention was called to order, President Nicholas presiding.

President Nicholas announced a quorum present and the joint convention duly organized.

The joint convention witnessed the television showing of General Douglas MacArthur addressing the joint meeting of the Congress of the United States.

The minutes of the joint convention were read and approved.

Goode of Davis moved that the joint convention be now dissolved.

Motion prevailed.

The Senate returned to the Senate chamber and resumed regular session.

On motion of Senator Hart, the Senate recessed until the fall of the gavel.

The Senate reconvened, President Nicholas presiding:

### THIRD READING OF BILLS

The Senate resumed consideration of House File 619 and the amendment by Senator Watson of O'Brien.

On motion of Senator Watson of O'Brien, the amendment was adopted.

Senator Watson of O'Brien moved that the bill be read a third 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:**

Anderson	Hattery	Nesmith	Van Eaton
Augustine	Henningsen	Oltman	Van Patten
Bekman	Hultman	O'Malley	Walter
Byers	Knudson	Prentis	Watson of
Colburn	Linnevold	Ridout	O'Brien
Dailey	Lord	Risk	Watson of
Doud	Lynes	Roberts	Pottawattamie
Dykhouse	McCarville	Sharp	West
Fishbaugh	Mercer	Tudor	Whitehead
Hart	Molison		

**Nays, 4:**

Bateson	Berg	Parker	Weichman
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**Absent or not voting, 10:**

Elthon	Hedin	Myrland	Vest
Fletcher	Humbert	Utzig	Zastrow
Gillespie	Jacobson		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Hultman, House File 60, a bill for an act to amend chapter one hundred seven (107), Code 1950, to provide for participation in the Federal Restoration Act, with report of committee recommending passage, was taken up, considered, and the report of the committee 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, 47:

Anderson	Hart	Molison	Utzig
Augustine	Hattery	Myrland	Van Eaton
Bateson	Hedin	Nesmith	Van Patten
Bekman	Henningesen	Oltman	Vest
Berg	Hultman	O'Malley	Walter
Byers	Jacobson	Parker	Watson of
Colburn	Knudson	Prentis	O'Brien
Dailey	Linnevold	Ridout	Watson of
Doud	Lord	Risk	Pottawattamie
Dykhous	Lynes	Roberts	Weichman
Elthon	McCarville	Sharp	West
Fishbaugh	Mercer	Tudor	Whitehead
Gillespie			

Nays, none.

Absent or not voting, 3:

Fletcher	Humbert	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.

On motion of Senator Parker, House File 437, a bill for an act to provide for staggered terms of office for commissioners charged with the construction and operation of memorial buildings and monuments, amending section thirty-seven point nine (37.9), Code 1950, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gillespie offered the following amendment by Senators Gillespie and Tudor:

Amend House File 437 by adding thereto the following new section:

"Amend section three hundred forty-seven point seven (347.7), Code 1950, line six (6), by striking the word 'one' (1), and inserting in lieu thereof 'two' (2)."

Amend the title to House File 437 by striking all after the word "Act" and inserting in lieu thereof the following: "to amend section thirty-

seven point nine (37.9), and section three hundred forty-seven point seven (347.7), Code 1950, relating to the construction and operation of memorial buildings, monuments and hospitals and levying a tax for the maintenance thereof."

Senator Bateson raised a point of order for the reason that the amendment was not germane to the bill.

The Chair ruled the point well taken and the amendment out of order.

Senator Parker moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 47:

Anderson	Hart	Molison	Utzig
Augustine	Hattery	Myrland	Van Eaton
Bateson	Hedin	Nesmith	Van Patten
Bekman	Henningsen	Oltman	Vest
Berg	Hultman	O'Malley	Walter
Byers	Jacobson	Parker	Watson of
Colburn	Knudson	Prentis	O'Brien
Dailey	Linnevold	Ridout	Watson of
Doud	Lord	Risk	Pottawattamie
Dykhouse	Lynes	Roberts	Weichman
Elthon	McCarville	Sharp	West
Fishbaugh	Mercer	Tudor	Whitehead
Gillespie			

Nays, none.

Absent or not voting, 3:

Fletcher	Humbert	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.

On motion of Senator Doud, House File 186, a bill for an act to amend section two hundred eighty-five point eleven (285.11), Code 1950, pertaining to school busses, was taken up, and considered.

Senator Jacobson offered the following amendment and moved its adoption:

Amend House File 186 by adding the following section:

"Sec. 2. Amend subsection 6 of section two hundred eighty-five point one (285.1), Code 1950, by striking all after the word 'transportation' in line five (5) thereof and by striking the remainder of said section."

The amendment was lost.

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, 47:

Anderson	Hart	Molison	Utzig
Augustine	Hattery	Myrland	Van Eaton
Bateson	Hedin	Nesmith	Van Patten
Bekman	Henningsen	Oltman	Vest
Berg	Hultman	O'Malley	Walter
Byers	Jacobson	Parker	Watson of
Colburn	Knudson	Prentis	O'Brien
Dailey	Linnevoid	Ridout	Watson of
Doud	Lord	Risk	Pottawattamie
Dykhous	Lynes	Roberts	Weichman
Elthon	McCarville	Sharp	West
Fishbaugh	Mercer	Tudor	Whitehead
Gillespie			

Nays, none.

Absent or not voting, 3:

Fletcher                      Humbert                      Zastrow

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator O'Malley, House File 474, a bill for an act to amend section two hundred forty-one point three (241.3), Code 1950, relating to assistance for blind persons, was taken up, and considered.

Senator O'Malley moved that the bill be read a third 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:

Anderson	Hart	Molison	Utzig
Augustine	Hattery	Myrland	Van Eaton
Bateson	Hedin	Nesmith	Van Patten
Bekman	Henningsen	Oltman	Vest
Berg	Hultman	O'Malley	Walter
Byers	Jacobson	Parker	Watson of
Colburn	Knudson	Prentis	O'Brien
Dailey	Linnevoid	Ridout	Watson of
Doud	Lord	Risk	Pottawattamie
Dykhous	Lynes	Roberts	Weichman
Elthon	McCarville	Sharp	West
Fishbaugh	Mercer	Tudor	Whitehead
Gillespie			

Nays, none.

Absent or not voting, 3:

Fletcher                      Humbert                      Zastrow

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.



On motion of Senator O'Malley, House File 482, a bill for an act to amend chapter one (1), section fifty (50), Acts of the Fifty-third General Assembly, relating to compensation of members of board of social welfare, was taken up, and considered.

Senator O'Malley moved that the bill be read a third 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:

Anderson	Hart	Molison	Utzig
Augustine	Hattery	Myralnd	Van Eaton
Bateson	Hedin	Nesmith	Van Patten
Bekman	Henningsen	Oltman	Vest
Berg	Hultman	O'Malley	Walter
Byers	Jacobson	Parker	Watson of
Colburn	Knudson	Prentis	O'Brien
Dailey	Linnevoid	Ridout	Watson of
Doud	Lord	Risk	Pottawattamie
Dykhous	Lynes	Roberts	Weichman
Elthon	McCarville	Sharp	West
Fishbaugh	Mercer	Tudor	Whitehead
Gillespie			

Nays, none.

Absent or not voting, 3:

Fletcher	Humbert	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.

On motion of Senator O'Malley, House File 633, a bill for an act to amend section seven hundred seventy point twenty-one (770.21), Code 1950, relating to compensation of the clerk of the grand jury, was taken up, and considered.

Senator O'Malley moved that the bill be read a third 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:

Anderson	Hart	Molison	Utzig
Augustine	Hattery	Myralnd	Van Eaton
Bateson	Hedin	Nesmith	Van Patten
Bekman	Henningsen	Oltman	Vest
Berg	Hultman	O'Malley	Walter
Byers	Jacobson	Parker	Watson of
Colburn	Knudson	Prentis	O'Brien
Dailey	Linnevoid	Ridout	Watson of
Doud	Lord	Risk	Pottawattamie
Dykhous	Lynes	Roberts	Weichman
Elthon	McCarville	Sharp	West
Fishbaugh	Mercer	Tudor	Whitehead
Gillespie			

Nays, none.

Absent or not voting, 3:

Fletcher                      Humbert                      Zastrow

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Hultman, House File 436, a bill for an act to amend sections one hundred seven point twelve (107.12) and one hundred seven point thirteen (107.13), Code 1950, relating to compensation of 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, 45:

Anderson	Gillespie	Molison	Van Eaton
Augustine	Hart	Myrland	Van Patten
Bateson	Hattery	Nesmith	Vest
Bekman	Hedin	Oltman	Walter
Berg	Henningsen	O'Malley	Watson of
Byers	Hultman	Parker	O'Brien
Colburn	Jacobson	Ridout	Watson of
Dailey	Knudson	Risk	Pottawattamie
Doud	Linnevold	Roberts	Weichman
Dykhouse	Lynes	Sharp	West
Elthon	McCarville	Tudor	Whitehead
Fishbaugh	Mercer	Utzig	

Nays, none.

Absent or not voting, 5:

Fletcher                      Lord                      Prentis                      Zastrow  
Humbert

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator O'Malley, House File 348, a bill for an act to amend section two hundred thirty-one point eight (231.8), Code 1950, relating to the appointment and compensation of juvenile court probation officers and secretaries, was taken up, and considered.

Senator O'Malley moved that the bill be read a third 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:

Anderson	Hart	Molison	Utzig
Augustine	Hattery	Myrland	Van Eaton
Bateson	Hedin	Nesmith	Van Patten
Bekman	Henningsen	Oltman	Vest
Berg	Hultman	O'Malley	Walter
Byers	Jacobson	Parker	Watson of
Colburn	Knudson	Prentis	O'Brien
Dailey	Linnevold	Ridout	Watson of
Doud	Lord	Risk	Pottawattamie
Dykhouse	Lynes	Roberts	Weichman
Elthon	McCarville	Sharp	West
Fishbaugh	Mercer	Tudor	Whitehead
Gillespie			

Nays, none.

Absent or not voting, 3:

Fletcher	Humbert	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.

#### PRESENTATION OF GIFT

Senator Lord arose on a point of personal privilege for the following purpose:

**MR. PRESIDENT:** We have come now to the time of the close of our session. We have been engaged in the business of the Senate for over one hundred days. During that time we have dealt with the problems of the state and have endeavored to enact laws that are for the benefit of our people. It is a privilege to have the contacts and associations we have had in this body; it is an opportunity for friendship and service.

The President of the Senate has labored with us in these undertakings, and has earned our affection and our esteem. We have seen him as a new and inexperienced and untried neophyte growing to the stature of a mature presiding officer.

In response to the love and affection that we have for you, our President, we have selected a gift—a token of our esteem and love—which we hope you will treasure, not for its intrinsic value and worth alone, but as a memorial that you have here served as presiding officer of this Senate. It is our hope and wish that you will wear this token equally with pleasure to yourself and honor to this body.

President Nicholas:

It is with sincere thanks that I accept this gift. In all my years of business experience and in assuming my duties in public office, I never have felt so humble and without words as I do now. Yet, it is one of the most delightful moments I have ever experienced. I hope that during the past few months I have done something for the people of Iowa. I know I have gained much understanding for myself and I have tried to give my best to you. I have just recently convinced myself that I have succeeded

in gaining the understanding and friendship of each one of you Senators. We may have differed on the length and the breadth of different propositions, but never have we differed on the fact that what we were trying to do was for the good of the grand State of Iowa and its fine people. This token of your friendship further convinces me of your friendship. I shall always be deeply grateful.

#### ANNOUNCEMENT

I had intended to personally express my thanks to all of the members of the Senate for the many courtesies that have been shown me during the session, but due to the fact that I was taken ill I wish to express my appreciation by having this printed in the Journal.

SENATOR HUMBERT.

#### APPOINTMENT OF COMMITTEES

In accordance with House Concurrent Resolution 23, President Nicholas announced the following Senators as members of the committee on interstate cooperation: Senators McCarville, Lord, Nesmith, Parker, Walter, Gillespie and Berg.

In accordance with Senate Concurrent Resolutions 22 and 23, President Nicholas announced the following Senators as members of committee to call upon the Adjutant General to carry out the provisions of the resolutions: Senators Berg, Fishbaugh, Ridout, Dailey and Bekman.

In accordance with Senate File 1, President Nicholas announced the following Senators as members of the budget and financial control committee: Senators Knudson, Fishbaugh and Colburn for the four year terms and Senators O'Malley and Augustine for the two year terms.

In accordance with Senate File 349, President Nicholas announced the following Senators as members of the legislative advisory committee relating to the construction of the state office building: Senators Hedin, Hart and Sharp.

#### EXECUTIVE SESSION

On motion of Senator Elthon, the Senate resolved itself into executive session.

The Senate, in executive session, confirmed the following appointments:

Harry H. Hagemann of Bremer County as a member of the state board

of education for the unexpired term ending June 30, 1951, and for the regular term ending June 30, 1957.

U. A. Hauber of Scott County as a member of the board of examiners in the basic sciences for the regular term ending June 30, 1957.

Hal H. Lang of Woodbury County as a member of the Iowa real estate commission for the term ending June 30, 1955.

Robert P. Munger of Woodbury County as a member of the board of education for the term ending June 30, 1957.

Benjamin H. Peterson of Linn County as a member of the board of examiners in the basic sciences for the regular term ending June 30, 1957.

Guy C. Richardson of Greene County as a member of the Iowa aeronautics commission for the regular term ending June 30, 1957.

Joe Stanton of Polk County as a member of the conservation commission for the regular term ending June 30, 1957.

Roy E. Stevens of Wapello County as a member of the board of education for the unexpired term ending June 30, 1953.

Ewald G. Trost of Webster County as a member of the Iowa natural resources council for the regular term ending June 30, 1957.

Ewald G. Trost of Webster County as a member of the conservation commission for the term ending June 30, 1957.

The Senate, in executive session, failed to confirm the following appointments:

Louis Koevenig of Allamakee County as a member of the conservation commission for the regular term ending June 30, 1957.

Mrs. A. S. Workman of Mills County as a member of the conservation commission for the unexpired term ending June 30, 1955.

The Senate arose from executive session and resumed regular session, Senator Oltman presiding.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 27, 64, 65, 109, 117, 370, 421, 527, 592 and 615.

*JAMES H. NESMITH, Chairman Senate Committee.*

*ELMER A. BASS, 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 27, 64, 65, 109, 117, 370, 421, 527, 592 and 615.

## REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

S. F. 511

H. F. 629

ALDEN L. DOUD, *Chairman.*

## AMENDMENTS FILED

Amend House File 449 as follows:

1. Insert after the word "and" in line 15 of section 1 the following: "subject to said limit for one person".
2. Insert after the word "and" in line 29 of section 1 the following: "subject to said limit for one person".
3. Insert after the word "and" in line 14 of section 7 the following: "subject to said limit for one person".

HARRY E. WATSON.

Amend House File 636 by striking all of section 2 and inserting in lieu thereof the following:

"Sec. 2. This Act being deemed of immediate importance shall be in full force and effect from and after its publication in the Anamosa Journal, a newspaper published at Anamosa, Iowa, and The Maquoketa Community Press, a newspaper published at Maquoketa, Iowa."

ALDEN L. DOUD.

On motion of Senator Elthon, the Senate recessed until the fall of the gavel.

\* \* \*

The Senate reconvened, President Nicholas presiding.

Prayer was offered by Reverend LeRoy Pullman, pastor of the Methodist Church, Kellogg, Iowa.

#### PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Dailey, from members of Local 1521, International Association of Machinists, Burlington, Iowa, favoring legislation relating to labor boycotts for strikes, and to labor union membership; also, from members of the Burlington Junior Chamber of Commerce, Burlington, favoring legislation relating to inspection of motor vehicles.

By Senator Hart, from members of The Atchison, Topeka and Santa Fe Supervisors' Association, Albuquerque, New Mexico, in opposition to further extension of governmental restrictions upon railroad operations.

#### PRESENTATION OF VISITORS

Senator Watson of O'Brien asked and received unanimous consent to present to the Senate twenty members of the senior class of the Arnolds Park High School who were present in the balcony with their superintendent, Mr. Maas.

Senator Vest asked and received unanimous consent to present to the Senate the members of the seventh and eighth grade classes of the Immanuel Lutheran School of Lidderdale, Carroll County, who were present in the balcony with their principal, A. L. Daenges.

#### ANNOUNCEMENT

The following announcement was received:

STATE OF IOWA  
OFFICE OF THE GOVERNOR  
Des Moines

Wm. S. Beardsley  
Governor

April 20, 1951.

Honorable Wm. H. Nicholas,  
President of the Senate.

Members of the Senate:

Governor Wm. S. Beardsley call out the National Guard at Muscatine this morning, to aid in the flood emergency there.

The river is cresting approximately one foot higher than anticipated, and this action was taken in response to a telephone request from Mayor Olson of Muscatine.

### THIRD READING OF BILLS

On motion of Senator Knudson, Senate File 504, a bill for an act to amend chapter three hundred twenty-four (324), Code 1950, relating to motor vehicle fuel tax, was taken up, considered.

Senator Knudson offered the following amendment and moved its adoption:

Amend Senate File 504 by striking the word "section" in line 12 of section 4 and inserting in lieu thereof the word "chapter".

Further amend section 4 by striking the word "paragraph" in line 16 and inserting in lieu thereof the word "section".

The amendment was adopted.

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, 47:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	O'Malley	Walter
Byers	Hultman	Parker	Watson of
Colburn	Jacobson	Prentis	O'Brien
Dailey	Knudson	Ridout	Watson of
Doud	Linnevold	Risk	Pottawattamie
Dykhouse	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	West
Fishbaugh	McCarville	Tudor	Whitehead
Fletcher			

Nays, none.

Absent or not voting, 3:

Humbert	Oltman	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.

### SENATE CONCURRENT RESOLUTION 24

Senator Berg called up for consideration Senate Concurrent Resolution 24 filed and found on pages 1197 and 1198 of the Senate Journal.

On motion of Senator Dailey, the resolution was adopted.



## SENATE CONCURRENT RESOLUTION 25

Senator Berg called up for consideration Senate Concurrent Resolution 25 filed and found on page 1198 of the Senate Journal.

On motion of Senator Dailey, the resolution was adopted.

Senator Doud asked and received unanimous consent to withdraw House File 637 from the sifting committee.

Senator Elthon asked and received unanimous consent that the Senate take up for consideration Senate Files 501 and 511.

## THIRD READING OF BILLS

On motion of Senator Berg, Senate File 501, a bill for an act to permit members of the armed forces to vote in the primary and general elections to be held in the year 1952, and to provide for the waiver of certain sections of the Code 1950, relating to election requirements, 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, 48:

Anderson	Gillespie	Molison	Utzig
Augustine	Hart	Myrland	Van Eaton
Bateson	Hattery	Nesmith	Van Patten
Bekman	Hedin	Oltman	Vest
Berg	Henningsen	O'Malley	Walter
Byers	Hultman	Parker	Watson of
Colburn	Jacobson	Prentis	O'Brien
Dailey	Knudson	Ridout	Watson of
Doud	Linnevoold	Risk	Pottawattamie
Dykhouse	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	West
Fishbaugh	McCarville	Tudor	Whitehead
Fletcher	Mercer		

Nays, none.

Absent or not voting, 2:

Humbert                      Zastrow

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Berg, Senate File 511, 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 Fishbaugh offered the following amendment and moved its adoption:

Amend Senate File 511 by striking all of section 3 and inserting in lieu thereof the following:

"Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Clinton Herald, a newspaper published at Clinton, Iowa, and in The DeWitt Observer, a newspaper published at DeWitt, Iowa.

The amendment was adopted.

Senator Fishbaugh moved that the bill be read a third 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:

Anderson	Fletcher	Molison	Tudor
Augustine	Gillespie	Myrland	Utzig
Bateson	Hart	Nesmith	Van Eaton
Bekman	Hedin	Oltman	Van Patten
Berg	Hultman	O'Malley	Vest
Byers	Jacobson	Parker	Walter
Colburn	Knudson	Prentis	Watson of
Dailey	Linnevold	Ridout	O'Brien
Doud	Lord	Risk	Weichman
Dykhouse	Lynes	Roberts	West
Elthon	McCarville	Sharp	Whitehead
Fishbaugh	Mercer		

Nays, none.

Absent or not voting, 5:

Hattery	Humbert	Watson of	Zastrow
Henningsen		Pottawattamie	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Doud, Senate File 513, a bill for an act to legalize the conveyance of certain property in Buchanan County to the Iowa State College of Ames, Iowa, as a conveyance to the State of Iowa for the benefit of the state board of education and the Iowa State College of Agriculture and Mechanic Arts, and to authorize the issuance of a patent for such property, was taken up, and considered.

Senator Doud asked and received unanimous consent that House File 637 be substituted for Senate File 513.

On motion of Senator Doud, House File 637, a bill for an act to legalize the conveyance of certain property in Buchanan County

to the Iowa State College of Ames, Iowa, as a conveyance to the State of Iowa for the benefit of the state board of education and the Iowa State College of Agriculture and Mechanic Arts, and to authorize the issuance of a patent for such property, was taken up, and considered.

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:**

Anderson	Gillespie	Molison	Utzig
Augustine	Hart	Myrland	Van Eaton
Bateson	Hattery	Nesmith	Van Patten
Bekman	Hedin	Oltman	Vest
Berg	Henningsen	O'Malley	Walter
Byers	Hultman	Parker	Watson of
Colburn	Jacobson	Prentis	O'Brien
Dailey	Knudson	Ridout	Watson of
Doud	Linnevold	Risk	Pottawattamie
Dykhous	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	West
Fishbaugh	McCarville	Tudor	Whitehead
Fletcher	Mercer		

**Nays, none.**

**Absent or not voting, 2:**

Humbert                      Zastrow

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

#### BILL WITHDRAWN

Senator Doud asked and received unanimous consent that Senate File 513 be withdrawn from further consideration of the Senate.

On motion of Senator Oltman, House File 586, a bill for an act to amend section three hundred ninety-two point one (392.1), Code 1950, relating to joint use of sanitary sewer systems, was taken up, and considered.

Senator Oltman moved that the bill be read a third 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:**

Anderson	Berg	Dykhous	Gillespie
Augustine	Byers	Elthon	Hart
Bateson	Dailey	Fishbaugh	Hattery
Bekman	Doud	Fletcher	Hedin

Henningsen	Mercer	Risk	Walter
Hultman	Myrland	Roberts	Watson of
Jacobson	Nesmith	Sharp	O'Brien
Knudson	Oltman	Tudor	Watson of
Linnevold	O'Malley	Utzig	Pottawattamie
Lord	Parker	Van Eaton	Weichman
Lynes	Prentis	Van Patten	West
McCarville	Ridout	Vest	Whitehead

Nays, none.

Absent or not voting, 4:

Colburn	Humbert	Molison	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 Fishbaugh asked unanimous consent to take up for consideration Senate File 429.

Objection was raised.

#### SENATE FILE 429 TABLED

Senator Elthon moved that Senate File 429 be laid upon the table.

On the question "Shall Senate File 429 be laid upon the table?" the vote was:

Rule 8 was invoked.

Ayes, 33:

Anderson	Hattery	Mercer	Van Eaton
Bekman	Henningsen	Myrland	Van Patten
Berg	Hultman	Nesmith	Watson of
Byers	Jacobson	Oltman	O'Brien
Colburn	Knudson	Parker	Watson of
Doud	Linnevold	Risk	Pottawattamie
Dykhouse	Lord	Sharp	Weichman
Elthon	Lynes	Tudor	Whitehead
Hart	McCarville	Utzig	

Nays, 13:

Augustine	Fletcher	O'Malley	Vest
Bateson	Gillespie	Prentis	Walter
Dailey	Molison	Roberts	West
Fishbaugh			

Absent or not voting, 4:

Hedin	Humbert	Ridout	Zastrow
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The motion prevailed and Senate File 429 was laid upon the table.

## EXPLANATION OF VOTE ON SENATE FILE 429

We voted "aye" to lay Senate File 429 upon the table because there was no chance of this bill being enacted into law for the reason that the sifting committee in the House has ceased to function.

LEO ELTHON.  
J. M. TUDOR.  
JOHN R. HATTERY.  
O. N. HULTMAN.

I voted "aye" to lay Senate File 429, a bill for an act relating to enforcement of the beer and liquor laws, upon the table for the reason that I felt that there was not sufficient time to properly consider the measure. Had the bill been considered with time for debate I intended to vote "aye" on its passage. The bill has merit and should give better enforcement to our state.

E. K. BEKMAN.

The reasons I voted to lay Senate File 429 upon the table are as follows:

1. It was the last day of the session. A number of very important bills which had passed the House were up for consideration. If we took the time necessary to debate Senate File 429 there would have been no opportunity to pass a great many needed bills.

2. I am very much in sympathy with the provisions of Senate File 429 and was the first author on the bill but the tactics used to bring this bill from the sifting committee in the very late days in the session with the idea it would pass the Senate but not be considered in the House did not seem to me justification for consideration of the matter on the last days of the session. Had there been the slightest chance of this bill becoming law I would have voted for its passage. In my opinion this bill was handled as it was, to further someone's political ambitions. In my judgment that is not good for the State of Iowa.

J. KENDALL LYNES.

## THIRD READING OF BILLS

On motion of Senator Watson of Pottawattamie, House File 417, a bill for an act to authorize the purchase of a tract of land to be used as the site for an institutional sewage disposal plant at the Clarinda State Hospital, was taken up, and considered.

Senator Lord took the chair.

Senator Watson of Pottawattamie moved that the bill be read a third 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:

Anderson	Fishbaugh	McCarville	Tudor
Augustine	Fletcher	Molison	Van Eaton
Bateson	Gillespie	O'Malley	Van Patten
Berg	Henningsen	Parker	Walter
Colburn	Hultman	Prentis	Watson of
Dailey	Linnevold	Risk	O'Brien
Doud	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	Whitehead

## Nays, 3:

Utzig	Vest	Watson of Pottawattamie
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## Absent or not voting, 16:

Bekman	Hattery	Knudson	Oltman
Byers	Hedin	Mercer	Ridout
Dykhouse	Humbert	Myrland	West
Hart	Jacobson	Nesmith	Zastrow

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## BILL WITHDRAWN

Senator Watson of Pottawattamie asked and received unanimous consent that Senate File 420 be withdrawn from further consideration of the Senate.

## INTRODUCTION OF BILL

Senator Colburn asked and received unanimous consent to introduce Senate File 515, a bill by the committee on appropriations.

Senate File 515, 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, 1951, and ending June 30, 1953, funds for the department of public safety of the State of Iowa, for the salaries of the increased number of highway patrolmen, as increased by the Fifty-fourth General Assembly.

Read first and second times.

Senator Colburn asked and received unanimous consent that Senate Rule 17 be suspended and that Senate File 515 be read a third 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:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Jacobson	Parker	O'Brien
Dailey	Knudson	Ridout	Watson of
Doud	Linnevoid	Risk	Pottawattamie
Dykhouse	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	West
Fishbaugh	McCarville	Tudor	Whitehead
Fletcher			

Nays, none.

Absent or not voting, 3:

Humbert                      Prentis                      Zastrow

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

#### REPORT OF SECOND CONFERENCE COMMITTEE ON HOUSE FILE 617

TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE:

We, the undersigned members of the second conference committee appointed to consider the difference between the House and the Senate on House File 617, a bill to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1951, and ending June 30, 1953, funds for various departments and various divisions thereof, of the State of Iowa, for the purpose provided by law, beg leave to report and make the following recommendations:

1. That your committee is in receipt of the following communication from Honorable Robert L. Larson:

"Honorable Clifford Strawman, and  
Senator J. Kendall Lynes,  
Chairmen of the House and  
Senate Conference Committee.

Dear Mr. Strawman and Senator Lynes:

In connection with the duties of the conference committee, of which you are respectively chairmen, I advise you I desire that no further consideration be given by the committee and the General Assembly to any proposed increase in my salary.

My work in handling the duties of the office of the Attorney General has been conducted in accordance with my understanding of the obligations of my official oath, and has been without any thought of special reward.

Will you each extend to the respective houses and the members thereof my appreciation of the attention they have given to this matter.

Very truly yours,  
ROBERT L. LARSON."

In accordance with the request from Mr. Larson, your committee recommends that no increase in his compensation be provided for the next biennium.

That the Senate recede from its amendment to section 2, and that section 2 be amended by striking the words and figures "fifty-two thousand dollars (\$52,000.00)" in lines 4 and 5, and inserting in lieu thereof the words and figures "fifty-nine thousand five hundred dollars (\$59,500.00)";

That section 2, line 10, be amended by striking the figures "\$44,500.00" and inserting in lieu thereof the figures "\$52,000.00";

That section 2, line 13, be amended by striking the figures "\$52,000.00" and inserting in lieu thereof the figures "\$59,500.00".

2. That the Senate recede from their amendment to section 8.

3. That the Senate recede from their amendment to section 12 and that section 12, line 7, be amended by striking the figures "\$6,000.00" and inserting in lieu thereof the figures "\$6,180.00";

That section 12, line 9, be amended by striking the figures "\$74,000.00" and inserting in lieu thereof the figures "\$73,820.00".

4. That the House concur in the Senate amendments to section 14.

5. That the Senate recede from their amendments to section 22 and that section 22, lines 4 and 5, be amended by striking the words and figures "three hundred eighty-four thousand four hundred fifty dollars (\$384,450.00)" and inserting in lieu thereof the words and figures "three hundred eighty-nine thousand four hundred fifty dollars (\$389,450.00)";

That section 22, line 31, be amended by striking the figures "\$60,000.00" and inserting in lieu thereof the figures "\$65,000.00";

That section 22, line 83, be amended by striking the figures "\$384,450.00" and inserting in lieu thereof the figures "\$389,450.00".

6. That the Senate recede from its amendments to lines 7 and 11 of section 32, and that section 32, line 11, be amended by striking the figures "\$46,400.00" and inserting in lieu thereof the figures "\$46,050.00".

CLIFFORD M. STRAWMAN.

J. KENDALL LYNES.

CARROLL L. BROWN.

R. R. BATESON.

RUSSELL A. PATRICK.

ALLEN VEST.

HARVEY UHLENHOPP.

GEORGE E. O'MALLEY.

On the Part of the House.

On the Part of the Senate.

#### SECOND CONFERENCE COMMITTEE REPORT ON HOUSE FILE 617 ADOPTED

Senator Lynes called up for consideration the report of the second conference committee on House File 617 and moved its adoption.

The motion prevailed and the report as submitted 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, 46:

Anderson	Fletcher	McCarville	Utzig
Augustine	Gillespie	Mercer	Van Eaton
Bateson	Hart	Myrland	Van Patten
Bekman	Hattery	Nesmith	Vest
Berg	Hedin	O'Malley	Walter
Byers	Henningsen	Parker	Watson of
Colburn	Hultman	Prentis	O'Brien
Dailey	Jacobson	Ridout	Watson of
Doud	Knudson	Risk	Pottawattamie
Dykhouse	Linnevoid	Roberts	Weichman
Elthon	Lord	Sharp	West
Fishbaugh	Lynes	Tudor	Whitehead

Nays, none.

Absent or not voting, 4:

Humbert	Molison	Oltman	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.

President Nicholas took the chair.

### THIRD READING OF BILLS

On motion of Senator Vest, House File 624, a bill for an act to amend section four hundred twenty-five point eleven (425.11), Code 1950, relating to eligibility of persons drafted into the armed forces of the United States to the homestead tax credit, and to provide that any person inducted into active military service of the United States armed forces shall during his period of military service be considered as occupying or living on the homestead during such service, was taken up, and considered.

Senator Vest moved that the bill be read a third 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:

Anderson	Fletcher	Mercer	Utzig
Augustine	Gillespie	Molison	Van Eaton
Bateson	Hart	Myrland	Van Patten
Bekman	Hattery	Nesmith	Vest
Berg	Hedin	O'Malley	Walter
Byers	Henningsen	Parker	Watson of
Colburn	Hultman	Prentis	O'Brien
Dailey	Jacobson	Ridout	Watson of
Doud	Linnevoid	Risk	Pottawattamie
Dykhouse	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	Whitehead
Fishbaugh	McCarville	Tudor	

Nays, none.

Absent or not voting, 5:

Humbert	Oltman	West	Zastrow
Knudson			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Doud asked and received unanimous consent that the following bills be withdrawn from the sifting committee and placed on the calendar: House Files 635 and 636 and Senate File 316.

#### 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 300, a bill for an act making an appropriation for survey and preliminary work on lakes in certain counties of the state.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 354, a bill for an act to be known as the "Iowa Civil Defense Act of 1951".

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 511, a bill for an act legalizing the appointments of certain public officials by the Governor of Iowa.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 514, a bill for an act making an appropriation for payment of miscellaneous expense incurred or authorized by the Fifty-fourth General Assembly.

Also: That the House has concurred in Senate amendments to and passed House File 5, a bill for an act relating to the entry of criminal judgments.

Also: That the House has concurred in Senate amendments to and passed House File 157, a bill for an act relating to affidavits attached to petitions in action to quiet title.

Also: That the House has adopted the report of the second conference committee, and the amendments recommended therein to House File 617, a bill for an act making an appropriation for the various departments for the biennium beginning July 1, 1951.

Also: That the House has concurred in Senate amendments to and passed House File 619, a bill for an act legalizing proceedings of town of Spirit Lake in issuing bonds for construction of city hall.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE AMENDMENTS TO SENATE FILE 354

Amend Senate File 354 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Amend section nine (9) of chapter sixty-three (63), Acts of the Fifty-first General Assembly, by striking from line twelve (12) thereof the words "for the duration of the war" and inserting in lieu thereof the words "from the effective date of this act through the biennium ending June 30, 1953".

Sec. 2. Further amend section nine (9) of chapter sixty-three (63), Acts of the Fifty-first General Assembly, by striking from lines twenty (20) and twenty-one (21) thereof the words "for the duration of the present war" and substituting in lieu thereof the words "from the effective date hereof through the biennium ending June 30, 1953".

Sec. 3. Amend chapter sixty-one (61), Acts of the Fiftieth General Assembly, by adding thereto a new section providing as follows:

"Mutual Aid Arrangements. (a) The director of each local organization for civil defense may, in collaboration with other public and private agencies within this state, develop or cause to be developed mutual aid arrangements for reciprocal civil defense aid and assistance in case of disaster too great to be dealt with unassisted. Such arrangements shall be consistent with the state civil defense plan and program, and in time of disaster it shall be the duty of each local organization for civil defense to render assistance in accordance with the provisions of such mutual aid arrangements.

(b) The director of each local organization for civil defense may, subject to the approval of the Governor, enter into mutual aid arrangements with civil defense agencies or organizations in other states for reciprocal civil defense aid and assistance in case of disaster too great to be dealt with unassisted."

Sec. 4. There is hereby appropriated from the general fund of the state from funds not otherwise appropriated for each year of the biennium ending June 30, 1953, the sum of thirty thousand dollars (\$30,000) or so much thereof as is necessary to carry out the purposes of this act. Any unexpended or unobligated balances remaining in the foregoing appropriation shall revert to the general fund of the state. This sum is to be in addition to any amount or amounts heretofore appropriated to the Iowa Development Commission for the purpose of civil defense activities.

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 Davis County Republican, a newspaper published at Bloomfield, Iowa, and the Waterloo Daily Courier, a newspaper published at Waterloo, Iowa."

Further amend Senate File 354 by striking all of the title after the words "An Act" and substituting in lieu thereof the following: "to amend section nine (9) of chapter sixty-three (63), Acts of the Fifty-first General Assembly, relating to the powers and duties of the Iowa Development Commission under the Iowa Emergency War Act of 1943; to

amend chapter sixty-one (61), Acts of the Fiftieth General Assembly, entitled "Iowa Emergency War Act of 1943" so as to authorize mutual aid arrangements between local organizations for civil defense within and outside the State of Iowa and appropriating funds to the Iowa Development Commission for carrying on civil defense activities."

#### HOUSE AMENDMENTS TO SENATE FILE 514

Amend Senate File 514, section three (3), line one (1), by striking the word "to" and inserting in lieu thereof the words: "for the use of".

Further amend section three (3) by striking from lines ten (10) and eleven (11) the words: "specified by the Brown Engineering Company of Des Moines" and inserting in lieu thereof the following: "according to specifications submitted to the executive council".

Senator Gillespie asked unanimous consent that Senate File 488 be withdrawn from the sifting committee.

Objection was raised.

Senator Gillespie moved that the rules be suspended and that Senate File 488 be withdrawn from the sifting committee and placed on the calendar for immediate consideration.

On the question "Shall Senate File 488 be withdrawn from the sifting committee?" the vote was:

#### Ayes, 8:

Fishbaugh	McCarville	Myrland	Tudor
Gillespie	Mercer	Parker	Van Patten

#### Nays, 25:

Augustine	Doud	Linnevoold	Roberts
Bateson	Elthon	Lord	Utzig
Bekman	Fletcher	Lynes	Watson of
Berg	Hart	Molison	O'Brien
Byers	Hattery	Nesmith	Weichman
Colburn	Henningsen	O'Malley	West
Dailey	Knudson		

#### Absent or not voting, 17:

Anderson	Jacobson	Sharp	Watson of
Dykhouse	Olthman	Van Eaton	Pottawattamie
Hedin	Prentis	Vest	Whitehead
Hultman	Ridout	Walter	Zastrow
Humbert	Risk		

The motion was lost.

#### THIRD READING OF BILLS

On motion of Senator Lord, House File 531, a bill for an act to amend section ninety-seven point forty-five (97.45), Code 1950, relating to old age and survivors' insurance, was taken up, and considered.

Senator Lord moved that the bill be read a third 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:

Anderson	Gillespie	Mercer	Utzig
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	O'Malley	Walter
Byers	Hultman	Parker	Watson of
Colburn	Jacobson	Prentis	O'Brien
Dailey	Knudson	Ridout	Watson of
Doud	Linnevold	Risk	Pottawattamie
Dykhousé	Lord	Roberts	Weichman
Elthon	Lynes	Sharp	West
Fishbaugh	McCarville	Tudor	Whitehead
Fletcher			

Nays, none.

Absent or not voting, 3:

Humbert	Oltman	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.

On motion of Senator Whitehead, House File 564, a bill for an act to amend chapter three hundred two (302), Code 1950, relating to school funds, was taken up, and considered.

Senator Whitehead moved that the bill be read a third 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:

Anderson	Fletcher	McCarville	Sharp
Augustine	Gillespie	Mercer	Tudor
Bateson	Hart	Molison	Van Eaton
Bekman	Hattery	Myrland	Van Patten
Berg	Hedin	Nesmith	Vest
Byers	Henningsen	Oltman	Walter
Colburn	Hultman	O'Malley	Watson of
Dailey	Jacobson	Parker	O'Brien
Doud	Knudson	Prentis	Watson of
Dykhousé	Linnevold	Ridout	Pottawattamie
Elthon	Lord	Risk	Weichman
Fishbaugh	Lynes	Roberts	Whitehead

Nays, 1:

West

Absent or not voting, 3:

Humbert	Utzig	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.

On motion of Senator Whitehead, House File 563, a bill for an act to amend section eight point six (8.6), Code 1950, relating to specific powers and duties of the state comptroller, was taken up, and considered.

Senator Whitehead moved that the bill be read a third 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:

Anderson	Gillespie	Mercer	Tudor
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	O'Malley	Watson of
Colburn	Jacobson	Parker	O'Brien
Dailey	Knudson	Prentis	Watson of
Doud	Linnevold	Ridout	Pottawattamie
Dykhouse	Lord	Risk	Weichman
Elthon	Lynes	Roberts	West
Fishbaugh	McCarville	Sharp	Whitehead
Fletcher			

Nays, none.

Absent or not voting, 3:

Humbert	Utzig	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.

#### BILLS WITHDRAWN

Senator Whitehead asked and received unanimous consent that Senate Files 400 and 401 be withdrawn from further consideration of the Senate.

On motion of Senator Elthon, the Senate recessed until the fall of the gavel.

The Senate reconvened, President Nicholas presiding.

#### SPECIAL ANNOUNCEMENT

Senator Knudson arose on a point of personal privilege and again called to the attention of the members of the Senate the radio and newspaper announcement of the death of a great na-

tional character, one who rose from obscurity to world prominence, respected by partisans alike; a world citizen, a supporter of idealistic principles for the nation and for the world—a great statesman.

Senator Knudson asked and received unanimous consent that the foregoing memorial to the memory of Senator Arthur H. Vandenburg of Michigan be spread upon the Journal of this Senate.

Senator Lord moved that the memorial resolution as prepared by the various committees on resolutions be adopted and that the resolutions be printed in the Senate Journal.

#### MOTION TO RECONSIDER

Senator Watson of O'Brien called up for consideration the motion filed by him and found on page 1194 of the Senate Journal, for the reconsideration of the vote by which Senate File 2 failed to pass the Senate and moved its adoption.

Roll call was requested.

On the question "Shall the vote by which Senate File 2 failed to pass the Senate be reconsidered?" the vote was:

Rule 8 was invoked.

Ayes, 30:

Augustine	Hattery	O'Malley	Walter
Berg	Hedin	Prentis	Watson of
Byers	Henningsen	Roberts	O'Brien
Colburn	Hultman	Sharp	Watson of
Doud	Knudson	Tudor	Pottawattamie
Elthon	Lord	Van Eaton	Weichman
Fishbaugh	Lynes	Van Patten	West
Hart	Molison	Vest	Whitehead

Nays, 14:

Anderson	Dykhouse	Mercer	Oltman
Bateson	Fletcher	Myrland	Parker
Bekman	Gillespie	Nesmith	Risk
Dailey	McCarville		

Absent or not voting, 6:

Humbert	Linnevoold	Utzig	Zastrow
Jacobson	Ridout		

The motion prevailed.

On the question "Shall Senate File 2 pass the Senate?" the vote was:

## Ayes, 27:

Augustine	Hattery	O'Malley	Vest
Berg	Hedin	Prentis	Watson of
Byers	Henningsen	Roberts	O'Brien
Colburn	Hultman	Sharp	Watson of
Doud	Knudson	Tudor	Pottawattamie
Elthon	Lynes	Van Eaton	Weichman
Fishbaugh	Molison	Van Patten	West
Hart			

## Nays, 15:

Anderson	Dykhouse	Myrland	Risk
Bateson	Fletcher	Nesmith	Walter
Bekman	Gillespie	Oltman	Whitehead
Dailey	Mercer	Parker	

## Absent or not voting, 8:

Humbert	Linnevold	McCarville	Utzig
Jacobson	Lord	Ridout	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 Elthon asked and received unanimous consent that Senate File 2 be immediately messaged to the House, which request was complied with.

## THIRD READING OF BILLS

On motion of Senator Doud, House File 630, a bill for an act to legalize the incorporation of the Iowa Centennial Memorial Foundation and the executive order relating to said foundation, was taken up, and considered.

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:

Anderson	Fletcher	Mercer	Sharp
Augustine	Gillespie	Molison	Tudor
Bateson	Hart	Myrland	Van Eaton
Bekman	Hattery	Nesmith	Van Patten
Berg	Hedin	Oltman	Vest
Byers	Henningsen	O'Malley	Walter
Colburn	Hultman	Parker	Watson of
Dailey	Jacobson	Prentis	O'Brien
Doud	Knudson	Ridout	Watson of
Dykhouse	Lord	Risk	Pottawattamie
Elthon	Lynes	Roberts	Whitehead
Fishbaugh	McCarville		



Nays, none.

Absent or not voting, 6:

Humbert	Utzig	West	Zastrow
Linnevold	Weichman		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Elthon asked and received unanimous consent to take up for consideration Senate File 316, a bill for an act amending section four hundred fifty-five A point eighteen (455A.18), Code 1950, and granting to the National Resources Council authority for permitting diversion of water from any natural watercourse for the purpose of replenishing or maintaining the waters of any state owned lake.

On motion of Senator Hultman, the report of the committee recommending passage was adopted.

Senator Watson of Pottawattamie offered the following amendment and moved its adoption:

Amend Senate File 316 as follows:

1. Amend the title by adding after the word "watercourse" in line 4 the following: "drainage ditch or settling basin".
2. Further amend Senate File 316 by adding after the period at the end of line 19 the following: "Any person or public body aggrieved by the granting of such permit may appeal as provided by section four hundred fifty-five A point twenty-three (455A.23)."

The amendment was adopted.

Senator Watson of Pottawattamie offered the following amendment and moved its adoption:

Amend Senate File 316 by adding the following:

"Sec. 2. The state conservation commission, for the purpose of carrying out any permission granted, as hereinbefore provided, shall have and exercise the power of eminent domain."

The amendment was adopted.

Senator Watson of Pottawattamie moved that the bill be read a third 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:

Anderson	Bateson	Berg	Colburn
Augustine	Bekman	Byers	Dailey

Doud	Hultman	Oltman	Van Patten
Dykhouse	Jacobson	O'Malley	Vest
Elthon	Knudson	Parker	Walter
Fishbaugh	Lord	Prentis	Watson of
Fletcher	Lynes	Ridout	O'Brien
Gillespie	McCarville	Risk	Watson of
Hart	Mercer	Roberts	Pottawattamie
Hattery	Molison	Sharp	West
Hedin	Myrland	Tudor	Whitehead
Henningsen	Nesmith	Van Eaton	

Nays, none.

Absent or not voting, 5:

Humbert	Utzig	Weichman	Zastrow
Linnevoid			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

On motion of Senator Doud, House File 631, a bill for an act to grant perpetual existence without payment of fees to the Iowa Centennial Memorial Foundation, and to prescribe the duties of certain state officials with respect to the Iowa Centennial Memorial Foundation, was taken up, and considered.

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, 45:

Anderson	Fletcher	Mercer	Tudor
Augustine	Gillespie	Molison	Van Eaton
Bateson	Hart	Myrland	Van Patten
Bekman	Hattery	Nesmith	Vest
Berg	Hedin	Oltman	Walter
Byers	Henningsen	O'Malley	Watson of
Colburn	Hultman	Parker	O'Brien
Dailey	Jacobson	Prentis	Watson of
Doud	Knudson	Ridout	Pottawattamie
Dykhouse	Lord	Risk	West
Elthon	Lynes	Roberts	Whitehead
Fishbaugh	McCarville	Sharp	

Nays, none.

Absent or not voting, 5:

Humbert	Utzig	Weichman	Zastrow
Linnevoid			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Sharp, House File 449, a bill for an act to regulate motor carriers and to set certain standards with refer-

ence to liability insurance by amending sections three hundred twenty-five point twenty-six (325.26), three hundred twenty-seven point one (327.1), three hundred twenty-seven point three (327.3), three hundred twenty-seven point four (327.4), three hundred twenty-seven point six (327.6), three hundred twenty-seven point fifteen (327.15) and three hundred twenty-seven point eighteen (327.18), Code 1950; also, amend section three hundred twenty-six point two (326.2), Code 1950, relating to taxation of motor vehicle certificated carriers, was taken up, and considered.

Senator Watson of O'Brien offered the following amendment and moved its adoption:

Amend House File 449 by striking section 8.

The amendment was adopted.

On motion of Senator Watson of O'Brien, the following amendment was adopted:

Amend House File 449 by striking the period at the end of line 5, section 2, and adding the following: "but shall not include motor trucks used in the operations defined in paragraphs (a) and (b) of section 3 of this act.

Senator Watson of O'Brien offered the following amendment and moved its adoption:

Amend House File 449 as follows:

1. Insert after the word "and" in line 15 of section 1 the following: "subject to said limit for one person".
2. Insert after the word "and" in line 29 of section 1 the following: "subject to said limit for one person".
3. Insert after the word "and" in line 14 of section 7 the following: "subject to said limit for one person".

The amendment was adopted.

Senator Watson of O'Brien offered the following amendment and moved its adoption:

Amend the title to House File 449 by striking lines 9, 10 and 11.

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, 43:

Anderson	Bekman	Dailey	Elthon
Augustine	Berg	Doud	Fishbaugh
Bateson	Colburn	Dykhousc	Fletcher

Gillespie	Lynes	Parker	Van Patten
Hart	McCarville	Prentis	Walter
Hattery	Mercer	Ridout	Watson of
Hedin	Molison	Risk	O'Brien
Henningsen	Myrland	Roberts	Watson of
Hultman	Nesmith	Tudor	Pottawattamie
Jacobson	Oltman	Sharp	West
Knudson	O'Malley	Van Eaton	Whitehead
Lord			

Nays, none.

Absent or not voting, 7:

Byers	Linnevold	Vest	Zastrow
Humbert	Utzig	Weichman	

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

On motion of Senator Watson of O'Brien, House File 58, a bill for an act to amend, revise and codify chapter three hundred thirteen (313), Code 1950, relating to primary roads, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Watson of O'Brien moved that the bill be read a third 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:

Anderson	Gillespie	Mercer	Tudor
Augustine	Hart	Molison	Van Eaton
Bateson	Hattery	Myrland	Van Patten
Bekman	Hedin	Nesmith	Vest
Berg	Henningsen	Oltman	Walter
Byers	Hultman	Parker	Watson of
Colburn	Jacobson	Prentis	O'Brien
Dailey	Knudson	Ridout	Watson of
Doud	Lord	Risk	Pottawattamie
Dykhouse	Lynes	Roberts	West
Elthon	McCarville	Sharp	Whitehead
Fletcher			

Nays, 2:

Fishbaugh	O'Malley
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Absent or not voting, 5:

Humbert	Utzig	Weichman	Zastrow
Linnevold			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Watson of O'Brien, House File 59, a bill for an act to amend chapters three hundred six (306), three hundred eight (308), three hundred nine (309), three hundred ten (310), three hundred thirteen (313), four hundred seventy-one (471) and four hundred seventy-three (473), Code 1950, all relating to classification, jurisdiction, control, establishment, alteration and vacation of highways, 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:

Anderson	Hart	Molison	Tudor
Augustine	Hattery	Myrland	Van Eaton
Bateson	Hedin	Nesmith	Van Patten
Bekman	Henningsen	Oltman	Vest
Berg	Hultman	O'Malley	Walter
Byers	Jacobson	Parker	Watson of
Colburn	Linnevold	Prentis	O'Brien
Dailey	Lord	Ridout	Watson of
Doud	Lynes	Risk	Pottawattamie
Dykhouse	McCarville	Roberts	West
Elthon	Mercer	Sharp	Whitehead
Gillespie			

Nays, 1:

Fishbaugh

Absent or not voting, 6:

Fletcher	Knudson	Weichman	Zastrow
Humbert	Utzig		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Watson of O'Brien, House File 365, a bill for an act to amend section three hundred eleven point seven (311.7), Code 1950, relating to secondary roads, was taken up, and considered.

Senator Watson of O'Brien moved that the bill be read a third 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:**

Anderson	Fletcher	McCarville	Roberts
Augustine	Gillespie	Mercer	Sharp
Bateson	Hart	Molison	Tudor
Bekman	Hattery	Myrland	Van Eaton
Berg	Hedin	Nesmith	Van Patten
Byers	Henningsen	Oltman	Walter
Colburn	Hultman	O'Malley	Watson of
Dailey	Jacobson	Parker	O'Brien
Doud	Knudson	Ridout	Weichman
Dykhouse	Linnevold	Risk	Whitehead
Elthon	Lynes		

**Nays, 2:**

Fishbaugh	Prentis
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**Asent or not voting, 7:**

Humbert	Utzig	Watson of	West
Lord	Vest	Pottawattamie	Zastrow

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Elthon asked and received unanimous consent that House File 629 be re-referred to the sifting committee.

Senator Elthon asked and received unanimous consent that Senate File 443 be withdrawn from further consideration of the Senate.

On motion of Senator Doud, House File 635, a bill for an act to amend Senate File 393 passed by the Fifty-fourth General Assembly, and approved by the Governor, providing for the issuance of a patent to a certain tract of land in Monroe County, Iowa, was taken up, and considered.

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:**

Anderson	Fletcher	McCarville	Sharp
Augustine	Gillespie	Mercer	Tudor
Bateson	Hart	Molison	Van Eaton
Bekman	Hattery	Myrland	Van Patten
Berg	Hedin	Nesmith	Vest
Byers	Henningsen	Oltman	Walter
Colburn	Hultman	O'Malley	Watson of
Dailey	Jacobson	Parker	O'Brien
Doud	Knudson	Prentis	Watson of
Dykhouse	Linnevold	Ridout	Pottawattamie
Elthon	Lord	Risk	West
Fishbaugh	Lynes	Roberts	Whitehead

Nays, none.

Absent or not voting, 4:

Humbert                  Utzig                          Weichman                  Zastrow

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Doud, House File 636, a bill for an act authorizing patent to issue to the west half ( $W\frac{1}{2}$ ) of the south-west quarter ( $SW\frac{1}{4}$ ) of section sixteen (16) in township eighty-four (84) north, range three (3) east of the fifth (5th) principal meridian, lying south of the Maquoketa River in Jackson County, Iowa, was taken up, considered.

Senator Doud asked and received unanimous consent to withdraw his amendment filed to House File 636.

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:

Anderson	Fletcher	McCarville	Sharp
Augustine	Gillespie	Mercer	Tudor
Bateson	Hart	Molison	Van Eaton
Bekman	Hattery	Myrland	Van Patten
Berg	Hedin	Nesmith	Vest
Byers	Henningesen	Oltman	Walter
Colburn	Hultman	O'Malley	Watson of
Dailey	Jacobson	Parker	O'Brien
Doud	Knudson	Prentis	Watson of
Dykhouse	Linnevoild	Ridout	Pottawattamie
Elthon	Lord	Risk	West
Fishbaugh	Lynes	Roberts	Whitehead

Nays, none.

Absent or not voting, 4:

Humbert                  Utzig                          Weichman                  Zastrow

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 24, providing for a committee to call upon the Governor to convey the sentiments of the General Assembly regarding the men and women of Iowa who were members of the United States Naval Reserve, the United States Marine Corps Reserve and the United States Coast Guard Reserve and have been recalled to active duty. The Speaker of the House has appointed as members of such committee, on the part of the House, Representatives Pendleton, Hanna, Jones, Shepard and Brockmeyer.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 25, providing for a committee to call upon the Governor to convey the sentiments of the General Assembly regarding the men and women of Iowa who were members of the United States Army Reserve and the United States Air Force Reserve and have been recalled to active duty. The Speaker of the House has appointed as members of such committee, on the part of the House, Representatives Tierney, Boothby, Patrick, Schroeder and Olson.

Also: That the House has concurred in Senate amendments to House amendments to and passed Senate File 2, a bill for an act relating to the administration of state budget and finances.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 188, a bill for an act relating to state aid for vocational education.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 316, a bill for an act granting to the natural resources council authority for permitting diversion of water from any natural watercourse.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 501, a bill for an act to permit members of the armed forces to vote in the primary and general elections to be held in 1952.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 515, a bill for an act making an appropriation for the payment of salaries of the increased number of highway patrolmen as provided by the Fifty-fourth General Assembly.

Also: That the House has concurred in Senate amendments to and passed House File 449, a bill for an act to regulate motor carriers and set certain standards with reference to liability insurance.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENTS CONSIDERED

Senator Colburn called up for consideration Senate File 514, a bill for an act making appropriations for payment of miscellaneous expense incurred or authorized by the Fifty-fourth General Assem-



bly, amended by the House, and moved that the Senate concur in the House amendments.

The Senate concurred in the House amendments.

Senator Colburn moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 46:

Anderson	Fletcher	McCarville	Sharp
Augustine	Gillespie	Mercer	Tudor
Bateson	Hart	Molison	Van Eaton
Bekman	Hattery	Myrland	Van Patten
Berg	Hedin	Nesmith	Vest
Byers	Henningsen	Oltman	Walter
Colburn	Hultman	O'Malley	Watson of
Dailey	Jacobson	Parker	O'Brien
Doud	Knudson	Prentis	Watson of
Dykhouse	Linnevold	Ridout	Pottawattamie
Elthon	Lord	Risk	West
Fishbaugh	Lynes	Roberts	Whitehead

Nays, none.

Absent or not voting, 4:

Humbert	Utzig	Weichman	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 Colburn called up for consideration Senate File 354, a bill for an act to create a state civil defense agency in the executive branch; providing for a director thereof and an advisory council to the Governor as head of the agency and defining the powers and duties of the Governor, council and director; providing emergency powers for the Governor; authorizing mobile support units and fixing the rights, duties and privileges of the personnel thereof; creating county defense councils and defining their powers and duties; authorizing cities and towns to establish local organizations for civil defense, contract for mutual aid, accept gifts and adopt ordinances relating to civil defense; authorizing counties, cities and towns to appropriate funds regardless of the local budget law and authorizing counties and certain cities to levy a tax to pay expenses of administration of defense councils; providing for the privileges and immunities of all civil defense personnel; providing for penalties for violations of provisions of the act and to increase penalties for certain crimes committed during blackouts or practice

blackouts; repealing chapter sixty-one (61), Laws of the Fiftieth General Assembly, and section nine (9) of chapter sixty-three (63), Laws of the Fifty-first General Assembly, and providing for the appropriation of funds and the disbursement thereof to carry out the purpose of this act, amended by the House.

Senator Elthon offered the following amendment to the House amendment and moved its adoption:

Amend the House amendment to Senate File 354, division 2, by adding the following thereto:

"Further amend section 9 of chapter sixty-three (63), Acts of the Fifty-first (51st) General Assembly, by inserting after the word 'Councils' in line 20 thereof the following: ', the emergency powers to the Governor and insofar as they relate to violations and penalties.'"

The amendment to the amendment was adopted.

Senator McCarville moved that the Senate refuse to concur in the House amendments to Senate File 354 and requested a roll call.

On the question "Shall the Senate refuse to concur?" the vote was:

**Ayes, 32:**

Anderson	Henningsen	O'Malley	Van Patten
Augustine	Linnevoild	Parker	Vest
Bekman	Lord	Prentis	Watson of
Berg	McCarville	Risk	O'Brien
Dailey	Mercer	Roberts	Watson of
Fletcher	Molison	Sharp	Pottawattamie
Gillespie	Myrland	Tudor	Weichman
Hattery	Nesmith	Van Eaton	West
Hedin	Oltman		

**Nays, 9:**

Byers	Fishbaugh	Jacobson	Lynes
Colburn	Hultman	Knudson	Walter
Elthon			

**Absent or not voting, 9:**

Bateson	Hart	Ridout	Whitehead
Doud	Humbert	Utzig	Zastrow
Dykhouse			

The motion prevailed and the Senate refused to concur in the House amendments.

Senator Colburn called up for consideration Senate File 43, a bill for an act transferring any unallocated balance of appropriation made by chapter two (2), Acts of the Forty-eighth General Assembly, to the state board of control, and any unallocated balance of appropriation made to the state board of control by chapter

three (3), Acts of the Forty-ninth General Assembly, to the capitol improvement fund created by chapter three (3), Acts of the Fifty-first General Assembly, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 43, section 3, by striking line 8 and substituting in lieu thereof: "budget and financial control committee".

The Senate concurred in the House amendment.

Senator Colburn moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 46:

Anderson	Gillespie	Mercer	Tudor
Augustine	Hart	Molison	Van Eaton
Bekman	Hattery	Myrland	Van Patten
Berg	Hedin	Nesmith	Vest
Byers	Henningsen	Oltman	Walter
Colburn	Hultman	O'Malley	Watson of
Dailey	Jacobson	Parker	O'Brien
Doud	Knudson	Prentis	Watson of
Dykhouse	Linnevold	Ridout	Pottawattamie
Elthon	Lord	Risk	Weichman
Fishbaugh	Lynes	Roberts	West
Fletcher	McCarville	Sharp	Whitehead

Nays, none.

Absent or not voting, 4:

Bateson	Humbert	Utzig	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 Fishbaugh called up for consideration Senate File 408, a bill for an act for publication of the Rules of Civil Procedure and Supreme Court Rules and to amend section fourteen point three (14.3), Code 1950, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 408 as follows:

1. By striking the title and substituting the following in lieu thereof:

"An Act relating to publication and distribution of the Rules of Civil Procedure and Supreme Court Rules and to amend sections fourteen point three (14.3), sixteen point twenty-four (16.24), seventeen point twenty-one (17.21) and seventeen point twenty-two (17.22), Code 1950."

2. Further amend by striking all of the last sentence in section one (1) and adding the following new sections:

"Sec. 2. Section sixteen point twenty-four (16.24), Code 1950, is amended by inserting in line three (3) after the word 'code' the following: 'Rules of Civil Procedure and Supreme Court Rules'.

"Sec. 3. Section seventeen point twenty-one (17.21), Code 1950, is amended by inserting in line one (1) after the word 'code' the following: 'Rules of Civil Procedure and Supreme Court Rules'.

"Sec. 4. Section seventeen point twenty-two (17.22), Code 1950, is amended by adding a new subsection as follows:

"'8. Rules of Civil Procedure and Supreme Court Rules.'"

The Senate concurred in the House amendments.

Senator Fishbaugh moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

**Ayes, 44:**

Anderson	Gillespie	McCarville	Sharp
Augustine	Hart	Molison	Tudor
Bekman	Hattery	Myrland	Van Eaton
Berg	Hedin	Nesmith	Van Patten
Byers	Henningsen	Oltman	Vest
Colburn	Hultman	O'Malley	Walter
Dailey	Jacobson	Parker	Watson of
Doud	Knudson	Prentis	Pottawattamie
Dykhouse	Linnevold	Ridout	Weichman
Elthon	Lord	Risk	West
Fishbaugh	Lynes	Roberts	Whitehead
Fletcher			

**Nays, 1:**

Watson of  
O'Brien

**Absent or not voting, 5:**

Bateson	Mercer	Utzig	Zastrow
Humbert			

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 the Secretary be instructed to recall Senate File 354 from the House for further consideration.

Roll call was requested.

On the question "Shall Senate File 354 be recalled from the House?" the vote was:

**Ayes, 14:**

Byers	Fishbaugh	Hultman	Risk
Colburn	Hart	Knudson	Walter
Doud	Hedin	Lynes	Weichman
Elthon	Henningsen		

## Nays, 21:

Augustine	McCarville	O'Malley	Tudor
Bekman	Mercer	Parker	Van Eaton
Berg	Molison	Prentis	Van Patten
Dailey	Nesmith	Roberts	Vest
Gillespie	Oltman	Sharp	West
Lord			

## Absent or not voting, 15:

Anderson	Humbert	Ridout	Watson of
Bateson	Jacobson	Utzig	Pottawattamie
Dykhouse	Linnevold	Watson of	Whitehead
Fletcher	Myriand	O'Brien	Zastrow
Hattery			

The motion was lost.

Senator Elthon asked and received unanimous consent that Senate Files 373, 375 and 486 be re-referred to the sifting committee.

## COMMITTEE APPOINTED

In accordance with Senate Concurrent Resolution 24 and Senate Concurrent Resolution 25, President Nicholas appointed as the committee to carry out the provisions of the resolutions: Senators Oltman, Mercer, Anderson, Bateson and Hultman.

## BILL WITHDRAWN

Senator McCarville asked and received unanimous consent that Senate File 326 be withdrawn from further consideration of the Senate.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Nesmith, 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 7, 18, 23, 28, 32, 93, 108, 164, 201, 310, 314 and 341; House Files 31, 60, 115, 155, 186, 288, 348, 357, 401, 410, 436, 474, 482, 633, 634 and 638.

**JAMES H. NESMITH**, *Chairman Senate Committee.*  
**ELMER A. BASS**, *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 7, 18, 23, 28, 32, 93, 108, 164, 201, 310, 314 and 341; House Files

31, 60, 115, 155, 186, 288, 348, 357, 401, 410, 436, 474, 482, 633, 634 and 638.

#### BILLS SENT TO THE GOVERNOR

Senator Nesmith, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 17th day of April, 1951, sent to the Governor for his approval: Senate Files 7, 18, 23, 28, 32, 93, 108, 164, 201, 310, 314 and 341.

JAMES H. NESMITH, *Chairman.*

Passed on file.

#### EXPRESSION OF APPRECIATION

Senator Elthon as majority floor leader thanked each and every member of the Senate for their sincere cooperation throughout the Fifty-fourth General Assembly.

#### AMENDMENT FILED

Amend the Byers amendment to Senate File 419, filed April 12, 1951, by striking all of lines 70 and 71 and inserting in lieu thereof the following: "Butler and Bremer Counties shall constitute the thirty-sixth district."

Further amend by striking all of lines 74 and 75 and inserting in lieu thereof the following: "Black Hawk and Grundy Counties shall constitute the thirty-eighth district."

JOHN P. BERG.

On motion of Senator Elthon, the Senate recessed until the fall of the gavel.

\* \* \* \*

The Senate reconvened, President Nicholas presiding.

Prayer was offered by Reverend G. W. Lokensgard, pastor of the Central Lutheran Church, Des Moines, Iowa.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

On behalf of Senator Nesmith, from the joint committee on enrolled bills, Senator Whitehead 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, 33, 43, 165, 188, 212, 300, 316, 408, 477, 484, 490, 494, 501, 505, 506, 507, 508, 509, 510, 511, 512, 514 and 515; House Files 5, 58, 59, 157, 365, 417, 437, 449, 483, 485, 531, 563, 564, 586, 617, 619, 624, 630, 631, 635, 636 and 637.

JAMES H. NESMITH, *Chairman Senate Committee.*

ELMER A. BASS, *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, 33, 43, 165, 188, 212, 300, 316, 408, 477, 484, 490, 494, 501, 505, 506, 507, 508, 509, 510, 511, 512, 514 and 515; House Files 5, 58, 59, 157, 365, 417, 437, 449, 483, 486, 531, 563, 564, 585, 617, 619, 624, 630, 631, 635, 636 and 637.

#### BILLS SENT TO THE GOVERNOR

On behalf of Senator Nesmith, from the committee on enrolled bills, Senator Whitehead submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 17th day of April, 1951, sent to the Governor for his approval: Senate Files 2, 33, 43, 165, 188, 212, 300, 316, 408, 477, 484, 490, 494, 501, 505, 506, 507, 508, 509, 510, 511, 512, 514 and 515.

JAMES H. NESMITH, *Chairman.*

Passed on file.

#### COMMITTEE TO NOTIFY THE GOVERNOR

Senator Whitehead 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 Whitehead, Van Patten and Walter.

#### COMMITTEE TO NOTIFY THE HOUSE

Senator Van Patten 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 appointed as such committee Senators Van Patten, Walter and Whitehead.

#### 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 Van Patten reported that the committee appointed 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 Whitehead reported that the committee appointed 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:

STATE OF IOWA  
OFFICE OF THE GOVERNOR  
Des Moines

April 24, 1951.

Wm. H. Nicholas, President of the Senate.

To the Members of the Fifty-fourth General Assembly:

Your notice of sine die adjournment is respectfully received.

As the gavels of your presiding officers fall for the last time, I wish to take this means of thanking you for all of the courtesy and consideration shown the Governor.

I have enjoyed working with you these past one hundred days or more, and as you go to your homes you go with my sincere good wishes and my deep appreciation for your labor in the Fifty-fourth General Assembly.

That good fortune may attend you is my sincere wish, and with warmest regards, I remain,

Sincerely yours,  
WM. S. BEARDSLEY,  
*Governor of Iowa.*



## FINAL ADJOURNMENT

In accordance with Senate Concurrent Resolution 15, the hour of five o'clock p.m., Tuesday, April 17, 1951, having arrived, President W. H. Nicholas declared the Senate of the Fifty-fourth General Assembly adjourned sine die.



## SENATE BILLS 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:

Senate File 2, relating to the administration of state budget, finances and fiscal control and to assign certain duties relating thereto to the State Comptroller. Approved May 15, 1951.

Senate File 7, relating to the distribution of copies of the Code and reports of the supreme court to the law library of the State University. Approved May 15, 1951.

Senate File 18, relating to government of municipal corporations under the council-manager by popular election form of municipal government. Approved May 2, 1951.

Senate File 23, relating to mayors and police courts of cities and towns. Approved May 2, 1951.

Senate File 28, relating to government of cities and towns under the mayor-council form of municipal government. Approved May 2, 1951.

Senate File 82, relating to general laws of municipal corporations. Approved May 2, 1951.

Senate File 33, relating to ordinances of municipal corporations. Approved April 30, 1951.

Senate File 43, relating to unallocated balances of appropriations. Approved April 27, 1951.

Senate File 93, relating to municipal corporations, including their incorporation, discontinuance, annexation or severance of territory and the changing of names. Approved May 2, 1951.

Senate File 108, relating to county commission of insanity, and for the expenditure of county funds for psychiatric examination and treatment. Approved May 15, 1951.

Senate File 163, relating to the general powers of municipal corporations. Approved May 2, 1951.

Senate File 164, relating to the general powers and duties of municipal officers. Approved May 2, 1951.

Senate File 165, relating to the forms of government, classification, and fiscal year of municipal corporations and to the election of officers thereof. Approved May 2, 1951.

Senate File 188, relating to state aid for vocational education. Approved April 30, 1951.

Senate File 201, relating to the training of hunting dogs. Approved May 15, 1951.

Senate File 212, relating to taxation and other sources of municipal revenue. Approved May 2, 1951.

Senate File 300, relating to state-owned lakes. Approved May 15, 1951.

Senate File 310, relating to the payment of expenses of the Iowa State Guard. Approved May 15, 1951.

Senate File 314, relating to special assessment of public improvements in municipal corporations. Approved May 2, 1951.

Senate File 316, relating to authority of the Natural Resources Council. Approved April 27, 1951.

Senate File 341, relating to the rehabilitation of alcoholics. Approved May 15, 1951.

Senate File 408, relating to the publication and distribution of the rules of civil procedure and Supreme Court rules. Approved April 30, 1951.

Senate File 477, relating to the appropriation from the general fund of the State to the Board of Education. Approved April 30, 1951.

Senate File 484, relating to the appropriation from the general fund of the State to the peace officer's retirement system. Approved April 27, 1951.

Senate File 490, relating to the construction of a tunnel from the Capitol Building to the State Office Building. Approved April 30, 1951.

Senate File 494, relating to the board of supervisors of Appanoose County. Approved April 30, 1951.

Senate File 498, relating to the payment of the construction of sanitary facilities for various lakes in the State of Iowa. Approved April 19, 1951.

Senate File 501, relating to election requirements and members of the armed forces. Approved May 15, 1951.

Senate File 505, relating to appropriations for various school districts of the State of Iowa. Approved April 30, 1951.

Senate File 506, relating to payment of various claims against the State of Iowa. Approved April 30, 1951.

Senate File 507, relating to an appropriation to Robert O. Winn in payment of claim against the State of Iowa. Approved April 30, 1951.

Senate File 508, relating to payment of various claims against the State of Iowa. Approved April 30, 1951.

Senate File 509, relating to settlement of claims for refund for motor vehicle licenses. Approved April 27, 1951.

Senate File 510, relating to payment of various claims against the State of Iowa. Approved April 27, 1951.

Senate File 511, relating to the appointment of certain public officials by the Governor and the confirmation of same by the Senate. Approved April 27, 1951.

Senate File 512, relating to the payment of services rendered by the members of the committee on interstate cooperation. Approved April 27, 1951.

Senate File 514, relating to the payment of expenses incurred and authorized by the Fifty-fourth General Assembly. Approved April 27, 1951.

Senate File 515, relating to an appropriation from the General Fund of the State of Iowa for the Department of Public Safety. Approved April 27, 1951.

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## IN MEMORIAM

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### *Senate*

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JONAS DEMOSS BUSER .....January 15, 1867-March 5, 1951  
ELMER P. CORWIN .....July 15, 1888-July 29, 1950  
JOSEPH E. DOZE.....November 18, 1854-April 20, 1950  
CHARLES V. FINDLAY.....September 18, 1866-March 3, 1951  
FRED C. GILCHRIST, SR.....June 2, 1868-March 10, 1950  
T. E. MOEN.....October 10, 1870-September 26, 1950  
FRED W. NELSON.....April 7, 1886-October 13, 1950  
CHARLES LONGLEY RIGBY.....February 20, 1874-May 16, 1949  
WILLIAM J. SCARBOROUGH.....December 14, 1900-January 1, 1951  
FREDERICK C. SCHADT.....March 27, 1885-December 12, 1950  
PAUL G. SCHMIDT.....June 29, 1886-February 20, 1950  
JOHN K. VALENTINE.....February 5, 1904-October 12, 1950

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# JOURNAL OF THE SENATE

## MEMORIALS

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### JONAS DEMOSS BUSER

**MR. PRESIDENT:** Your committee appointed to prepare a suitable memorial commemorating the life and public service of the late Honorable Jonas DeMoss Buser, begs leave to submit the following report:

Jonas DeMoss Buser was born in Louisa County on January 15, 1867, the son of Rev. John Buser and Margaret DeMoss Lenox Buser. He passed away at his farm home on March 5, 1951, at the age of 84 years.

On January 7, 1885, he was married to Rebecca Jane McKee, who preceded him in death. Surviving him are two sons, Lenox D. Buser, of Conesville, Iowa, and Warren John Buser, of California; and two daughters, Mrs. Irvin Everet, of Conesville, and Mrs. Walto Plotts, of Knoxville, Iowa; and several grandchildren.

In early childhood he attended the public schools of Conesville, and later attended Iowa City Academy and the collegiate department of the State University. In 1892 he completed a two-year law course at the university.

Mr. Buser was an active citizen in the affairs of his community, his county, and his state. In early manhood he had engaged in farming; and at the time of his death he was serving as president of the Louisa County National Bank at Columbus Junction. He had served as a member of the local school board; as a member of the Muscatine County board of supervisors; and as a member of the Senate from the Louisa-Muscatine district in the Thirty-eighth, Thirty-ninth, Fortieth, Fortieth Extra, and Forty-first General Assemblies of Iowa. He was a Republican in politics.

He was a member of the Masonic Lodge, and a member of the Evangelical and Reformed Church.

*Be It Resolved by the Senate of the Fifty-fourth General Assembly:* That in the passing of the Honorable Jonas DeMoss Buser, the people of his community, the counties he represented, and the state he served, all recognize the loss of a respected and beloved citizen.

*Be It Further Resolved:* That a copy of this resolution be printed in the Journal of the Senate, and that the Secretary of the Senate be directed to send enrolled copies to the family of the deceased.

HERMAN B. LORD,  
STANLEY L. HART,  
FRANK L. BYERS,

*Committee.*

The resolution was unanimously adopted.

## ELMER P. CORWIN

MR. PRESIDENT: Your committee, appointed to prepare a memorial resolution commemorating the life, character, and public service of the late Honorable Elmer P. Corwin, submits the following report:

Elmer P. Corwin was born on a farm near Fruitland, Muscatine County, Iowa, on July 15, 1883, and passed away July 29, 1950. He was the son of George H. and Rebecca Knouse Corwin.

His early school days were spent in the Muscatine County schools, in the Corwin School which was named for his grandfather, Henry Corwin, the first director and one of the pioneer settlers of Muscatine Island. Later he attended the Brown's Business College and the Leveridge Normal Training College.

Elmer P. Corwin was married to Jessie E. Smith on October 21, 1918. To this union was born a son, Donald F. Corwin, of Muscatine; and a daughter, Marjorie LaRue, now Mrs. Robert A. Weber, of State College, Mississippi. They are the grandparents of Larry R. Weber, and Donna and Dickie Corwin. Besides his wife, his children and his grandchildren, Mr. Corwin is survived by one brother, Roy G. Corwin, and one sister, Mrs. Pearle Hoyt.

The range of activities in which Mr. Corwin engaged indicated an interest in people, old and young. That interest was carried over to the well-being of a rural community. He became a charter member of Muscatine County Farm Bureau, to promote the farming industry in Iowa; and for thirty-five years he raised and shipped Muscatine Island products.

He served as secretary of Fruitland Township School Board, a practical way of continuing his interest in the education of the youth of his community. He enjoyed the association of neighbors and friends, and enlarged his acquaintance by becoming a member of numerous organizations: The Knights of Pythias, and the Masonic Orders, A.A.O.N.M.S., Zerapath Consistory, and Eastern Star. During his life-long membership in the Methodist Church, he contributed to the moral and religious growth of his home community.

The qualities of his character as observed in these activities seem to present a personality well suited to represent his community in the affairs of his state. And the community did show its confidence in him by making him township clerk and township assessor. The Muscatine-Louisa district elected him, a Republican in politics, to the Senate in 1934, and again in 1938.

It is no small honor to be selected to fill some state office as commissioner. This honor came to Mr. Corwin when in 1943 Governor B. B. Hickenlooper appointed him Industrial Commissioner of Iowa. Governor Wm. S. Beardsley reaffirmed that faith in him, and reappointed him in 1949 for another term.

But time did shorten that term—it did bring to realization among friends and coworkers, to neighbors and to the family, the departing of a man who served faithfully and well.

*Therefore, Be It Resolved by the Senate of the Fifty-fourth General Assembly:* That in recognition of the services rendered by Elmer P.

Corwin to his community and to the State of Iowa, and in recognition of the loss of an honored citizen, that a copy of this memorial resolution be printed in the Journal of the Senate; and

*Be It Further Resolved:* That the Secretary of the Senate be directed to send an enrolled copy to his widow, Mrs. Jessie E. Corwin, and to each of his two children.

HERMAN B. LORD,  
JOHN P. BERG,  
J. KENDALL LYNES,  
*Committee.*

The resolution was unanimously adopted.

### JOSEPH E. DOZE

MR. PRESIDENT: Your committee, appointed to prepare suitable resolution commemorating the life, character and public service of the late Honorable Joseph E. Doze of Humeston, Iowa, begs leave to submit the following:

Joseph E. Doze, educator, merchant, and legislator, was born on a farm in Decatur County, Iowa, November 18, 1854, and died on April 20, 1950, at Humeston, Iowa. He was the son of Francis K. and Cena Doze. He attended the public schools of the state, taught school for several years in the schools of Page and Ringgold Counties. Served as county superintendent of schools and two terms as county auditor in Ringgold County.

In 1890 he moved to Humeston where he operated a machine shop and foundry. In 1909 he founded the oldest distributing agency for the Ford automobile in the Des Moines territory. Has been a member of the town council and mayor of Humeston several terms.

Senator Doze was elected as State Representative for Wayne County in 1912 and served in the Thirty-fifth and Thirty-sixth General Assemblies. He was elected State Senator for the fourth district in 1933, to fill the vacancy caused by the death of the Honorable J. H. Judd. Served in the Forty-fifth, Forty-fifth Extra, and Forty-sixth General Assemblies.

He is survived by his wife, Elizabeth, one daughter, Mrs. F. L. Clark of Iowa City, and one son, Lynn, of Humeston, Iowa.

*Therefore, Be It Resolved by the Senate of the Fifty-fourth General Assembly:* That in the passing of the Honorable Joseph E. Doze, the state has lost a valuable and honorable citizen and the Senate would tender by this resolution its sincere sympathy to the surviving members of his family, and

*Be It Further Resolved:* That a copy of this resolution be spread on the Journal of the Senate, and that the Secretary of the Senate be directed to forward enrolled copies to the members of the family of the deceased.

RAY FLETCHER,  
SHERMAN WEST,  
X. T. PRENTIS,  
*Committee.*

The resolution was unanimously adopted.



## CHARLES V. FINDLAY

**MR. PRESIDENT:** Your committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable Charles V. Findlay, begs leave to submit the following memorial:

Charles V. Findlay was born at Pawpaw, Illinois, on September 18, 1866. He came to Iowa with his parents in 1870 in a covered wagon drawn by a yoke of oxen. The Findlays homesteaded in Clay County, and in 1877 moved to Webster County. Mr. Findlay received his early education in the rural schools of Clay and Webster Counties, and taught school in and near Kalo in Webster County for several years. He was graduated from Highland Park College in Des Moines in 1891 as a member of the first class, with a bachelor of science degree. In 1898 he received his master's degree. Mr. Findlay was Webster County superintendent of schools from 1892 until 1900 when he became president of Tobin College in Fort Dodge. He served in that capacity until 1931. He was married on June 29, 1899, to Miss Mabel Southwick of Lake Mills, whom he met while both were students at Highland Park College. Mr. and Mrs. Findlay both taught classes at Tobin College where hundreds of young men and women from northwest Iowa farms and communities were their pupils.

Mr. Findlay was a member of the House of Representatives from Webster County in the Thirty-seventh, Thirty-eighth and Thirty-eighth Extra sessions of the General Assembly. He was elected State Senator from the Webster-Calhoun district and served in the Forty-ninth, Fiftieth, Fiftieth Extra, Fifty-first and Fifty-second General Assemblies. He was elected mayor of Fort Dodge in 1923, and served ten years in that office. He was a member of the National Association of Parliamentarians, and was also editor and publisher of a textbook, "Parliamentary Law Made Easy." He was a member of the First Congregational Church of Fort Dodge, and served as a deacon of the church. In 1903 Mr. Findlay became a member of the board of trustees of the Fort Dodge Public Library. He served as president of the board from June 15, 1911, until August of 1950 when he resigned because of ill health. He was a member of the Iowa State Library Association and served as president of that group in 1928. For many years a member of the board of directors of the Y.M.C.A., he was also on the board of directors of the Fort Dodge Chamber of Commerce. He spent several terms as a member of the local Boy Scout Council. Mr. Findlay also belonged to Ashlar Masonic Lodge, Delta Chapter of Royal Arch Masons and Calvary Commandery of Knights Templar. A farm owner, he had a great deal of interest in agriculture and his hobbies included gardening and outdoor sports.

Mr. Findlay, one of Fort Dodge's best known citizens, died March 3, 1951 at the age of 84. Mr. and Mrs. Findlay observed their golden wedding anniversary with a family reunion in Fort Dodge in June of 1949.

Surviving him are his wife and a son, Dr. James Franklin Findlay, president of Drury College at Springfield, Missouri, and two grandchildren, Mrs. G. T. Odom, Jr., of Norman, Oklahoma, and J. F. Findlay, Jr.,

of Springfield. One son, Maurice Southwick Findlay, died while a student at Grinnell College.

*Therefore, Be It Resolved by the Senate of the Fifty-fourth General Assembly of Iowa:* That in the passing of the Honorable Charles V. Findlay, the state has lost an able and honored citizen and the Senate tenders, by this resolution, its sincere sympathy to the surviving members of his family in their sorrow.

*Be It Further Resolved:* That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary be directed to forward enrolled copies to the members of the family of the deceased.

PAUL E. MCCARVILLE,

R. J. OLTMAN,

ALAN VEST,

*Committee.*

The resolution was unanimously adopted.

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#### FRED C. GILCHRIST, SR.

MR. PRESIDENT: Your committee, appointed to prepare suitable resolution commemorating the life, character and public service of the late Honorable Fred C. Gilchrist, Sr., of Laurens, Pocahontas County, Iowa, begs leave to submit the following:

Fred Cramer Gilchrist, teacher, lawyer, Iowa legislator and United States Congressman, died at his home in Laurens, Iowa, March 10, 1950, at the age of 81. He was born June 2, 1868, in California, Washington County, Pennsylvania, the son of Professor James C. and Hannah Cramer Gilchrist. He lived in Pennsylvania and West Virginia until 1876 at which time he moved with his parents to Cedar Falls, Iowa, where his father established and was the first president of the Iowa Normal School, now known as Iowa State Teachers College. Mr. Gilchrist was graduated from the Iowa Normal School in 1887 and he then moved to a farm southeast of Laurens, Iowa. He taught rural school near Laurens and was principal of the Laurens School for one year. He also was the principal of the Rolfe, Iowa, Public School for two years. At the age of 21 he was elected county superintendent of schools, the youngest official of this kind in the state. He served in this capacity for two years. He entered Law School at the State University from which he was graduated and then admitted to the Bar in 1893. He returned to Laurens and practiced law continually for 57 years.

In 1901 Mr. Gilchrist was elected State Representative from Humboldt and Pocahontas Counties serving in the Twenty-ninth General Assembly. He was elected State Senator for the Fortieth General Assembly. In 1922 he was elected State Senator for the fiftieth senatorial district and served until 1930. He was then elected to serve in the Seventy-fourth Congress as United States Congressman from the then tenth Congressional District later known as the sixth and now known as the eighth district, and served six consecutive terms for a period of 14 years until January 1, 1945.

During his years in Congress Mr. Gilchrist was the sponsor of the Iowa Corn Warehousing Act which was later used by the United States Department of Agriculture in the corn sealing program throughout the United States.

He was also the author of the Gilchrist Amendment to the Iowa Constitution limiting the number of representatives and senators to that body.

He was married in 1896 to Ellen Louise Hurley and to this union three children were born: Frances G. Hakes, Fred Cramer Gilchrist, Jr., and Morris G. Allen, all of Laurens, who together with his wife survive him.

*Therefore, Be It Resolved by the Senate of the Fifty-fourth General Assembly:* That in the passing of the Honorable Fred C. Gilchrist, the state has lost an able and honored citizen and the Senate tenders, by this resolution the sincere sympathy to the surviving members of his family in their sorrow.

*Be It Further Resolved:* That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary be directed to forward enrolled copies to the members of the family of the deceased.

R. J. OLTMAN,  
FRANK C. BYERS,  
DEVERE WATSON,

*Committee.*

The resolution was unanimously adopted.

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#### T. E. MOEN

MR. PRESIDENT: Your committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable T. E. Moen, begs leave to submit the following memorial:

Tolef E. Moen was born in Lyon County, Iowa, October 10, 1870, the first white child born in Logan township. He passed away September 26, 1950.

He was united in marriage to Rachel Davidson of Inwood in 1892 who preceded him in death. He is survived by two sons, three daughters, and numerous grandchildren.

The oldest son of one of Lyon County's fine pioneer families, he inherited and was trained in those characteristics of strong character, community interest, and individual ability, that were later reflected in his business success and public experiences.

As a young man he left the farm and was engaged in the grain business for fifteen years; spent four years in the Chamber of Commerce at Minneapolis, a member of Skewis-Moen Grain Company. Later he returned to Inwood to successfully operate a livestock farm.

Mr. Moen served on the board of supervisors 1911 to 1919.

In 1919 he was elected State Representative and reelected twice, serving in the Thirty-eighth, Thirty-ninth, Fortieth and Fortieth Extra sessions of the General Assembly.

He was elected State Senator to fill vacancy in the Forty-second Extra session of the General Assembly and reelected to serve in the Forty-third and Forty-fourth General Assemblies.

He was always recognized as a man of highest integrity, and gave much time and effort to constructive community endeavor. He was an active member of the Lutheran Church. Those who knew him, and particularly his co-workers in the Legislature, held him in high esteem.

*Therefore, Be It Resolved by the Senate of the Fifty-fourth General Assembly of Iowa:* That in the death of the Honorable T. E. Moen, the state mourns the loss of one of its honored and distinguished citizens and the Senate, by this resolution, tenders its sincere sympathy to the surviving family, and

*Be It Further Resolved:* That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary be directed to forward enrolled copies to the members of the family of the deceased.

J. T. DYKHOUSE,  
FRANK C. BYERS,  
LEO ELTHON,

*Committee.*

The resolution was unanimously adopted.

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#### FRED W. NELSON

**MR. PRESIDENT:** Your committee appointed to prepare a suitable memorial commemorating the life, character and public service of the late Honorable Fred W. Nelson of Nevada, Iowa, begs leave to submit the following report:

Fred W. Nelson, Senator from the Thirty-first district, composed of Boone and Story Counties, was born April 7, 1886, in Story County, Iowa. He received his early education in the rural schools and later at Highland Park College at Des Moines, Iowa, and at Iowa State College. He was married to Edna R. Smith, February 22, 1911, and to this union was born four children: Avis Vere, Richard F., Robert L., and Donald L.

He served as township clerk eighteen years, as board member of the Story County Farm Bureau four years, treasurer three years, and president three years. He was a member of the Nevada Lodge No. 99, A. F. and A. M., and was master of that order in 1926, and was also member of O.E.S. He served as a member and president of the North Grant Consolidated school board, and was a board member of the Farmers Elevator Company and served on the Farmers Grain Dealers Association of Iowa. He was a member of Nevada Rotary Club for at least twenty years at Nevada, Iowa. He was awarded master farmer medal, January 13, 1927. He was a member of the Memorial Lutheran Church at Nevada, Iowa.

He was elected State Representative in 1928 and 1930 and State Senator in 1932 from the Boone and Story County District. He was appointed by the Governor and served as a member of the State Tax Commission from 1939 to 1945. He was president of the Story County Mu-

tual Fire Insurance Company at the time of his death. He departed this life on the 13th day of October, 1950.

He had a wide variety of interests and was an outstanding farmer and expert on tax matters. His keen interest in public affairs caused him to devote many years of his life to public service. While he rendered outstanding service to his community, state and county, he was a loyal friend and was held in high esteem by all who knew him. His was a record of untiring service for the good things in life and his example will long be remembered by all who knew him.

Fred W. Nelson was a man who had adopted as his motto these words, "I serve."

*Therefore, Be It Resolved by the Senate of the Fifty-fourth General Assembly:* That in the passing of the Honorable Fred W. Nelson the state has lost a valuable and honored citizen—a man who devoted many years of his life to public service.

*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 an enrolled copy to the members of the family of the deceased.

JOHN R. HATTERY,  
FRANK C. BYERS,  
LEO ELTHON,

*Committee.*

The resolution was unanimously adopted.

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### CHARLES LONGLEY RIGBY

**MR. PRESIDENT:** Your committee, appointed to prepare suitable resolutions commemorating the life, character and public service of the late Honorable Charles Longley Rigby, begs leave to submit the following:

Charles Longley Rigby, banker, legislator, and business manager, died at Independence, Iowa, May 16, 1949. He was born at Stanwood, Iowa, February 20, 1874, the son of William Titus and Eva Rigby; graduated from Cornell College, Mount Vernon, Iowa, with a B.A. degree, in 1894. He then engaged in farming at Stanwood, Iowa, from 1894 to 1938. He was also connected with the Union Trust & Savings Bank at Stanwood, Iowa, from 1905 to the time of his death in 1949. From 1940 to 1949, he was chairman of the board of directors. He was business manager of the State Hospital at Independence, Iowa, from 1940 until the time of his death. He served as Iowa State Senator from 1924 to 1932.

Mr. Rigby was chairman of the loan committee, executive committee and member of the board of trustees at Cornell College; member of Iowa Bankers Association, chairman of Group 8, and also Iowa representative of American Bankers Association; a member of Regional Agricultural Credit Association, and later inspector for this office; a member of Sigma Nu fraternity and the Masonic lodge. He was married to Jennie Billings in 1901, who died in 1939, and surviving their parents are two children, Charles Edward and Isabel Rigby.

*Therefore, Be It Resolved by the Senate of the Fifty-fourth General Assembly:* That in the passing of the Honorable Charles Longley Rigby, the State has lost a valuable and honored citizen.

*Be It Further Resolved:* That a copy of this resolution be spread upon the Journal of the Senate, and that the Secretary be instructed to send an enrolled copy to the family of the deceased.

J. M. TUDOR,  
FRANK C. BYERS,  
LEROY S. MERCER,  
*Committee.*

The resolution was unanimously adopted.

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#### WILLIAM J. SCARBOROUGH

MR. PRESIDENT: Your committee, appointed to prepare suitable resolutions commemorating the life, character and public service of the late Honorable William J. Scarborough, begs leave to submit the following:

William J. Scarborough, attorney, Assistant Secretary of the Senate and Secretary of the Senate, was born in West Des Moines, Iowa, December 14, 1900, and died at Des Moines, Iowa, January 1, 1951. He graduated from the public schools of West Des Moines and from the Drake University College of Law. He was married June 30, 1928, to Miriam C. Mathews of East Des Moines. Mrs. Scarborough and two sons, William Raymond and James Richard, survive.

Mr. Scarborough was a member of Tau Psi and Delta Theta Phi fraternities. Mr. Scarborough served as Reading Clerk of the Senate of the Forty-eighth General Assembly, Assistant Secretary of the Senate of the Forty-ninth General Assembly, and Secretary of the Fiftieth, Fiftieth Extra, Fifty-first, Fifty-second, Fifty-second Extra and Fifty-third General Assemblies.

The funeral service, which was attended by Lieutenant Governor Kenneth Evans and many officers and members of the Senate, was an outstanding tribute to Mr. Scarborough for his unselfish service to his family, friends, and state.

*Be It Resolved by the Senate of the Fifty-fourth General Assembly:* That in the passing of the Honorable William J. Scarborough, the state has lost a valuable and honorable citizen and one who contributed unselfish service to the State of Iowa.

*Be It Further Resolved:* That a copy of this resolution be spread on the Journal of the Senate, and that the Secretary of the Senate be directed to forward an enrolled copy to the members of the family of the deceased.

GEORGE E. O'MALLEY,  
JOHN P. BERG,  
E. K. BEKMAN,  
*Committee.*

The resolution was unanimously adopted.

## FREDERICK C. SCHADT

MR. PRESIDENT: Your committee, appointed to prepare suitable resolutions commemorating the life, character and public service of the late Honorable Frederick C. Schadt, begs leave to submit the following:

Frederick C. Schadt was born March 27, 1885, and reared at Amana, Iowa, son of Conrad Schadt. He took his college work at the State University of Iowa in professional and liberal arts colleges. His extra training in medicine was mostly in surgery and surgical diagnosis, and he holds the degrees of Ph.C., M.S., and M.D. He practiced medicine thirty years.

He was married to Miss Louise Setzer of Amana, Iowa, and to this union was born one son, Conrad F.

Dr. Schadt was author of treatises on government, economics, and sociology in general. He was also a member of state political science, historical, economists and sociologists associations, and the American Political Science Association, as well as a member of county and state medical societies. He was a member of the Masonic, Knights of Pythias, Odd Fellows, and Elks fraternities, and a past member of the local board of education. He was elected to the Senate in 1936 and served in the Forty-seventh and Forty-eighth General Assemblies. He died at the age of 65 on December 12, 1950.

*Be It Resolved by the Senate of the Fifty-fourth General Assembly:* That in the passing of the Honorable Frederick C. Schadt, the state has lost a valuable and honored citizen and the Senate would tender by this resolution its sincere sympathy to the surviving members of his family, and

*Be It Further Resolved:* That a copy of this resolution be spread upon the Journal of the Senate, and that the Secretary be instructed to send enrolled copies to the family of the deceased.

LEROY S. MERCER,  
FRANK C. BYERS,  
HARRY E. WEICHMAN,  
*Committee.*

The resolution was unanimously adopted.

## PAUL G. SCHMIDT

MR. PRESIDENT: Your committee, appointed to prepare suitable resolutions commemorating the life, character and public service of the late Honorable Paul G. Schmidt, begs leave to submit the following:

Paul G. Schmidt was born in Iowa City on June 29, 1886, the son of George W. and Augusta Schmidt, pioneer Iowa City residents. He died at the age of 63 on February 20, 1950.

He graduated from St. Mary's High School and attended the University of Iowa and the University of Purdue. He was associated with his father in the ownership and management of the Iowa City Iron Works. He served as Democratic member of the State Senate from 1932

to 1936 and was instrumental in the formation of the Iowa Highway Patrol.

Paul was Exalted Ruler of the Benevolent and Protective Order of Elks, Iowa City Lodge No. 590, in 1915, and later served as president of the Iowa State Elks Association. He also served as district deputy of the Elks southeast Iowa district. He was a charter member of the Marquette Council, Knights of Columbus. The council's records also list him as the only Iowa Cityan ever to have become a member of the Alhambra, the fifth and highest degree organization of Knights of Columbus.

He was a member of the Holy Name Society of St. Mary's Church. He also was affiliated with the Chicago Athletic Club. He was a member of the old Iowa City Alert Hose Company. During World War II he was engaged in national defense work in Des Moines with the Solar Aircraft Corporation.

Paul married Laura M. Englert on June 4, 1913, who survives him. Also surviving him are a son, Donald W. of Iowa City, and a daughter, Mrs. Joyce Dixon of Norfolk, Virginia. His parents preceded him in death.

*Be It Resolved by the Senate of the Fifty-fourth General Assembly:* That in the passing of the Honorable Paul G. Schmidt, the state has lost a valuable and honored citizen and the Senate would tender by this resolution its sincere sympathy to the surviving members of his family, and

*Be It Further Resolved:* That a copy of this resolution be spread upon the Journal of the Senate, and that the Secretary be instructed to send enrolled copies to the family of the deceased.

LERoy S. MERCER,  
HERMAN B. LORD,  
CARL T. ANDERSON,  
*Committee.*

The resolution was unanimously adopted.

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#### JOHN K. VALENTINE

MR. PRESIDENT: Your committee, appointed to prepare a suitable memorial commemorating the life, character, and public service of the late Honorable John K. Valentine, of Centerville, Iowa, begs leave to submit the following:

John K. Valentine, lawyer, legislator, and soldier, was born in Oskaloosa, Iowa, February 5, 1904, the son of Mr. and Mrs. H. E. Valentine, and departed this life October 12, 1950. From the period of a few days of age until his passing, Senator Valentine was a resident of the city of Centerville, except for the periods in which his political service took him to Des Moines, and the time he spent in the armed services of his country. He graduated from the Centerville High School in 1922, being an outstanding athlete. In 1926, he graduated from the Liberal Art School at the University of Wisconsin, and in 1929, he received his law degree at the University of Iowa. In 1929, he entered his father's law firm in Centerville, and continued as a member of that firm until his death.



He was elected State Senator from the Appanoose-Davis County district in 1933. During his tenure in the Senate, his abilities came to the fore and his hand played an important part in drafting and guiding into legislation many of the important laws that are now on the statute books.

He was only 29 years of age when elected to the Senate on the Democratic ticket. In the depression-ridden session of 1933-1934, and 1935, Senator Valentine climbed the ladder to political success. He became the leader of his Party in the Senate. Such laws as the state sales tax, income and corporation tax, and the bank moratorium Act were skillfully guided by his hands.

He held membership on the legislative interim committee which sought large scale reorganization of the state government in the 1935 session.

The administration looked upon Senator Valentine as one of the most able party members, and handed large responsibilities to him. The Governor appointed Senator Valentine to the Iowa State Tax Commission in 1935. He resigned in September of 1936 to run for Lieutenant Governor, and he presided with great skill and harmony over the State Senate during his term as Lieutenant Governor. His ability to win friends and influence people played an important role. He was a candidate for reelection in 1938, and was defeated.

He was appointed United States District Attorney in 1939 by President Roosevelt, and served in that capacity with his usual capability.

At the urgent demand of his many friends, and contrary to his own wishes, he became a candidate for Governor in 1940, but he was defeated.

Senator Valentine was connected with the Iowa Southern Utilities Company since 1935, and was elected General Counsel on April 21, 1941. On March 17, 1942, he was elected as a director.

At this time he responded to his country's call and volunteered in the armed forces, and was called to duty as a Lieutenant J.G., October 31, 1942. He served with the armed guard as gunnery officer, traveling in many parts of the world. In 1944 he was appointed as liaison officer for the Navy, attached to the Iowa Selective Service office at Des Moines. He served there until Septmbr of 1945.

He was proud of his service record and liked to recall his days in uniform. When he left the service he was a full Lieutenant and subsequently appointed to Lieutenant Commander. On returning from the service he renewed his connections with the Iowa Southern Utilities Company. At the time of his death he was vice president, general counsel, and director of the company, having been elected vice-president in 1948.

His devotion to his work at the Iowa Southern Utilities was in keeping with his usual way. He gave it all the energy and devotion he could muster, although he was ill during the last four years of his life.

He was a director and an advisor of the Iowa Trust and Savings Bank of Centerville, a one time member of the state advisory committee on rules and procedure of the Supreme Court of Iowa, a one time civilian aid to the Secretary of War for the State of Iowa.

He was a member of the Association of Commerce, member of the Elks, Eagles, American Legion, Veterans of Foreign Wars, Lions, and Rotary. At one time he was president of the Centerville Country Club.

The work which he did for his community was invaluable. He could always be counted upon to do a good and effective job. One so vigorous and so active, it was little wonder he suffered a violent heart attack at the age of 42. In October of 1948, while working at his law office one evening, he was seized with a heart attack. He was a full year recovering, and several times subsequent to his recovery had been in and out of the hospital. However, he seemed to be his same zestful self when he was taken with another heart attack on September 14, 1950, while working in his Iowa Southern Utilities office. He failed to recover.

He left in death his wife, Billie, whom he married November 30, 1932, a brother, Robert, and a nephew, Dennis.

*Therefore, Be It Resolved by the Senate of the Fifty-fourth General Assembly:* That in the passing of the Honorable John K. Valentine, the state has lost a valuable and honorable citizen, a man who devoted many years of his life to public service and the Senate expresses by this resolution its appreciation of his character and public service and tenders sincere sympathy to the surviving members of his family, and

*Be It Further Resolved:* That a copy of this memorial resolution be spread upon the Journal of the Senate and that the Secretary be instructed to send an enrolled copy to the family of the deceased.

SHERMAN WEST,  
A. E. AUGUSTINE,  
FRANK C. BYERS,  
LEO ELTHON,  
JOHN P. BERG,

*Committee.*

The resolution was unanimously adopted.

**HISTORY OF SENATE BILLS IN SENATE**  
**SEE PAGE 1410 FOR SENATE COMPANION BILLS.**

**SENATE JOINT RESOLUTIONS AND SENATE FILES**  
**PASSED AND APPROVED—121**

S. J. R.

S. F.

1, 2, 3, 7, 11, 18, 20, 23, 28, 32, 33, 43, 44, 48, 50, 60, 62, 63, 68, 69, 71, 72, 79, 87, 93, 96, 103, 106, 107, 108, 109, 110, 111, 113, 122, 142, 149, 156, 161, 163, 164, 165, 166, 177, 178, 186, 188, 189, 191, 198, 199, 200, 201, 202, 203, 204, 207, 212, 217, 222, 223, 224, 225, 226, 228, 229, 230, 239, 241, 243, 245, 248, 250, 258, 295, 300, 302, 310, 314, 316, 318, 323, 328, 332, 337, 338, 341, 343, 344, 346, 347, 348, 349, 350, 359, 368, 370, 393, 402, 403, 408, 440, 441, 447, 468, 477, 484, 490, 491, 494, 498, 501, 505, 506, 507, 508, 509, 510, 511, 512, 514, 515.

Passed both Houses, vetoed by Governor—S. F. 476.

**RECORD OF EACH SENATE BILL IN SENATE.**

S. J. R.	Page
1 By Humbert. Relating to constitution of Iowa; proposing a m e n d m e n t making "eighteen" the age entitling qualified citizens to right of suffrage.	
Introduced, passed on file.....	62
Referred to judiciary 2.....	82
2 By Doud. Relating to creation of special committee to survey needs and fullest use of advanced education facilities in Iowa; state institutions of higher learning, privately operated and endowed colleges, universities, junior colleges; power and duties of said committee; appropriation therefor.	
Introduced, passed on file.....	90
Referred .....	105, 265
Recommended passage.....	254, 436
Committee reports adopted.....	638
Passed; ayes 44, nays one.....	639
3 By Berg, Doud, Colburn, Hattery, Jacobson and Mercer. Relating to succession of officers to office of governor; proposing amendments to constitution of State of Iowa.	
Introduced, passed on file.....	100
Referred to judiciary 1.....	111
Recommended passage .....	217
Committee report adopted.....	328
H. J. R. 3 substituted.....	328
Withdrawn .....	330
4 By Bekman, Bateson, Doud and Hattery. Relating to strip mining; creating special committee to investigate and report on number of acres of land in Iowa subject to strip mining now or subject to in the future; extent of damage; loss of tax revenue, and necessity of regulation thereof.	
Introduced, passed on file.....	394
Referred to mines and mining.	421
5 By Fishbaugh. Relating to creating a special highway study committee with refer-	

S. J. R.	Page
ence to highway construction information and effect of traffic thereon; appropriation of \$20,000 therefor.	
Introduced, passed on file.....	508
Referred to highways.....	530
6 By Lord, Welchman and Zastrow. Relating to creating a special committee to study Iowa old age and survivors' insurance system with reference to uniting it with the federal social security system; appropriation of \$15,000 therefor.	
Introduced, passed on file.....	517
Referred to social security.....	530
7 By Fishbaugh. Relating to creating a special study committee with reference to legislation for supervision of public utility rates; appropriation of \$10,000 therefor.	
Introduced, passed on file.....	517
Referred to public utilities....	530

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Page

1 By Watson of Pottawattamie, Prentiss, Lynes and Elthon. Creating budget and financial control committee; abolishing retrenchment and reform committee, transferring its financial duties therefrom to newly created committee.	
Introduced, passed on file.....	25
Referred .....	69
Amendments filed .....	83, 105
Recommended amendment and passage .....	176
Made special order.....	242
Committee report adopted.....	293
Amendments adopted .....	293, 294, 295
Passed; ayes 50, nays none.....	295
Reported enrolled .....	374
Signed by President.....	374
Sent to Governor.....	374
Signed by Governor.....	421
Committee appointed.....	1216
2 By Watson of Pottawattamie, Prentiss, Lynes and Elthon. Relating to administration of state budget and	

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finances, assigning certain duties to state comptroller, establishing division of personnel in office thereof.		cles of incorporation; defining words, "real value of the stock."	
Introduced, passed on file.....	25	Introduced, passed on file.....	26
Referred .....	69	Referred to private corporations .....	69
Amendments filed .....			
..... 83, 105-107, 245, 312, 530, 555, 556, 593, 1090,	1134	7 By Mercer. Relating to increases of number of copies of the Code, acts of the general assembly, annotations to the Code, and supplements thereto, and reports of supreme court that are distributed to law library of state university; amending chapter 16, Code 1950.	
Recommended passage .....	218	Introduced, passed on file.....	26
Made special order .....	242	Referred .....	69
Committee report adopted.....	298	Recommended passage .....	473
Amendments adopted .....		Committee report adopted.....	639
..... 319, 320, 1191, 1192, 1193	1193	Passed; ayes 45, nays none.....	639
Passed; ayes 43, nays 4.....	321	Reported enrolled .....	1249
Amendments withdrawn .....	1193	Signed by President .....	1249
Concurred .....	1193	Sent to Governor .....	1250
Failed; ayes 23, nays 24.....	1194	Signed by Governor .....	1255
Motion to reconsider .....	1194		
Reconsideration of vote.....	1235	8 By Utzig. Relating to teachers' pension and annuity retirement systems; permitting payment of accumulated funds to predesignated beneficiaries in event of death prior to retirement.	
Passed; ayes 27, nays 15.....	1236	Introduced, passed on file.....	26
Reported enrolled .....	1251	Referred to social security ....	69
Signed by President .....	1251		
Sent to Governor.....	1251	9 By Watson of Pottawattamie. Relating to admission in evidence of copies of memorandum reproduced by certain processes.	
Signed by Governor.....	1255	Introduced, passed on file.....	26
		Referred to banks, building and loan .....	69
3 By Lynes, Knudson, Vest, Zastrow, O'Malley, Jacobson, Hattery, and Berg. Relating to revocation of licenses used in carrying on any business, trade, vocation or commercial enterprise; revocation thereof by reason of possession of gambling devices; prohibiting issuance of licenses in certain instances.		Reported without recommendation .....	233
Introduced, passed on file.....	25	H. F. 36 substituted.....	242
Referred .....	69	Committee report adopted .....	371
Recommended passage .....	146	H. F. 36 substituted .....	371
Amendments filed .....		Withdrawn .....	371
..... 177, 202-204, 219, 230	230		
Committee report adopted.....	181	10 By Walter. Authorizing state board of control to construct a domiciliary dormitory of not less than 250 bed capacity to replace obsolete building at Iowa Soldiers' Home; appropriation therefor.	
Made special order .....	182	Introduced, passed on file.....	27
Amendments adopted .....		Referred to board of control ..	69
..... 210, 211, 212, 228, 230	230	Returned without recommendation .....	476
Amendments withdrawn .....		Referred to appropriations ....	520
..... 212, 213, 228, 229, 230	230		
Statement made .....	229	11 By Bateson and McCarville. Relating to liability of estates of non-resident motorists.	
Passed; ayes 46, nays 3.....	232	Introduced, passed on file.....	27
Concurred .....	237	Referred .....	69
Passed; ayes 45, nays 2.....	237	Recommended passage .....	146
Reported enrolled .....	420	Amendment filed .....	177
Signed by President .....	420	Committee report adopted .....	182
Sent to Governor .....	421	Amendments adopted .....	182, 183
Signed by Governor .....	451	Passed; ayes 43, nays none.....	183
		Reported enrolled .....	762
4 By Jacobson, McCarville and Bateson. Relating to release of chattel mortgages, conditional sales contracts and pledges of personal property.		Signed by President .....	762
Introduced, passed on file.....	26	Sent to Governor .....	762
Referred to judiciary 2 .....	69	Signed by Governor .....	808
Returned without recommendation .....	473		
Withdrawn .....	816	5 By Mercer, Berg and Tudor. Relating to issuance of stock by certain corporations; payment therefor.	
		Introduced, passed on file.....	26
5 By Mercer, Berg and Tudor. Relating to issuance of stock by certain corporations; payment therefor.		Referred .....	69
Introduced, passed on file.....	26	Recommended passage .....	310
Referred .....	69	H. F. 20 substituted .....	617
Recommended passage .....	310	Withdrawn .....	617
H. F. 20 substituted .....	617		
Withdrawn .....	617	6 By Mercer, Berg and Tudor. Relating to renewal of arti-	

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12 By Bateson and Bekman. Relating to payment of injury compensation to dependents wholly dependent on earnings of employee for support at time of his injury.	
Introduced, passed on file .....	27
Referred .....	69
Amendment filed .....	313
Recommended amendment, pas- sage .....	553
Committee report adopted .....	676
Amendment withdrawn .....	676
Amendment adopted .....	677
Passed; ayes 43, nays none .....	677
13 By Bateson, Fishbaugh, Jacobson and Zastrow. Relat- ing to sale of public bonds; clarification of Code.	
Introduced, passed on file .....	27
Referred .....	69
Recommended passage .....	111
Committee report adopted .....	141
Amendments filed .....	233, 255
Amendment withdrawn .....	263
Amendment adopted .....	263
Passed; ayes 30, nays 16 .....	263
14 By Dykhouse and Hattery. Relating to procedure by mu- nicipal corporations in con- struction of street improve- ments.	
Introduced, passed on file .....	27
Referred to cities and towns ..	69
Amendment filed .....	112
15 By Dykhouse and Hattery. Relating to powers of municipal corporations to regulate use of streets; limitations of street designated as primary road extension.	
Introduced, passed on file .....	27
Referred .....	69
Recommended passage .....	267
Committee report adopted .....	565
Amendment adopted .....	565
Passed; ayes 39, nays 3 .....	565
16 By Hattery and Dykhouse. Relating to municipal utili- ties retirement systems, ex- tending benefits to include employees of municipally owned sewage works.	
Introduced, passed on file .....	28
Referred to cities and towns ..	69
Withdrawn .....	276
17 By Hattery and Dykhouse. Relating to civil service in municipal corporations; in- cluding city manager; au- thorizing appointment there- of from without district.	
Introduced, passed on file .....	28
Referred to cities and towns ..	69
Amendments filed .....	112, 220, 391
18 By Dykhouse and Hattery. Relating to municipal gov- ernment under council-man- ager form; repeal certain actions and enacting substi- tutes therefor.	
Introduced, passed on file .....	28
Referred .....	69
Recommended passage .....	215
Amendments filed .....	233, 268, 313, 437
Made special order .....	386

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Committee report adopted .....	465
Amendments adopted .....	466, 467
Passed; ayes 49, nays none .....	467
Concurred .....	1094
Passed; ayes 43, nays none .....	1094
Reported enrolled .....	1249
Signed by President .....	1249
Sent to Governor .....	1250
Signed by Governor .....	1255
19 By Hattery and Dykhouse. Relating to width of primary road extensions in cities and towns.	
Introduced, passed on file .....	28
Referred to cities and towns .....	69
Amendment filed .....	313
20 By Dykhouse and Hattery. Relating to commission form of municipal government; repealing various sections, enacting substitutes therefor.	
Introduced, passed on file .....	28
Referred .....	69
Recommended amendment and passage .....	215
Made special order .....	386
Committee report adopted .....	464
Amendment withdrawn .....	464
Amendments adopted .....	464
Passed; ayes 49, nays 1 .....	464
Reported enrolled .....	1059
Signed by President .....	1060
Sent to Governor .....	1060
Signed by Governor .....	1132
21 By Hattery and Dykhouse. Relating to payment of sales and use tax, by tax certifying or levying bodies; repealing various sections, enacting substitutes therefor.	
Introduced, passed on file .....	28
Referred to cities or towns .....	69
Withdrawn .....	609
22 By Hattery and Dykhouse. Relating to superior court; repealing chapter 603, Code 1950; amending certain sec- tions relating thereto.	
Introduced, passed on file .....	28
Referred to cities and towns .....	69
Amendments filed .....	112, 220, 391-392
23 By Hattery and Dykhouse. Relating to mayors, police courts; repealing various sec- tions Code 1950; enacting substitutes therefor.	
Introduced, passed on file .....	29
Referred .....	69
Recommended passage .....	375
Made special order .....	386
Amendments filed .....	392
Committee report adopted .....	495
Amendments adopted .....	496
Passed; ayes 48, nays none .....	496
Concurred .....	1095
Passed; ayes 43, nays none .....	1096
Reported enrolled .....	1249
Signed by President .....	1249
Sent to Governor .....	1250
Signed by Governor .....	1255
24 By Dykhouse and Hattery. Relating to municipal plat- ting, planning, zoning.	
Introduced, passed on file .....	29
Referred to cities and towns .....	69
Amendments filed .....	112, 304

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25 By Hattery and Dykhouse. Relating to council-manager plan of municipal govern- ment by ordinance.	
Introduced, passed on file .....	29
Referred to cities and towns ..	69
26 By Dykhouse and Hattery. Relating to exemptions from taxation, outside corporate limits of incorporated cities and towns.	
Introduced, passed on file .....	29
Referred to cities and towns ..	69
Recommended amendment, pas- sage .....	605
27 By Hattery and Dykhouse. Relating to protection of mu- nicipal water supplies.	
Introduced, passed on file .....	29
Referred to cities and towns ..	69
Recommended passage .....	267
Committee report adopted .....	566
Passed; ayes 46, nays 1 .....	566
28 By Hattery and Dykhouse. Relating to mayor-council form of municipal govern- ment; repealing various sec- tions, enacting substitutes therefor.	
Introduced, passed on file .....	29
Referred .....	69
Recommended passage .....	216
Made special order .....	386
Committee report adopted .....	463
Passed; ayes 49, nays 1 .....	463
Concurred .....	1092
Passed; ayes 43, nays none .....	1092
Reported enrolled .....	1249
Signed by President .....	1249
Sent to Governor .....	1250
Signed by Governor .....	1255
29 By Dykhouse and Hattery. Relating to river front com- missions; abolishment of; transfer of powers thereof to city council.	
Introduced, passed on file .....	29
Referred to cities and towns ..	69
30 By Hattery and Dykhouse. Relating to powers of municipal corporations in respect to carriers of passengers or merchandise for hire operat- ing upon streets thereof.	
Introduced, passed on file .....	30
Referred to cities and towns ..	69
Amendment filed .....	221
31 By Dykhouse and Hattery. Relating to duties of attorney general; empowering city or town councils to request his opinion on any question of municipal law not clarified by previous rulings or decisions.	
Introduced, passed on file .....	30
Referred to cities and towns ..	69
32 By Dykhouse and Hattery. Relating to general laws per- taining to municipal corpo- rations; making them appli- cable to cities under special charter and other specific forms.	
Introduced, passed on file .....	30

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Referred .....	69
Amendments filed .....	113, 334, 392, 455-457
Recommended passage .....	333
Made special order .....	386
Committee report adopted .....	485
Amendments adopted .....	486
Amendments withdrawn .....	486
Passed; ayes 50, nays none .....	486
Concurred .....	1093
Passed; ayes 43, nays none .....	1093
Reported enrolled .....	1249
Signed by President .....	1249
Sent to Governor .....	1250
Signed by Governor .....	1255
33 By Dykhouse and Hattery. Relating to ordinances of municipal corporations; re- pealing certain sections; en- acting substitutes therefor.	
Introduced, passed on file .....	30
Referred .....	69
Amendments filed .....	221, 287
Recommended amendment, pas- sage .....	267
Made special order .....	386
Committee report adopted .....	487
Amendments adopted .....	487, 488
Passed; ayes 49, nays none .....	488
Refused to concur .....	1075
Conference committee appointed .....	1130
Conference report .....	1177
Conference report adopted .....	1179
Passed; ayes 48, nays none .....	1179
Reported enrolled .....	1251
Signed by President .....	1251
Sent to Governor .....	1251
Signed by Governor .....	1255
34 By Doud. Relating to nomi- nations by non-party organ- izations; requiring affidavit of acceptance.	
Introduced, passed on file .....	30
Referred .....	69
Recommended passage .....	422
Committee report adopted .....	675
Passed; ayes 44, nays none .....	675
35 By Doud. Relating to pay- ment in interest on inheri- tance tax.	
Introduced, passed on file .....	31
Referred to tax revision .....	69
Recommended passage .....	680
36 By Doud and Fishbaugh. Relating to change of party affiliation at primary elec- tions; time thereof changed to 30 days before the primary.	
Introduced, passed on file .....	31
Referred .....	69
Recommended passage .....	422
Committee report adopted .....	676
Passed; ayes 37, nays 7 .....	676
37 By Utsig. Relating to con- trol over plantings in park- ings to prevent becoming traffic hazards in certain cities; levying of tax to care therefor; vesting powers in board of park commissioners.	
Introduced, passed on file .....	31
Referred to conservation .....	69
Recommended passage .....	554
Amendments filed .....	660

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38 By Gillespie. Relating to speed restrictions on highways.	
Introduced, passed on file .....	31
Referred to motor vehicles .....	69
39 By Gillespie. Relating to placing of signs designating safe speed on hills and curves throughout state primary road system.	
Introduced, passed on file .....	31
Referred to highways .....	69
40 By Gillespie. Relating to issuance of drivers license; requiring signed consent to take tests determining intoxication.	
Introduced, passed on file .....	32
Referred to judiciary 1 .....	69
Amendments filed .....	234, 648
Recommended indefinite postponement .....	266
Re-referred to judiciary 1 .....	276
41 By Doud, Molison, Prentis, Welchman, Berg and Anderson. Relating to requirements in preparing local budget; requiring proposed expenditures shall not exceed limitations fixed by law.	
Introduced, passed on file .....	32
Referred to ways and means .....	69
Recommended passage .....	472
42 By Doud. Relating to section of county boards; inserting clarifying phrase.	
Introduced, passed on file .....	32
Referred to election reform .....	70
Recommended passage .....	422
43 By Colburn and Doud. Relating to transfer of unallocated balances of certain appropriations made to state board of control; including capital improvement fund created by Fifty-first General Assembly.	
Introduced, passed on file .....	32
Referred .....	70
Recommended passage .....	763
Sifting recommends calendar .....	988
Committee report adopted .....	1125
Passed; ayes 49, nays none .....	1125
Concurred .....	1247
Passed; ayes 46, nays none .....	1247
Reported enrolled .....	1251
Signed by President .....	1251
Sent to Governor .....	1251
Signed by Governor .....	1255
44 By Bateson, Fletcher and Nesmith. Relating to filing of claim for homestead exemption with county assessor or county auditor; placing of filing exclusively with county assessor.	
Introduced, passed on file .....	32
Referred to tax revision .....	70
Recommended passage .....	675
Amendment filed .....	593
Committee report adopted .....	677
Amendment adopted .....	678
Passed; ayes 44, nays none .....	678
Reported enrolled .....	1083
Signed by President .....	1084
Sent to Governor .....	1084
Signed by Governor .....	1169

S. F.	Page
45 By Bateson and Watson of O'Brien. Relating to old-age assistance; striking certain conditions about payment of taxes now required in order to obtain same.	
Introduced, passed on file .....	32
Referred to social security .....	70
46 By Berg, Zastrow and Doud. Relating to taxable moneys and credits; providing deduction thereof equal to amount reserved for payment of federal and state income taxes and real property taxes in current year.	
Introduced, passed on file .....	32
Referred to tax revision .....	70
47 By Bateson, Byers, Doud, Linnevold, Van Patten, Fletcher, Knudson, Parker, Gillespie and Watson of O'Brien. Relating to cigarette sales; repealing section 1, chapter 551A, designating the law as "Unfair Cigarette Sales Act".	
Introduced, passed on file .....	34
Referred to judiciary 1 .....	70
Recommended passage .....	111
Committee report adopted .....	141
Failed; ayes 14, nays 21 .....	142
48 By Watson of O'Brien. Legalizing act relating to issuance of hospital bonds by city of Spencer.	
Introduced, passed on file .....	34
Referred .....	70
Proof of publication certified .....	82
Recommended passage .....	111
Amendment filed .....	137
Committee report adopted .....	143
Amendment adopted .....	144
Passed; ayes 47, nays none .....	144
Reported enrolled .....	359
Signed by President .....	360
Sent to Governor .....	360
Signed by Governor .....	421
49 By Bekman, Jacobson and McCarville. Relating to amount a surviving spouse may select from estates of intestates; doubling present amount permitted.	
Introduced, passed on file .....	34
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Recommended passage .....	146
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50 By Bekman, Jacobson and McCarville. Relating to jurisdiction of court in release of any item of real estate or personal property from lien of inheritance tax.	
Introduced passed on file .....	34
Referred .....	70
Recommended passage .....	310
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Passed Senate; ayes 47, nays none . . . . .	994
Reported correctly enrolled . . . . .	1059
Signed by President . . . . .	1060
Sent to Governor . . . . .	1060
Signed by Governor . . . . .	1132
51 By Jacobson, Bek man, Sharp, Bateson, McCarville, Vest, Hattery and Hedin. Relating to lascivious enticing of a child 16 years or under; providing penalty therefor.	
Introduced, passed on file . . . . .	35
Referred to judiciary 2 . . . . .	70
52 By Jacobson, Bek man, Sharp, Bateson, McCarville, Vest, Hattery and Hedin. Relating to operation of motor vehicle while intoxicated, making law applicable for each offense subsequent to second.	
Introduced, passed on file . . . . .	35
Referred . . . . .	70
Recommended passage . . . . .	146
Committee report adopted . . . . .	238
H. F. 34 substituted . . . . .	238
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53 By Jacobson, Bek man, Sharp, Bateson, McCarville, Vest, Hattery and Hedin. Relating to imposition of sentences for crimes for which maximum punishment is life imprisonment; enabling court to consider seriousness of offense.	
Introduced, passed on file . . . . .	35
Referred . . . . .	70
Recommended passage . . . . .	218
Committee report adopted . . . . .	330
H. F. 9 substituted . . . . .	365
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54 By Jacobson, Bek man, Sharp, Bateson, McCarville, Vest, Hattery and Hedin. Relating to compensation for grand jurors; permitting pay for each mile actually traveled each day.	
Introduced, passed on file . . . . .	35
Referred . . . . .	70
Recommended passage . . . . .	147
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Amendments filed . . . . .	255, 313, 334
Passed; ayes 41, nays 6 . . . . .	364
55 By Jacobson, Bek man, Sharp, Bateson, McCarville, Vest, Hattery and Hedin. Relating to punishment for false drawing or uttering of checks, drafts, or written orders.	
Introduced, passed on file . . . . .	35
Referred . . . . .	70
Recommended passage . . . . .	310
Committee report adopted . . . . .	674
Passed; ayes 42, nays none . . . . .	674
56 By Jacobson, Bek man, Sharp, Bateson, McCarville, Vest, Hattery and Hedin. Re-	

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lating to punishment for larceny; establishing division lines.	
Introduced, passed on file . . . . .	35
Referred to judiciary 2 . . . . .	70
57 By Jacobson, Bek man, Sharp, Bateson, McCarville, Vest, Hattery and Hedin. Relating to larceny in night time; penalty therefor.	
Introduced, passed on file . . . . .	35
Referred to judiciary 1 . . . . .	70
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58 By Jacobson, Bek man, Sharp, Bateson, McCarville, Vest, Hattery and Hedin. Relating to larceny in day time; penalty therefor.	
Introduced, passed on file . . . . .	36
Referred to judiciary 1 . . . . .	70
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59 By Jacobson, Bek man, Sharp, Bateson, McCarville, Vest, Hattery and Hedin. Relating to taking goods from officer; penalty therefor.	
Introduced, passed on file . . . . .	36
Referred to judiciary 1 . . . . .	70
Recommended indefinite postponement . . . . .	147
60 By Dykhouse. Relating to permitting trolling from power boats and sail boats on waters of State of Iowa where use of outboard motors is permitted; repealing section 109.77, Code.	
Introduced, passed on file . . . . .	36
Referred to conservation . . . . .	70
Recommended passage . . . . .	307
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Passed; ayes 46, nays none . . . . .	738
Reported enrolled . . . . .	779
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61 By Watson of O'Brien. Relating to appointment of probation officers in juvenile court; permitting one to serve two or more counties; adjustment of salaries and expenses.	
Introduced, passed on file . . . . .	36
Referred to compensation of public officers and employees . . . . .	70
Amendment filed . . . . .	423
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62 By Bekman, Jacobson and McCarville. Relating to gross premium tax payable by life insurance companies and associations; adding certain premiums to be excluded.	
Introduced, passed on file . . . . .	36
Referred . . . . .	70
Recommended passage . . . . .	137



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63 By Bekman, Jacobson and McCarville. Relating to investment of funds of life insurance companies and associations.	
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Recommended passage	137
Committee report adopted	153
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64 By O'Malley. Relating to sale of certain land belonging to State of Iowa; authorizing executive council to sell to Central Lutheran Church of Des Moines.	
Introduced, passed on file	36
Referred to public lands and buildings	70
Amendment filed	360
65 By West. Relating to sales tax exemptions on receipts from sales of certain items.	
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Referred to ways and means	70
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66 By West. Relating to witness fees and mileage in courts; increasing amount allowable.	
Introduced, passed on file	52
Referred	70
Recommended passage	307
Committee report adopted	348
Passed; ayes 47, nays 1	348
67 By West. Relating to increase in fees and mileage allowed jurors.	
Introduced, passed on file	53
Referred to compensation of public officers and employees	70
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68 By Berg, Bateson, Fishbaugh, Bekman, Oltman and Hultman. Relating to World War II bonus; providing appropriation to service compensation fund to pay unpaid claims to veterans of World War II and administration expenses therefor.	
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Amendment adopted	102
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69 By Anderson. Legalizing issuance of school building bonds by Consolidated School District of Ainsworth; levy of taxes for payment therefor.	
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Referred	70
Recommended passage	112
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Committee report adopted	144
Passed; ayes 47, nays none	145
Reported enrolled	359
Signed by President	360
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Signed by Governor	421
70 By Bekman, Byers, Jacobson, Mercer, Sharp and Watson of Pottawattamie. Relating to investment, sale and management of property held in trust by fiduciaries.	
Introduced, passed on file	53
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Recommended passage	219
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71 By Weichman. Legalizing special election proceedings and issuance of bonds by consolidated school district of Newhall.	
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Referred	82
Recommended passage	218
Committee report adopted	225
Passed; ayes 49, nays none	226
Reported enrolled	514
Signed by President	514
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Signed by Governor	529
72 By Zastrow and Lynes. Legalizing proceedings taken by town council of town of Greene; improvements to municipal water works.	
Introduced, passed on file	63
Referred	82
Recommended passage	147
Committee report adopted	184
Proof of publication certified	259
Passed; ayes 47, nays none	264
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73 By Gillespie. Relating to railroads; erection and maintenance of highway grade crossing signs.	
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74 By Dykhouse. Relating to relief for soldiers, sailors, marines; creating in Heu thereof county war veterans commissions.	
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Referred to military affairs	82
75 By Dalley. Relating to increase in compensation paid to judges and clerks in primary elections.	
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Referred to compensation of public officers and employees	82
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76 By West. Relating to increase in compensation of appointive members of state printing board.		vide refund to Allamakee County; appropriation therefor.	
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77 By McCarville and Oltman. Relating to Iowa old age and survivors' insurance system; refunds in case of termination of employment.		83 By Whitehead. Relating to powers and duties of school directors, school superintendents and school boards; requiring publication of receipts and disbursements from school activity and other non-public funds.	
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78 By Jacobson, Berg, Tudor, Anderson and Mollison. Relating to veterinary medicine and surgery; for license requiring citizenship and good character.		Recommended amendment and passage .....	193
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79 By Anderson, Mollison, Whitehead and Knudson. Relating to compensation increase of appointive members of Iowa Dairy Industry Commission; extension of annual butterfat tax period.		84 By Whitehead and Gillespie. Relating to fixing salary of county assessors annually.	
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Concurred .....	776	Referred to agriculture .....	91
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		Amendment filed .....	344
80 By Hattery, McCarville, Walter, Mercer, Bateson, Bekman, Zastrow, Byers, Henningsen, Jacobson, Berg, and Whitehead. Relating to Iowa highway safety patrol; increase of number of members thereof.		Committee report adopted .....	760
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81 By Hattery, Knudson, Byers, Parker, Zastrow, Jacobson, Berg, McCarville, Walter, Mercer, Bateson, Bekman, and Whitehead. Relating to increase in fees paid for operator's and chauffeur's licenses.		Sent to Governor .....	886
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82 By Jacobson. Relating to transfer of funds to agricultural land credit fund to pro-			
		89 By McCarville, Whitehead, Hedin, Oltman, Henningsen, O'Malley, Utzig and Mercer. Relating to headlights for rail employees when using track power cars at night.	
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90 By Augustine, Dalley, Mer- cer, O'Malley, Ridout, Rob- erts, Utzig and West. Relat- ing to labor boycotts and strikes; repealing chapter 756B in Code.	
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91 By Augustine, Dailey, Mercer, O'Malley, Ridout, Roberts, Utzig and West. Relat- ing to labor union mem- bership; repealing chapter 736A in Code.	
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92 By Vest. Relating to statu- te of frauds; land contracts.	
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93 By Dykhouse and Hattery. Relating to municipal corpo- rations; incorporation, dis- continuance, annexation or severance of territory, chang- ing of names thereof.	
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Passed; ayes 43, nays none .....	1094
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94 By Van Eaton, LinnevoId, Dykhouse, Lynes, Hattery and Parker. Relating to county libraries; withdrawal from library district.	
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95 By West. Relating to com- pensation of county officers, deputies, clerks; establishing population basis for fixing such compensation.	
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96 By Bateson, Colburn, Berg, Risk, O'Malley and Utzig. Relating to practice of chiro- practic; requiring four ac- ademic years in actual resi- dence for degree thereof.	
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97 By O'Malley. Relating to transit systems of cities and towns; permitting purchase thereof.	
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98 By Byers, Berg, O'Malley, Hedin, Van Eaton, Watson of Pottawattamie. Relating to reappointment of incumbent city assessor to new term without re-examination.	
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99 By Watson of O'Brien, Knudson, Berg, McCarville, Watson of Pottawattamie and Van Eaton. Relating to anti-pollution and sanitary districts; creation thereof with boundaries, legal entity, election of trustees thereof, providing for classification, assessments, tax levies; ad- judication and right of ap- peal.	
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100 By Whitehead. Relating to establishment, alteration and vacation of highways.	
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101 By Bekman, Dykhouse and Henningsen. Relating to li- censing of insurance agents.	
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102 By Bekman and Augustine. Relating to practice of ac- countancy; definition thereof.	
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103 By Bateson. Legalizing proceedings of town council of Ellsworth in issuance of bonds.	
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 115 By Bateson and Hedin. Relating to qualifications to practice cosmetology; providing that men as well as women may be licensed as practitioners; establishing age as eighteen years.	
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 116 By Jacobson, Myrland, Nesmith and Dailey. Relating to increase in fees to be collected by county recorder.	
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 117 By Jacobson, Myrland, Nesmith and Dailey. Relating to increase in fees charged by county recorder with reference to registration of farms.	
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 118 By Jacobson, Myrland, Nesmith and Dailey. Relating to increase in fees charged by county recorder with reference to trade name.	
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 120 By Jacobson, Myrland, Nesmith and Dailey. Relating to increases in fees to be collected by county recorder in filing and recording mortgages.	
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 122 By Walter, Knudson, Fletcher, Dailey, Berg, Gillespie and Doud. Relating to licensure and regulations of hospitals; regulation of nursing homes; providing exemption for county homes managed by county board of supervisors.	
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 123 By Whitehead, Knudson, Gillespie and Myrland. Relating to supplemental returns and listings by property owners; providing possible exemption of assessing by assessor; establishing penalty for property owner under certain conditions.	
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 124 By Whitehead and Lynes. Relating to issuance of written permit authorizing sale of anti-freeze; requiring testings and chemical analysis by certain laboratories.	
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 125 By O'Malley and Bekman. Relating to issuance of teachers' certificates to foreign applicants; providing for exchange of teachers between schools within or without United States.	
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Withdrawn .....	778
 126 By O'Malley. Relating to motor vehicles and law of road; truck tractor, semi-trailer, any combination of vehicles coupled together; prescribing length thereof and special permit to haul.	

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Introduced, passed on file.....	89	134 By Gillespie and Whitehead. Relating to free distribution by state superintendent of printing, of the Code and Acts of each General Assembly to each county assessor.	
Referred to motor vehicles.....	105	Introduced, passed on file.....	98
Amendment filed .....	270	Referred to printing .....	110
127 By O'Malley. Relating to street railway regulations; regulating standing space in front of, interfering with driver's view of right hand front door.		Amendment filed .....	204
Introduced, passed on file.....	89	135 By Watson of Pottawattamie. Relating to increase in compensation of waterworks trustees.	
Referred to public utilities.....	105	Introduced, passed on file.....	98
128 By Mercer. Relating to nominations by primary election; publication of names of candidates in two newspapers within county; setting forth type, style and cost thereof.		Referred .....	110
Introduced, passed on file.....	89	Recommended passage .....	519
Referred .....	105	Committee report adopted .....	643
Recommended passage .....	265	Passed; ayes 45, nays 1.....	643
Committee report adopted .....	584	136 By Watson of Pottawattamie. Legalizing refund to Council Bluffs school district by Iowa State Tax Commission.	
Amendment adopted .....	585	Introduced, passed on file.....	98
Passed; ayes 43, nays none.....	585	Referred to claims .....	110
129 By Bateson, Knudson and Zastrow. Relating to appointment of city assessors and their deputies; not requiring appointment of one of qualified electors of that city.		137 By Jacobson, Myrland, Nesmith and Vest. Relating to increase in fees charged by county treasurer with reference to tax certificates.	
Introduced, passed on file.....	90	Introduced, passed on file.....	98
Referred .....	105	Referred to compensation of public officers and employees	110
Recommended passage .....	216	Recommended passage .....	308
Committee report adopted.....	331	Withdrawn .....	816
Amendment adopted .....	331	138 By Jacobson, Myrland, Nesmith and Vest. Relating to increase in fees charged by county treasurer for certificates of taxes due.	
Passed; ayes 47, nays none.....	331	Introduced, passed on file.....	98
130 By Van Eaton and O'Malley. Relating to increase in salaries of clerk and bailiff of municipal court.		Referred to compensation of public officers and employees	110
Introduced, passed on file.....	90	Recommended passage .....	308
Referred to compensation of public officers and employees	105	Withdrawn .....	816
Recommended amendment, passage .....	498	139 By Jacobson, Myrland, Nesmith and Vest. Relating to increase in fees charged by county auditor with reference to transfer of title to real property.	
131 By Hart, Byers and Nesmith. Relating to exemptions from moneys and credits taxation of capital stock in certain manufacturing corporations; those organized under laws of other states but operating mainly in Iowa.		Introduced, passed on file.....	99
Introduced, passed on file.....	97	Referred to compensation of public officers and employees	111
Referred to tax revision.....	110	Recommended passage .....	308
Withdrawn .....	1151	Withdrawn .....	816
132 By Hart, Augustine, Tudor, Risk, Sharp and Humbert. Relating to clarification of powers of a "society"; as applied to county and district fairs.		140 By Jacobson, Myrland, Nesmith and Vest. Relating to increase in fees charged by county auditor with reference to land transfers, redemption certificates and tax certificates.	
Introduced, passed on file.....	97	Introduced, passed on file.....	99
Referred to agriculture .....	110	Referred to compensation of public officers and employees	111
Recommended passage .....	500	Amendment filed .....	137
Withdrawn .....	1101	Recommended amendment, passage .....	308
133 By Hart. Relating to enforcing a lien to provide payment for cost of care of inmates in Woodward State Hospital and Glenwood State School.		Withdrawn .....	816
Introduced, passed on file.....	98	141 By Jacobson, Myrland, Nesmith and Vest. Relating to increase in fees charged by	
Referred to board of control.....	110		
Recommended passage .....	476		
Withdrawn .....	1202		

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county auditor with reference to estrays.	
Introduced, passed on file.....	99
Referred to compensation of public officers and employees	111
Recommended passage .....	309
Withdrawn .....	816
 142 By Prentis. Relating to public archives; authorizing destruction of certain warrants after custody for fixed period.	
Introduced, passed on file.....	99
Referred .....	111
Recommended passage .....	333
Committee report adopted.....	643
Passed; ayes 45, nays none.....	643
Concurred .....	777
Passed; ayes 46, nays none.....	777
Reported enrolled .....	802
Signed by President.....	802
Sent to Governor .....	802
Signed by Governor.....	853
 143 By Dailey, Vest and McCarville. Relating to rights of vendors and purchasers of realty; where subject matter is destroyed before consummation of contract.	
Introduced, passed on file.....	99
Referred to judiciary 2.....	111
 144 By Walter and Dykhouse. Relating to funds of local warehouse boards; providing for distribution thereof to 4-H clubs after approval by Secretary of Agriculture.	
Introduced, passed on file.....	99
Referred to agriculture.....	111
Recommended passage .....	403
Amendments filed .....	531, 557
 145 By Berg, Byers, Dykhouse, Hattery, Henningsen, Hultman, Knudson and Zastrow. Relating to establishing a state building code; appointment of state building commissioner; powers, duties, penalties.	
Introduced, passed on file.....	99
Referred to public lands and buildings .....	111
Recommended passage .....	404
Amendment filed .....	387
 146 By O'Malley. Relating to general powers of cities and towns; providing additional power to purchase and pay for liability and property damage insurance which shall insure city employees.	
Introduced, passed on file.....	100
Referred to social security.....	111
Recommended passage .....	657
 147 By O'Malley. Relating to increased loading capacity—re-registration with reference to hauling road surfacing materials on farm to market roads.	
Introduced, passed on file.....	100
Referred to motor vehicles.....	111

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148 By McCarville. Relating to creating a legislative council for state of Iowa; membership, powers, duties, establishment of research and bill drafting service; appropriation therefor.	
Introduced, passed on file.....	108
Referred to governmental affairs	136
Recommended passage .....	741
Reassigned to appropriations...	879
 149 By McCarville, Lord, Hedin and Utzig. Relating to increase in salaries of justices of the peace and constables.	
Introduced, passed on file.....	108
Referred .....	136
Amendments filed .....	287, 681
Recommended passage .....	499
Committee report adopted.....	652
Amendment adopted .....	652
Amendments adopted .....	697
Passed; ayes 45, nays none.....	697
Reported enrolled .....	958
Signed by President.....	958
Sent to Governor.....	958
Signed by Governor.....	977
 150 By Bateson, Fishbaugh and McCarville. Relating to permits received from other states for dead bodies being shipped into the state; making cemetery sexton authority for final disposition thereof.	
Introduced, passed on file.....	109
Referred to public health.....	136
Withdrawn .....	448
 151 By Humbert, Fishbaugh and West. Relating to a bounty for raccoons.	
Introduced, passed on file.....	109
Referred to conservation.....	136
 152 By Humbert, Fishbaugh and West. Relating to a bounty for groundhogs.	
Introduced, passed on file.....	109
Referred to conservation.....	136
Recommended passage .....	763
 153 By Watson of Pottawattamie, Van Eaton, O'Malley, Elthon, Doud and Bekman. Relating to regulation of business of making loans of \$500 or less; providing maximum interest rate on certain part of unpaid principal balance.	
Introduced, passed on file.....	109
Referred to banks, building and loan .....	136
Returned without recommendation .....	473
 154 By Humbert and West. Relating to public schools; requiring schools to provide band uniforms.	
Introduced, passed on file.....	109
Referred to schools and educational institutions .....	136
Amendment filed .....	271
 155 By Zastrow, Knudson and Oltman. Relating to corn and small grain growers associa-	

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tion; changing term of crop improvement association; stating purposes and objects thereof; duties of board of directors thereof.	
Introduced, passed on file.....	110
Referred to agriculture.....	136
Recommended passage.....	404
Withdrawn.....	1008
 156 By Parker. Relating to general provisions of the practice acts to change provisions governing medical examiners; requiring that not more than two of such examiners shall belong to same school of medical practice.	
Introduced, passed on file.....	110
Referred.....	136
Recommended passage.....	286
Committee report adopted.....	416
Passed; ayes 44, nays none.....	416
Reported enrolled.....	958
Signed by President.....	958
Sent to Governor.....	958
Signed by Governor.....	977
 157 By Bekman, Nesmith, Mercer, Parker, O'Malley, Hedlin and Dailey. Relating to state plumbing code; providing licensing and regulation of plumbers; investigation and inspection of installations.	
Introduced, passed on file.....	110
Referred to manufacturing, commerce and trade.....	136
Amendments filed.....	313, 804
Recommended passage.....	435
 158 By Fishbaugh, West and Roberts. Relating to open-cut or strip mines for production of coal; providing payment of a tonnage tax guaranteeing replacement of surface soil and loss of tax revenue; enforcement thereof.	
Introduced, passed on file.....	110
Referred.....	136
Recommended passage.....	357
Rules suspended.....	671
Committee report adopted.....	672
Amendment filed.....	701-702
Passed; ayes 40, nays 8.....	729
Explanation of vote.....	729
 159 By Bekman, McCarville, Mercer and Zastrow. Relating to investments of insurance companies other than life; authorizing investment in obligations issued, assumed or guaranteed by International Bank for Reconstruction and Development.	
Introduced, passed on file.....	115
Referred.....	145
Recommended passage.....	177
Committee report adopted.....	250
Passed; ayes 27, nays 16.....	251
 160 By Bekman, McCarville, Mercer and Zastrow. Relating to investment of funds of life insurance companies and associations; authorizing investment in obligations is-	

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sued, assumed or guaranteed by International Bank for Reconstruction and Development.	
Introduced, passed on file.....	115
Referred to insurance.....	145
Recommended passage.....	177
Committee report adopted.....	251
Amendment filed.....	255
Amendment adopted.....	322
Failed; ayes 23, nays 23.....	322
Motion to reconsider, filed.....	339
Motion to reconsider withdrawn.....	403
 161 By Lord. Relating to authorizing a land patent in Muscatine County to be issued to Charles Henderson.	
Introduced, passed on file.....	115
Referred.....	145
Recommended passage.....	404
Committee report adopted.....	417
Passed; ayes 44, nays none.....	417
Reported enrolled.....	468
Signed by President.....	468
Sent to Governor.....	468
Signed by Governor.....	513
 162 By Roberts. Relating to appropriation from general fund to agricultural land credit fund to provide refund to Marion County for omitted claims.	
Introduced, passed on file.....	116
Referred to appropriations.....	145
 163 By Hattery and Dykhouse. Relating to general powers of municipal corporations.	
Introduced, passed on file.....	116
Referred.....	145
Amendments filed.....	222, 360, 437, 455, 477
Made special order.....	386
Committee report adopted.....	492
Amendments withdrawn.....	492
Amendments adopted.....	493, 494
Passed; ayes 48, nays 2.....	495
Concurred.....	1074
Passed; ayes 45, nays none.....	1074
Reported enrolled.....	1196
Signed by President.....	1196
Sent to Governor.....	1196
Signed by Governor.....	1255
 164 By Dykhouse and Hattery. Relating to general powers and duties of municipal officers; repealing various sections of the Code relating thereto and enacting substitutes thereof.	
Introduced, passed on file.....	116
Referred.....	145
Recommended amendment and passage.....	216
Made special order.....	386
Amendments filed.....	222, 235, 334, 455, 501
Committee report adopted.....	510
Amendments adopted.....	511, 512, 513
Passed; ayes 50, nays none.....	513
Concurred.....	1096
Reported correctly enrolled.....	1249
Signed by President.....	1249
Sent to Governor.....	1250
Signed by Governor.....	1255



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165 By Hattery and Dykhouse. Relating to forms of government, classification, fiscal year of municipal corporations, election of officers thereof; repeal of various sections of the Code and enactment of substitutes therefor.	
Introduced, passed on file.....	116
Referred .....	145
Amendment filed .....	235
Recommended amendment, passage .....	267
Made special order .....	386
Amendments filed .....	405
Committee report adopted.....	448
Amendment adopted..... 448, 449,	450
Amendment withdrawn .....	448
Passed; ayes 50, nays none....	450
Concurred in part .....	1074
Refused to concur .....	1074
Conference committee appointed.1130	
Conference report .....	1177
Conference report adopted.....1180	
Passed; ayes 50, nays none....1180	
Reported correctly enrolled....1251	
Signed by President .....	1251
Sent to Governor .....	1251
Signed by Governor .....	1255
166 By Berg, Henningsen, Van Eaton, McCarville, Knudson and Dalley. Relating to construction and maintenance of garages for storage, servicing of motor vehicles and other equipment of cities and towns.	
Introduced, passed on file.....	116
Referred .....	145
Recommended passage .....	217
Amendment filed .....	222
Committee report adopted.....	330
Amendment adopted .....	330
Passed; ayes 47, nays none....	330
Reported enrolled .....	368
Signed by President .....	368
Sent to Governor .....	368
Signed by Governor .....	900
167 By Watson of Pottawattamie and West. Relating to per capita tax levied for creating the old age assistance fund; removing liability therefor; repealing the code sections referring thereto.	
Introduced, passed on file.....	116
Referred to social security.....	145
168 By Vest. Relating to tax levied for repair, furnishing and care of township buildings.	
Introduced, passed on file.....	117
Referred to tax revision.....	145
169 By Bekman, Berg, Byers, Bateson, Jacobson, Zastrow and Dykhouse. Relating to expenses and extraordinary services in probate matters; including joint tenancy property.	
Introduced, passed on file.....	117
Referred .....	145
Recommended passage .....	311
Committee report adopted.....	732
Passed; ayes 40, nays 1.....	732

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170 By Mercer. Relating to number of city councilmen to be elected under city manager form of government; fixing 1960 census as determining population figure for year 1961.	
Introduced, passed on file.....	117
Referred to judiciary 1.....	145
Recommended passage .....	350b
Committee report adopted.....	358
H. F. 161 substituted .....	358
Withdrawn .....	359
171 By Van Eaton. Relating to eligibility of trustees in drainage districts; requiring they may be owners of agricultural land.	
Introduced, passed on file.....	117
Referred to agriculture .....	145
172 By Zastrow and Dalley. Relating to contracts of certificated school employees; providing for preliminary hearing of causes for dissatisfaction before notice of termination of contract is given by board of education.	
Introduced, passed on file.....	117
Referred to schools and educational institutions .....	145
Amendment filed .....	148
173 By O'Malley and McCarville. Relating to contracts of certificated school employees to clarify procedure in discharging employee for cause during life of valid contract.	
Introduced, passed on file.....	117
Referred to schools and educational institutions .....	145
174 By Vest and Dalley. Relating to termination of exhausted guardianships.	
Introduced, passed on file.....	118
Referred to judiciary 2.....	145
Recommended passage .....	311
Committee report adopted.....	732
H. F. 200 substituted .....	732
Withdrawn .....	733
175 By Henningsen. Relating to biennial elections and six-year terms for members of boards of directors in independent school district in cities between 15,000 and 125,000 population.	
Introduced, passed on file.....	118
Referred to schools and educational institutions .....	146
Amendment filed .....	204
Amendment filed .....	742
176 By Vest and Dalley. Relating to appointment of a guardian for a minor owning property not exceeding \$500 in value.	
Introduced, passed on file.....	118
Referred to judiciary 2.....	146
Recommended passage .....	311
Committee report adopted.....	733
H. F. 199 substituted .....	733
Withdrawn .....	734

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177 By Lynes, Watson of Pot-tawattamie, Zastrow, Doud and O'Malley. Relating to appeals from orders made by local school boards and county boards of education respecting school transportation and bus routes; repealing two sections of the Code and enacting substitutes therefor.	
Introduced, passed on file.....	138
Referred .....	176
Recommended passage .....	254
Amendments filed .....	314, 405-407
Committee report adopted.....	550
Amendments adopted .....	552
Amendment withdrawn .....	552
Passed; ayes 47, nays none.....	552
Reported enrolled .....	1059
Signed by President .....	1060
Sent to Governor .....	1060
Signed by Governor .....	1182
178 By Insurance. Relating to investments of insurance companies other than life; changing phrase to "the United States of America, or any state thereof."	
Introduced, placed on calendar..	138
Referred .....	176
Passed; ayes 46, nays none.....	184
Reported enrolled .....	656
Signed by President .....	657
Sent to Governor .....	657
Signed by Governor .....	704
179 By Vest. Relating to issuance of beer permits.	
Introduced, passed on file.....	139
Referred to judiciary 1.....	176
180 By Zastrow, O'Malley, Dalley, McCarville and Vest. Relating to a State Tort Claims Act; creation thereof; defining terms, conferring state agency powers, generally providing for practice and procedure to establish liability of state.	
Introduced, passed on file.....	139
Referred to judiciary 2.....	176
181 By McCarville, Bateson and Zastrow. Relating to licensing of electricians; creation of state board of electricity.	
Introduced, passed on file.....	139
Referred to manufacturing, commerce and trade .....	176
Amendment filed .....	235
182 By Zastrow and Ridout. Relating to employment of persons under sixteen years of age; permitting employment hereafter in bowling alleys.	
Introduced, passed on file.....	149
Referred to manufacturing, commerce and trade .....	193
Withdrawn .....	879
183 By Zastrow and Oltman. Relating to coroners; enacting in lieu thereof a substitute creating a board on post-mortem examinations; duties, powers, functions thereof;	

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appointment of chief medical referee; establishment of central office and laboratory; appointment of county medical referees; appropriation from general fund.	
Introduced, passed on file.....	149
Referred to public health.....	193
Returned without recommendation .....	741
Amendment filed .....	742-745
Referred to appropriations.....	763
184 By Lord, Colburn, Dykhouse, Sharp, Van Eaton, Jacobson, Berg, Doud, Hultman and Elthon. Relating to unemployment compensation so as to increase weekly benefit amounts, and to reduce certain contribution rates to be paid by employers.	
Introduced, passed on file.....	150
Referred to social security.....	193
Amendment filed .....	502
Recommended passage .....	574
Sifting recommends calendar...	869
Committee report adopted.....	882
H. F. 265 substituted .....	882
Withdrawn .....	884
185 By Lord, Colburn, Dykhouse, Sharp, Van Eaton, Jacobson, Berg, Doud, Hultman and Elthon. Relating to workmen's compensation so as to increase benefit payments for permanent or partial disability and increase weekly compensation amount.	
Introduced, passed on file.....	150
Referred to social security.....	193
Recommended passage .....	574
Amendment filed .....	702-704
Sifting recommends calendar...	869
Committee report adopted.....	883
H. F. 264 substituted .....	883
Withdrawn .....	884
186 By O'Malley, Byers, Zastrow, Sharp and Bateson. Relating to increase in compensation of shorthand reporters in district courts; increase of expense allowance.	
Introduced, passed on file.....	150
Referred .....	193
Recommended passage .....	391
Committee report adopted .....	799
Passed; ayes 44, nays none.....	799
Reported enrolled .....	958
Signed by President .....	958
Sent to Governor .....	958
Signed by Governor .....	977
187 By O'Malley. Relating to street railway regulations; outlying terminal accommodations.	
Introduced, passed on file.....	150
Referred to railroads.....	193
Amendment filed .....	194
188 By Van Patten, Dalley, Anderson and O'Malley. Relating to state aid for vocational education.	
Introduced, passed on file.....	150
Referred .....	193

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Recommended passage	385
Referred to appropriations	389
Recommended amendment, passage	1170
Committee reports adopted	1181
Amendment adopted	1184
Passed; ayes 50, nays none	1185
Reported enrolled	1251
Signed by President	1251
Sent to Governor	1251
Signed by Governor	1255
<b>189</b> By Judiciary 1. Relating to special limitations of actions in regard to recovery of interests in real estate.	
Introduced, placed on calendar	150
Amendment filed	235
Amendment adopted	279
Passed; ayes 47, nays none	279
Concurred	326
Passed; ayes 47, nays none	326
Reported correctly enrolled	359
Signed by President	360
Sent to Governor	360
Signed by Governor	421
<b>190</b> By Walter and Hattery. Relating to state conservation commission to provide for participation in the Federal Restoration Act to aid state in fish restoration projects.	
Introduced, passed on file	151
Referred to conservation	193
Recommended passage	470
<b>191</b> By O'Malley. Relating to limitation of employment agency fee; increase thereof.	
Introduced, passed on file	151
Referred	193
Recommended passage	311
Committee report adopted	750
Passed; ayes 43, nays none	750
Reported enrolled	927
Signed by President	928
Sent to Governor	928
Signed by Governor	963
<b>192</b> By McCarville. Relating to method of payment of salaries of certain county officers.	
Introduced, passed on file	151
Referred to compensation of public officers and employees	193
<b>193</b> By Bekman. Relating to extension of school year to insure at least 180 days of class work; school activities to take place on other days in the two weeks to be added to school year.	
Introduced, passed on file	179
Referred to schools and educational institutions	202
<b>194</b> By O'Malley. Relating to increases in fee for attorney of defendant in criminal cases, appointed by court.	
Introduced, passed on file	179
Referred to compensation of public officers and employees	202
Recommended passage	499
<b>195</b> By O'Malley. Relating to increase in compensation of petit jurors.	
Introduced, passed on file	179

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Referred to compensation of public officers and employees	202
Withdrawn	366
<b>196</b> By Highways. Relating to appointment and terms of members of state highway commission; extending term to five years.	
Introduced, placed on calendar	180
Amendment filed	361
Re-referred to highways	545
<b>197</b> By O'Malley. Relating to boundary line changes, consolidation, of school districts; requiring approval of county board of education to be effective.	
Introduced, passed on file	180
Referred to schools and educational institutions	202
Withdrawn	301
<b>198</b> By Bekman. Relating to issuance of land patent to William Ware in Wapello County.	
Introduced, passed on file	180
Referred	202
Recommended passage	404
Amendment filed	557
Committee report adopted	570
Amendment adopted	570
Passed; ayes 50, nays none	570
Reported enrolled	762
Signed by President	762
Sent to Governor	762
Signed by Governor	803
<b>199</b> By Knudson. Relating to apportionment and payment of road use tax fund to certain cities and towns incorporated between federal census of 1940 and that of 1950.	
Introduced, passed on file	180
Referred	202
Proof of publication certified	403
Recommended passage	423
Committee report adopted	645
Passed; ayes 46, nays none	645
Reported enrolled	762
Signed by President	762
Sent to Governor	762
Signed by Governor	803
<b>200</b> By Knudson. Relating to apportionment of road use tax fund to certain cities and towns incorporated since the federal census of 1950.	
Introduced, passed on file	180
Referred	202
Recommended passage	423
Committee report adopted	645
Passed; ayes 47, nays none	646
Reported enrolled	762
Signed by President	762
Sent to Governor	762
Signed by Governor	803
<b>201</b> By Dykhouse. Relating to permission to use live pigeons in training hunting dogs.	
Introduced, passed on file	180
Referred	202
Recommended passage	554
Rules suspended	667
Committee report adopted	667
Passed; ayes 38, nays 6	667

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Concurred .....	1098
Passed; ayes 37, nays 4 .....	1098
Reported enrolled .....	1249
Signed by President .....	1249
Sent to Governor .....	1250
Signed by Governor .....	1255
202 By Bekman, McCarville and Van Eaton. Relating to cost of care of persons in tuberculous hospitals; including out-patients under such care; inspection of such hospitals.	
Introduced, passed on file .....	181
Referred .....	202
Recommended passage .....	286
Amendment filed .....	606
Committee report adopted .....	699
Amendment adopted .....	699
Passed; ayes 41, nays none .....	699
Concurred .....	993
Passed; ayes 48, nays none .....	994
Reported enrolled .....	1059
Signed by President .....	1060
Sent to Governor .....	1060
Signed by Governor .....	1132
203 By Schools and Educational Institutions. Relating to reorganization of school districts and changing of boundary lines of school corporations; in respect to written requests and appeal and duties of county board of education in relation thereto.	
Introduced, placed on calendar ..	181
Amendments filed .....	255, 271
Amendments adopted .....	300
Passed; ayes 49, nays none .....	301
Concurred .....	689
Passed; ayes 48, nays none .....	690
Reported enrolled .....	719
Signed by President .....	719
Sent to Governor .....	719
Signed by Governor .....	761
204 By Bekman. Relating to preservation of report of amendments to Rules of Civil Procedure; providing for enrolled copies in same manner as Acts and that they be bound with the Acts of General Assembly.	
Introduced, passed on file .....	181
Referred .....	202
Recommended passage .....	312
Committee report adopted .....	548
Passed; ayes 48, nays none .....	548
Reported enrolled .....	762
Signed by President .....	762
Sent to Governor .....	762
Signed by Governor .....	803
205 By Whitehead and Hattery. Relating to minimum wage of public school teachers.	
Introduced, passed on file .....	195
Referred to schools and educational institutions .....	215
206 By Hattery, Bateson and Watson of O'Brien. Relating to color and mounting of lighting devices and reflectors on motor trucks or trailers.	
Introduced, passed on file .....	195
Referred to motor vehicles .....	215
Recommended passage .....	823
Withdrawn .....	954

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207 By Hattery, Bateson and Watson of O'Brien. Relating to color and flashing of lights on volunteer fire department members' motor vehicles in emergency service.	
Introduced, passed on file .....	196
Referred to motor vehicles .....	215
Amendment filed .....	361
Recommended amendment, passage .....	518
Committee report adopted .....	626
Amendment adopted .....	626
Passed; ayes 41, nays none .....	626
Reported enrolled .....	762
Signed by President .....	762
Sent to Governor .....	762
Signed by Governor .....	803
208 By Gillespie. Relating to administration of the poor laws; defining legal settlement of poor in a county; amount of assistance to be issued.	
Introduced, passed on file .....	196
Referred to social security .....	215
Returned without recommendation .....	574
209 By Van Eaton. Relating to appropriation from general fund to agricultural land credit fund for purpose of refund to Woodbury County for omitted claim.	
Introduced, passed on file .....	196
Referred to appropriations .....	215
210 By Humbert and Watson of Pottawattamie. Relating to governmental subdivision sales and use tax credits; tax certifying bodies, exemptions on purchases, revenue; repealing certain sections of the Code, amending other sections.	
Introduced, passed on file .....	196
Referred to ways and means .....	215
Recommended passage .....	472
Amendment filed .....	557
211 By Bekman. Relating to taxation of platted real estate as regards a residential lot without dwelling unit thereon.	
Introduced, passed on file .....	196
Referred to ways and means .....	215
Recommended amendment, passage .....	472
212 By Dykhouse and Hattery. Relating to taxation and other sources of municipal revenue; repealing certain sections of the Code.	
Introduced, passed on file .....	196
Referred .....	215
Amendments filed .. 393, 521, 557, 682	
Recommended passage .....	592
Made special order .....	651
Committee report adopted .....	751
Amendment withdrawn .....	752
Amendments adopted .....	752, 753
Passed; ayes 47, nays 1 .....	754
Concurred in part .....	1075
Refused to concur .....	1075
Conference committee appointed	1180
Conference committee report ..	1178

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Conference report adopted	1178
Passed; ayes 46, nays none	1179
Reported enrolled	1251
Signed by President	1251
Sent to Governor	1251
Signed by Governor	1255
213 By Banks, Building and Loan. Relating to per diem compensation paid to any member of an examining committee of a bank.	
Introduced, placed on calendar	196
H. F. 215 substituted	276
Withdrawn	328
214 By Banks, Building and Loan. Relating to legalizing payment certification or acceptance of a check or other negotiable instrument or transaction by bank or trust company performed after banking hours or on any legal holiday.	
Introduced, placed on calendar	197
H. F. 213 substituted	276
Withdrawn	328
215 By Colburn. Relating to designation of state department of social welfare as the state agency to make application to United States Secretary of Agriculture for return of assets of Iowa Rural Rehabilitation Corporation, now dissolved; providing for future administration of such assets.	
Introduced, passed on file	206
Referred to social security	232
216 By Bekman, Mercer, Van Patten, Berg, Hedlin, Hultman and Lord. Relating to termination of contracts for construction of public improvements when construction or work thereon is stopped because of a national emergency; procedures, adjustment and payment of compensation, settlement method in disputes in connection therewith.	
Introduced, passed on file	207
Referred to public lands and buildings	232
Recommended amendment, passage	436
Amendments filed	804, 826
Sifting recommends calendar	828
Committee report adopted	1123
H. F. 238 substituted	1142
Withdrawn	1177
217 By Welchman. Relating to change of name of state school for blind to the Iowa Braille and Sight-Saving School.	
Introduced, passed on file	207
Referred	232
Recommended passage	306
Committee report adopted	419
Passed; ayes 31, nays 11	528
Reported enrolled	1059
Signed by President	1060
Sent to Governor	1060
Signed by Governor	1132

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218 By Henningsen and Van Eaton. Relating to teachers; providing for sabbatical leaves; rules and regulations relating thereto.	
Introduced, passed on file	207
Referred to schools and educational institutions	232
219 By Hedlin. Legalizing proceedings connected with renewal of articles of incorporation of Scharff Realty Company of Davenport.	
Introduced, passed on file	207
Referred to judiciary 2	232
Recommended passage	312
Withdrawn	410
220 By Zastrow. Relating to the Road Clearing Fund; increasing amount that may be levied against taxable property; preventing certain charges for equipment or work being charged against adjoining owner.	
Introduced, passed on file	207
Referred to ways and means	232
Recommended indefinite postponement	555
Indefinitely postponed	604
221 By Judiciary 2. Relating to change in name of hospital for epileptics and feeble-minded and of the school for feeble-minded to "Woodward state hospital and school" and "Glenwood state school."	
Introduced, placed on calendar	223
H. F. 167 substituted	242, 372
Withdrawn	373
222 By Private Corporations. Relating to records of any corporation organized under laws of State of Iowa or authorized to do business in Iowa and maintaining its books and records in Iowa; certain rights of stockholders; repeal of certain sections in the Code and enactment of substitutes.	
Introduced, placed on calendar	223
Amendments filed	314, 361
Amendment withdrawn	373
Amendments adopted	373, 381
Passed; ayes 43, nays 6	381
Reported enrolled	762
Signed by President	762
Sent to Governor	762
Signed by Governor	803
223 By Private Corporations. Relating to regulation and supervision of foreign corporations.	
Introduced, placed on calendar	223
Passed; ayes 47, nays none	382
Reported enrolled	434
Signed by President	434
Sent to Governor	434
Signed by Governor	497
224 By Private Corporations. Relating to corporations for pecuniary profit; repealing sections of the Code in regard to posting by-laws and state-	

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ment of stock and indebtedness.		230 By Doud, Welchman, Colburn, Augustine and Mercer.	
Introduced, placed on calendar..	224	Relating to increase in per diem salary of county, municipal and school examiners and assistants.	
Amendment filed .....	315	Introduced, passed on file .....	224
Amendment adopted .....	382	Referred .....	244
Passed; ayes 48, nays 1 .....	382	Recommended passage .....	309
Reported enrolled .....	572	Committee report adopted .....	621
Signed by President .....	572	Passed; ayes 40, nays none .....	621
Sent to Governor .....	572	Reported enrolled .....	958
Signed by Governor .....	604	Signed by President .....	958
		Sent to Governor .....	958
225 By Private Corporations.		Signed by Governor .....	977
Relating to issuance of any capital stock; filing of certificate of sale thereof.		231 By Banks, Building and Loan.	
Introduced, placed on calendar..	224	Relating to increase in allowance for traveling expenses of state superintendent of banking in attending necessary conferences and conventions.	
Passed; ayes 47, nays none .....	383	Introduced, placed on calendar..	225
Reported enrolled .....	762	H. F. 217 substituted .....	276
Signed by President .....	762	Withdrawn .....	340
Sent to Governor .....	762		
Signed by Governor .....	803	232 By Byers and Berg.	
226 By Private Corporations.		Relating to definition of the word "fireworks"; excepting toy pistols, toy guns, toy canes and toy cannons.	
Relating to regulation and supervision of corporations for pecuniary profit; change of place of business thereof.		Introduced, passed on file .....	225
Introduced, placed on calendar..	224	Referred .....	244
Amendment filed .....	344	Recommended passage .....	435
Amendment adopted .....	384	Committee report adopted .....	653
Passed; ayes 48, nays none .....	384	Passed; ayes 40, nays 4 .....	653
Reported enrolled .....	434		
Signed by President .....	434	233 By O'Malley.	
Sent to Governor .....	434	Relating to city and interurban transit systems; requiring certain heat facilities for operators thereof.	
Signed by Governor .....	497	Introduced, passed on file .....	236
227 By Van Eaton.		Referred to public utilities .....	254
Relating to motor vehicles and marks or lines placed on road or highway, requiring 90 degree angle lines leading toward center line be placed at both ends of "no passing" lines.		234 By Van Eaton, O'Malley and Dalley.	
Introduced, passed on file .....	224	Relating to increase in salaries of clerk and bailiff of municipal court.	
Referred to motor vehicles .....	244	Introduced, passed on file .....	236
Recommended indefinite postponement .....	604	Referred to compensation of public officers and employees .....	254
Indefinitely postponed .....	657	Recommended amendment, passage .....	519
		Withdrawn .....	1203
228 By Schools and Educational Institutions.		235 By Prentiss.	
Relating to expansion of school lunch programs in public schools; to authorize acceptance of federal funds; conduct studies, appraisals thereof.		Relating to maintaining a funeral home for period of two years after death of licensed embalmer; repealing section 156.8 of the Code.	
Introduced, placed on calendar..	224	Introduced, passed on file .....	237
Amendment filed .....	393	Referred .....	254
Amendments adopted .....	527, 528	Recommended passage .....	375
Passed; ayes 42, nays none .....	528	Committee report adopted .....	788
Reported enrolled .....	988	Passed; ayes 43, nays none .....	788
Signed by President .....	988		
Sent to Governor .....	988	236 By Judiciary 1.	
Signed by Governor .....	1034	Relating to legalizing acts of notaries public and acknowledgments.	
229 By Doud, Welchman, Colburn, Augustine and Mercer.		Introduced, placed on calendar..	237
Relating to increase in compensation of building and loan examiners.		H. F. 221 substituted .....	341
Introduced, passed on file .....	224	Withdrawn .....	341
Referred .....	244		
Recommended passage .....	309	237 By Judiciary 1.	
Committee report adopted .....	620	Relating to claims against estates, guardianships or trusts; setting time limits for claims and actions.	
Passed; ayes 41, nays none .....	621	Introduced, placed on calendar..	337
Reported enrolled .....	958		
Signed by President .....	958		
Sent to Governor .....	958		
Signed by Governor .....	977		

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Amendment filed .....	271
H. F. 318 substituted .....	528
Withdrawn .....	699
 238 By Welchman. Relating to motor vehicles; special permits issued by state highway commission to haul certain machinery or loads under certain restrictions; making applicable to longer hauls.	
Introduced, passed on file .....	237
Referred .....	254
Committee report adopted .....	620
Passed; ayes 41, nays none .....	620
 239 By LinnevoId. Relating to time permitted for filing annual reports to commissioner of insurance, changing from January to March 1.	
Introduced, passed on file .....	237
Referred .....	254
Recommended passage .....	454
Committee report adopted .....	620
Passed; ayes 41, nays none .....	620
Reported enrolled .....	988
Signed by President .....	988
Sent to Governor .....	988
Signed by Governor .....	1034
 240 By Van Eaton. Relating to exemption date of application affecting boundary rivers; making applicable "for duration of emergency."	
Introduced, passed on file .....	237
Referred to conservation .....	254
 241 By Watson of Pottawattamie. Legalizing action of board of supervisors of Pottawattamie county in authorizing payment to city assessor's fund in Council Bluffs.	
Introduced, passed on file .....	237
Referred .....	254
Recommended passage .....	357
Proof of publication certified .....	573
Committee report adopted .....	610
Passed; ayes 35, nays none .....	610
Concurred .....	716
Passed; ayes 44, nays none .....	716
Reported enrolled .....	762
Signed by President .....	762
Sent to Governor .....	762
Signed by Governor .....	803
 242 By Jacobson, Fletcher, Vest and O'Malley. Relating to definition and licensing of children's boarding homes; providing authority for state board of social welfare to establish standards, to accept findings as to suitability of private family home for child care.	
Introduced, passed on file .....	246
Referred to board of control ..	265
 243 By Judiciary 2. Relating to release and discharge of investments and liens of fiduciaries.	
Introduced, placed on calendar ..	246
Passed; ayes 43, nays none .....	418
Reported enrolled .....	656
Signed by President .....	657
Sent to Governor .....	657
Signed by Governor .....	700

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244 By Judiciary 2. Relating to change in name of profession of "podiatry" to that of "chiroprody."	
Introduced, placed on calendar ..	247
H. F. 168 substituted .....	414
Withdrawn .....	415
 245 By Judiciary 2. Relating to investment of funds by fiduciaries.	
Introduced, placed on calendar ..	247
Amendments filed .....	557
Amendments adopted .....	562
Passed; ayes 46, nays none .....	562
Reported enrolled .....	762
Signed by President .....	762
Sent to Governor .....	762
Signed by Governor .....	803
 246 By Judiciary 2. Relating to legalizing and validating orders, judgments and decrees entered prior to July 4, 1951, upon service of notice by publication or posting.	
Introduced, placed on calendar ..	247
Amendment filed .....	502
H. F. 227 substituted .....	529
Withdrawn .....	568
 247 By Judiciary 2. Relating to legalizing and validating orders, judgments and decrees entered prior to July 4, 1951, where acceptance of service of notice in certain manner was done by attorney or his agent.	
Introduced, placed on calendar ..	247
H. F. 228 substituted .....	568
Withdrawn .....	568
 248 By Judiciary 2. Relating to consent to be given by court, when necessary, for adoption of a child deprived of parental care, under certain conditions.	
Introduced, placed on calendar ..	247
Amendment adopted .....	564
Passed; ayes 49, nays none .....	565
Reported enrolled .....	762
Signed by President .....	762
Sent to Governor .....	762
Signed by Governor .....	803
 249 By West. Relating to display of warning flags on tractors and other machines moved on a public highway.	
Introduced, passed on file .....	258
Referred to highways .....	285
 250 By Bateson. Relating to off-street parking and issuance of revenue bonds; permitting payment thereof from parking lot and parking meter revenue.	
Introduced, passed on file .....	258
Referred .....	285
Recommended passage .....	435
Committee report adopted .....	653
Passed; ayes 47, nays none .....	653
Reported enrolled .....	802
Signed by President .....	802
Sent to Governor .....	802
Signed by Governor .....	853

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251 By Jacobson, Myrland, Vest and Fletcher. Relating to increase in fees to be charged and retained by county treasurer for each motor vehicle registration and transfer.		Augustine and Gillespie. Relating to farm aid associations; annual meetings and appropriations thereto, method of disbursing money appropriated.	
Introduced, passed on file	259	Introduced, passed on file	273
Referred to compensation of public officers and employees	285	Referred to agriculture	305
Recommended passage	309	Recommended passage	375
Withdrawn	816	Committee report adopted	789
252 By Jacobson, Myrland, Vest and Fletcher. Relating to increase in fees to be charged by clerk of district court.		Amendments adopted	791, 805, 826, 862
Introduced, passed on file	259	Amendments withdrawn	862
Referred to compensation of public officers and employees	285	Passed; ayes 48, nays 1	863
Recommended passage	310	Reported enrolled	927
Withdrawn	816	Signed by President	928
253 By Jacobson, Myrland, Vest, Nesmith and Hattery. Relating to increase in fees to be charged by county sheriff.		Sent to Governor	928
Introduced, passed on file	259	Signed by Governor	963
Referred to compensation of public officers and employees	285	259 By McCarville, Hultman and O'Malley. Relating to abstracts of title to real estate; creating board of examiners; requiring licensing of persons, firms and corporations engaged therein; maintenance of surety bonds.	
Recommended passage	310	Introduced, passed on file	274
Withdrawn	816	Referred to judiciary 2	305
254 By O'Malley. Relating to raise in limitation on power to levy annual special taxes for improvement and maintenance fund of county public hospitals.		Recommended passage	473
Introduced, passed on file	273	Amendment filed	746
Referred to tax revision	305	260 By Henningsen. Relating to minors; making certain restrictions thereon and offenses against, apply to all persons under twenty-one years of age.	
Recommended amendment, passage	453	Introduced, passed on file	274
Committee report adopted	641	Referred to judiciary 2	305
H. F. 88 substituted	641	261 By Hattery. Relating to open season on deer; authorizing conservation commission to regulate method by which they may be taken.	
Withdrawn	642	Introduced, passed on file	274
255 By Anderson. Relating to permissive catch of fish in Mississippi and Missouri Rivers, with licensed nets and seines.		Referred to conservation	305
Introduced, passed on file	273	Recommended indefinite postponement	554
Referred to conservation	305	Indefinitely postponed	604
Recommended passage	554	262 By Hart. Relating to right of any person and duty of peace officers to kill licensed dog known to have bitten a person.	
256 By Roberts. Legalizing proceedings of city councils of Pella in authorizing extensions and improvements to municipal electric plant.		Introduced, passed on file	274
Introduced, passed on file	273	Referred to judiciary 2	305
Referred to judiciary 1	305	263 By Oltman. Relating to providing power to conservation commission to regulate methods of take of fish and game.	
Amendment filed	393	Introduced, passed on file	274
Proof of publication certified	434	Referred	305
Recommended passage	474	Recommended passage	470
Committee report adopted	623	Committee report adopted	668
H. F. 349 substituted	623	Passed; ayes 46, nays none	668
Withdrawn	624	264 By Utsig, Henningsen and O'Malley. Relating to school directors; giving them power to appoint secretary and treasurer to term of three years after having served ten months.	
257 By Van Patten. Relating to motor vehicle races, speed contests, endurance contests; prohibiting participation therein by persons not licensed and under twenty-five years of age.		Introduced, passed on file	274
Introduced, passed on file	273	Referred to schools and educational institutions	305
Referred to motor vehicles	305		
258 By Watson of O'Brien, Bekman, Henningsen, Mollison, Elthon, Zastrow, Whitehead,			



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265 By Utzig, Henningsen and O'Malley. Relating to school taxes; raising sum estimated for each pupil, required for general fund.	
Introduced, passed on file .....	275
Referred to schools and educational institutions .....	306
266 By Utzig, Henningsen and O'Malley. Relating to the uniform financial accounting system for Iowa school districts; directing state department of public instruction to revise.	
Introduced, passed on file .....	275
Referred to schools and educational institutions .....	306
267 By Utzig, Henningsen and O'Malley. Relating to school directors; repealing necessity of giving public information through newspapers of warrants issued and all financial matters.	
Introduced, passed on file .....	275
Referred to schools and educational institutions .....	306
268 By Utzig, Henningsen and O'Malley. Relating to general aid to schools; with respect to funds designed for use in special courses; repealing limitation of use therefor.	
Introduced, passed on file .....	275
Referred to schools and educational institutions .....	306
269 By O'Malley. Relating to cities operating under commission plan of government; defining property which is exempt from other taxes on account of certain revenue tax on bus operations.	
Introduced, passed on file .....	275
Referred to cities and towns ..	306
Amendment filed .....	362
270 By O'Malley. Relating to increasing limitation on acreage of schoolhouse sites.	
Introduced, passed on file .....	276
Referred to schools and educational institutions .....	306
Recommended passage .....	474
Sitting recommends calendar ..	988
Committee report adopted .....	1125
H. F. 370 substituted .....	1125
Withdrawn .....	1128
271 By Gillespie, Mollison and Anderson. Relating to election of commissioners in soil conservation districts; limiting voters to those owning or operating farms who live within the district.	
Introduced, passed on file .....	276
Referred to conservation .....	306
Recommended passage .....	555
272 By Hattery and Dykhouse. Relating to form and issuance of municipal bonds.	
Introduced, passed on file .....	276
Referred to cities and towns ..	332
Recommended passage .....	592
Made special order .....	651

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Amendment filed .....	704-705
Committee report adopted .....	754
Amendments adopted .....	758, 759
Passed; ayes 46, nays none ....	759
273 By Bekman, Hedlin, Hultman and Mercer. Relating to licensing and supervision of life insurance agents.	
Introduced, passed on file .....	276
Referred to insurance .....	332
274 By Bekman and Dykhouse. Relating to issuance of life insurance policies; repealing requirement they be based on medical examinations.	
Introduced, passed on file .....	289
Referred to insurance .....	332
Recommended passage .....	454
275 By O'Malley. Relating to increase in compensation of members of board of social welfare.	
Introduced, passed on file .....	290
Referred to compensation of public officers and employees ..	332
Recommended passage .....	499
276 By Doud. Relating to providing expenses for judges of the supreme court.	
Introduced, passed on file .....	290
Referred to compensation of public officers and employees ..	332
277 By Doud and Fletcher. Relating to time of voting the primary election and making canvass of the returns thereof.	
Introduced, passed on file .....	290
Referred to election reform ....	332
Recommended passage .....	501
278 By Parker and Byers. Relating to creation of county, district, multicounty boards of health; establishment of health departments thereof; appointment of health officers and employment of medical, nursing, sanitation personnel therefor; authorizing levy of taxes for various purposes of this Act.	
Introduced, passed on file .....	290
Referred to public health .....	332
279 By Watson of Pottawattamie. Relating to income taxes; providing for joint return by husband and wife; splitting of income equally thereof for income tax purposes.	
Introduced, passed on file .....	290
Referred to tax revision .....	332
Recommended passage .....	497
Committee report adopted .....	844
Amendments filed .....	805-806
Amendment filed .....	869
H. F. 109 substituted .....	1143
Withdrawn .....	1144
280 By Jacobson. Relating to personal surety bonds filed in any action or proceeding in court; prescribing requirements thereof.	
Introduced, passed on file .....	290
Referred to judiciary 1 .....	332

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281 By Jacobson. Relating to securities and investments of trust funds; authorizing agreements between principal and surety for deposit and joint control of funds and property.	
Introduced, passed on file .....	291
Referred to judiciary 1 .....	332
Recommended amendment, passage .....	765
282 By Bateson. Relating to increase in supplementary aid to school districts.	
Introduced, passed on file .....	291
Referred to schools and educational institutions .....	333
283 By Knudson. Relating to school bus drivers; repealing requirement they must obtain permit issued by state superintendent of public instruction.	
Introduced, passed on file ....	291
Referred to schools and educational institutions .....	333
284 By Watson of O'Brien and Doud. Relating to age of children required to attend school; raising age from 16 to 18 years, and requiring completion of twelfth grade to be excused, within such age limits.	
Introduced, passed on file .....	291
Referred to schools and educational institutions .....	333
Returned without recommendation .....	700
285 By McCarville, Henningsen, Dalley, Lord, O'Malley and Berg. Relating to retirement systems for policemen, firemen; providing full benefits thereunder when under orders performing duties outside certain city or town.	
Introduced, passed on file .....	291
Referred to social security .....	333
Recommended passage .....	658
286 By Fishbaugh, Ridout, Vest and Risk. Relating to headquarters of chartered veterans' organizations; providing space therefor in state office building when completed.	
Introduced, passed on file .....	291
Referred to military affairs .....	333
287 By O'Malley. Relating to retail sales tax exemptions; with reference to certain city transit systems.	
Introduced, passed on file .....	317
Referred to ways and means .....	341
Recommended indefinite postponement .....	555
Re-referred to ways and means .....	572
288 By O'Malley. Relating to valuation and assessment for taxation of property for railway companies; providing that certain city transit systems shall be subject thereto in same manner.	
Introduced, passed on file .....	317
Referred to ways and means .....	341

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289 By Augustine. Relating to benefits under Iowa old age and survivors' insurance system; raising monthly benefits; requiring payment from any money in state treasury not otherwise appropriated.	
Introduced, passed on file .....	317
Referred to social security .....	341
Amendment filed .....	362
Recommended passage .....	553
290 By McCarville and Dalley. Relating to Iowa workmen's compensation law; providing for additional benefits.	
Introduced, passed on file .....	317
Referred to social security .....	341
291 By McCarville and Dalley. Relating to Iowa occupational disease law; providing employer shall make certain arrangements for tests and disease must be incidental to character of the business.	
Introduced, passed on file .....	317
Referred to social security .....	341
292 By McCarville and Dalley. Relating to second injury of the Iowa workmen's compensation law; providing employer's liability shall be the same as for a first injury.	
Introduced, passed on file .....	317
Referred to social security .....	341
293 By Welchman. Relating to rotation of names on ballots in territories smaller than a county.	
Introduced, passed on file .....	318
Referred to election reform .....	341
294 By Lynes, Molison, Anderson and Augustine. Relating to eradication of Bang's disease.	
Introduced, passed on file .....	318
Referred to agriculture .....	341
295 By Doud. Relating to expenditures of board of parole in delivering a court parolee to institution following revocation of parole.	
Introduced, passed on file .....	318
Referred .....	342
Recommended passage .....	764
Committee report adopted .....	898
Passed; ayes 42, nays 2 .....	898
Reported enrolled .....	1083
Signed by President .....	1084
Sent to Governor .....	1084
Signed by Governor .....	1169
296 By Zastrow, West and Anderson. Relating to presence of minors in pool halls and billiard rooms, with class "A" licenses, not selling beer.	
Introduced, passed on file .....	318
Referred to judiciary 1 .....	342
297 By Fletcher and Colburn. Relating to time for certification of budgets, levies for bond issues and other levies to be filed with county auditor.	
Introduced, passed on file .....	318

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Referred to tax revision.....	342
Recommended passage.....	497
298 By Doud. Relating to renewal of teachers' certificates; requiring a record of professional employment to be presented to board of educational examiners.	
Introduced, passed on file.....	319
Referred to schools and educational institutions.....	342
Recommended passage.....	422
299 By O'Malley. Relating to assistance for blind persons; providing that in determining amount of eligible aid to applicant, the first fifty dollars of earned income shall be disregarded.	
Introduced, passed on file.....	335
Referred to social security.....	342
300 By O'Malley. Relating to establishment of a state owned lake in Polk County; providing an engineering survey and appropriation therefor; including appropriations for purchasing land, dredging or rip-rapping for certain other lakes.	
Introduced, passed on file.....	336
Referred.....	342
Recommended amendment, passage.....	470
Referred to appropriations.....	520
Recommended amendment, passage.....	1045
Committee report adopted.....	1121
Amendment adopted.....	1121
Passed; ayes 47, nays 1.....	1122
Reported enrolled.....	1251
Signed by President.....	1251
Sent to Governor.....	1251
Signed by Governor.....	1256
301 By Motor Vehicles. Relating to motor vehicles; defining "chauffeur"; exempting farmer and his hired help from being classed thereunder when transporting own produce.	
Introduced, placed on calendar..	336
Passed; ayes 45, nays none.....	750
302 By Motor Vehicles. Relating to motor vehicles; reducing fee for transit plate.	
Introduced, placed on calendar..	336
Passed; ayes 45, nays none.....	759
Reported enrolled.....	802
Signed by President.....	802
Sent to Governor.....	802
Signed by Governor.....	853
303 By Motor Vehicles. Relating to stopping vehicles at certain railroad crossings, relieving highway commission of certain responsibilities; transference thereof to local authorities.	
Introduced, placed on calendar..	336
H. F. 454 substituted.....	792
Withdrawn.....	793
304 By Motor Vehicles. Relating to registration plates is-	

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sued for motor vehicles; authorizing issuance of single plate in lieu of two such plates.	
Introduced, placed on calendar..	336
Amendment filed.....	606
H. F. 399 substituted.....	793
Withdrawn.....	794
305 By Motor Vehicles. Relating to re-registration of motor vehicles that have been in storage; authorizing fees to be computed with reference to unexpired months of year.	
Introduced, placed on calendar..	336
H. F. 396 substituted.....	794
Withdrawn.....	795
306 By Motor Vehicles. Relating to motor vehicles displaying or reflecting red lights.	
Introduced, placed on calendar..	336
H. F. 400 substituted.....	698
Withdrawn.....	699
307 By Motor Vehicles. Relating to reporting motor vehicle accidents where damage apparently exceeds fifty dollars or more.	
Introduced, placed on calendar..	337
Amendments filed.....	606
Amendment adopted.....	796
Passed; ayes 40, nays 1.....	796
308 By Motor Vehicles. Relating to motor vehicle dealers; definitions of the terms "used motor vehicle" or "second-hand motor vehicle."	
Introduced, placed on calendar..	337
Amendments filed.....	606
H. F. 453 substituted.....	797
Withdrawn.....	798
309 By Watson of Pottawattamie and Oltman. Relating to decreasing rate of tax imposed on income; increasing deductions therefrom.	
Introduced, passed on file.....	337
Referred to tax revisions.....	342
Recommended passage.....	497
310 By Military Affairs. Relating to payment of expenses of the Iowa State Guard; authorizing payment thereof on approval of Governor, from any state funds not otherwise appropriated or from any funds hereafter appropriated.	
Introduced, placed on calendar..	346
Passed; ayes 41, nays none.....	622
Reported enrolled.....	1249
Signed by President.....	1249
Sent to Governor.....	1250
Signed by Governor.....	1255
311 By Anderson and Tudor. Relating to increase in fees of justice of peace.	
Introduced, placed on file.....	346
Referred to compensation of public officers and employees..	389
Recommended passage.....	519

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312 By Vest and O'Malley. Relating to non-resident business, trade, technical and correspondence schools; requiring regulation and licensing thereof.		318 By Zastrow, Bateson, Parker and Oltman. Relating to descent and distribution; providing that aliens may inherit to same extent citizens of the United States may inherit in such foreign country.	
Introduced, passed on file.....	346	Introduced, passed on file.....	347
Referred to schools and educational institutions.....	389	Referred.....	390
Recommended passage.....	517	Recommended passage.....	474
313 By Gillespie, Lynes, Tudor, Anderson, Mollison and Humbert. Relating to bulls used for public service; requiring registration and certificate of health.		Committee report adopted.....	570
Introduced, passed on file.....	346	Passed; ayes 49, nays none.....	571
Referred to agriculture.....	389	Reported enrolled.....	1083
Amendment filed.....	438	Signed by President.....	1084
Recommended passage.....	453	Sent to Governor.....	1084
314 By Hattery and Dykhouse. Relating to special assessment of public improvements in municipal corporations; repealing certain sections of the Code and enacting substitutions therefor.		Signed by Governor.....	1169
Introduced, passed on file.....	346	319 By McCarville, Walter and Augustine. Relating to municipal parking lots; parking meters; street widening projects; ceasing to use parking meters under certain conditions.	
Referred.....	390	Introduced, passed on file.....	347
Amendment filed.....	557	Referred to cities and towns....	390
Recommended passage.....	592	320 By O'Malley. Relating to creation of a commission on job discrimination; to prohibit discriminatory practices in employment and in membership in labor unions based on race, color, creed; and including departments of the State of Iowa.	
Made special order.....	651	Introduced, passed on file.....	347
Amendment filed.....	746	Referred to labor.....	390
Committee report adopted.....	754	321 By Judiciary 2. Relating to wills—legalizing acts.	
Amendments adopted.....	923	Introduced, placed on calendar..	363
Passed; ayes 44, nays none.....	923	H. F. 237 substituted.....	618
Concurred.....	1087	Withdrawn.....	619
Passed; ayes 43, nays none.....	1097	322 By Lynes and Tudor. Relating to state fairgrounds; providing for construction of a new livestock pavilion; appropriation therefor.	
Reported correctly enrolled.....	1249	Introduced, passed on file.....	363
Signed by President.....	1249	Referred to public lands and buildings.....	390
Sent to Governor.....	1250	323 By Watson of Pottawattamie. Relating to eminent domain for electric transmission lines; extension thereof to cooperatives; providing for an increase in amount of land that may be condemned.	
Signed by Governor.....	1256	Introduced, passed on file.....	363
315 By Whitehead. Relating to increase in compensation of township trustees and clerks.		Referred.....	390
Introduced, passed on file.....	347	Recommended passage.....	555
Referred to compensation of public officers and employees..	390	Amendments filed.....	648, 806
Recommended passage.....	499	Withdrawn from sitting.....	1230
316 By Watson of Pottawattamie. Relating to granting authority to Natural Resources Council to permit diversion of water from any natural watercourse for the purpose of replenishing or maintaining the waters of any state owned lake.		Committee report adopted.....	1237
Introduced, passed on file.....	347	Amendments adopted.....	1237
Referred.....	390	Passed; ayes 45, nays none.....	1237
Recommended passage.....	555	Reported enrolled.....	1251
Amendments filed.....	648, 806	Signed by President.....	1251
Withdrawn from sitting.....	1230	Sent to Governor.....	1251
Committee report adopted.....	1237	Signed by Governor.....	1256
Amendments adopted.....	1237	317 By Augustine. Relating to registration of motor vehicles; defining the term "owner."	
Passed; ayes 45, nays none.....	1237	Introduced, passed on file.....	347
Reported enrolled.....	1251	Referred to motor vehicles.....	390
Signed by President.....	1251	524 By Augustine. Relating to certified shorthand reporters; defining the word shorthand to include any system of making notes by hand and including machines.	
Sent to Governor.....	1251	Introduced, passed on file.....	363
Signed by Governor.....	1256	Referred to judiciary 1.....	390

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325 By Humbert. Relating to horse racing in this state; providing for establishment and maintenance thereof; creation of board for its administration.	
Introduced, passed on file.....	363
Referred to judiciary 2.....	390
Recommended passage.....	717
Amendment filed.....	930
326 By McCarville, Hattery, Elthon and Dykhouse. Relating to increase in salary of state conservation director.	
Introduced, passed on file.....	364
Referred to conservation.....	390
Recommended passage.....	470
Rules suspended.....	679
Committee report adopted.....	679
Withdrawn.....	1249
327 By Utzig. Relating to adoption of city manager plan, making basis of signers on petition; number of votes cast for councilman rather than for Governor.	
Introduced, passed on file.....	377
Referred to cities and towns....	390
Withdrawn.....	461
328 By Ways and Means. Relating to taxation of loan agencies and Iowa corporations; fixing conditions under which Iowa corporations may elect to be taxed.	
Introduced, placed on calendar..	377
Passed; ayes 38, nays none.....	799
Reported enrolled.....	1059
Signed by President.....	1060
Sent to Governor.....	1060
Signed by Governor.....	1132
329 By Oltman, Dalley and Walter. Relating to the Service Commission Board; with reference to eligibility to bonus in case of divorce.	
Introduced, passed on file.....	377
Referred to military affairs.....	390
Amendments filed.....	438, 478
Recommended amendment, passage.....	473
Made special order.....	509
Committee report adopted.....	540
Amendments adopted.....	540-541
Passed; ayes 50, nays none.....	542
330 By Whitehead and Vest. Relating to dividing a county into districts by board of supervisors.	
Introduced, passed on file.....	378
Referred to judiciary 1.....	390
Returned without recommendation.....	659
331 By Berg. Relating to management and control of municipally owned public utilities; placing control thereof in hands of one board of trustees if voters so desire.	
Introduced, passed on file.....	378
Referred to public utilities.....	390
Amendments filed.....	531, 856-857
332 By O'Malley. Relating to continuance of musical education of children during va-	

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cation periods; municipal bands.	
Introduced passed on file.....	378
Referred.....	390
Recommended amendment, passage.....	517
Amendment filed.....	660
Committee report adopted.....	670
Amendments adopted.....	670
Passed; ayes 47, nays none.....	671
Reported correctly enrolled.....	927
Signed by President.....	928
Sent to Governor.....	928
Signed by Governor.....	963
333 By O'Malley. Relating to collection of taxes; providing when same shall become delinquent.	
Introduced, passed on file.....	378
Referred to tax revision.....	390
334 By Doud, Colburn, Lynes, Augustine and Mercer. Relating to Iowa liquor control commission; providing for certain controls with open hearings, limitation of purchases and warehouse supplies; classification of stores according to sales.	
Introduced, passed on file.....	395
Referred to judiciary 1.....	421
Amendment filed.....	502
Recommended passage.....	576
335 By Bekman, Van Eaton, McCarville, O'Malley and Augustine. Relating to disqualification for benefits of an individual who voluntarily quits his job or fails to apply for suitable work or refuses to accept suitable work; imposition of special number of weeks of disqualification.	
Introduced, passed on file.....	395
Referred to social security.....	421
336 By Bekman, Van Eaton, McCarville, O'Malley and Augustine. Relating to unemployment compensation; definitions pertaining thereto including term "disqualification for benefits."	
Introduced, passed on file.....	395
Referred to social security.....	421
337 By Walter. Legalizing proceedings of town council of LeGrand.	
Introduced, passed on file.....	395
Proof of publication certified....	403
Referred.....	421
Recommended passage.....	475
Committee report adopted.....	545
Passed; ayes 40, nays none.....	546
Reported enrolled.....	988
Signed by President.....	988
Sent to Governor.....	988
Signed by Governor.....	1084
338 By Walter. Legalizing proceedings of town of Albion.	
Introduced, passed on file.....	395
Proof of publication certified....	403
Referred.....	421
Recommended passage.....	475
Committee report adopted.....	546
Passed; ayes 41, nays none.....	546
Reported enrolled.....	988

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Signed by President.....	988
Sent to Governor.....	988
Signed by Governor.....	1034
 339 By Lord. Relating to Iowa Old Age and Survivor's Insur- and System; prescribing method by which employees after termination of public employment may maintain both current and full cover- age thereunder.	
Introduced, passed on file.....	396
Referred to social security.....	421
Amendment filed.....	594
Recommended passage.....	855
 340 By Agriculture. Relating to motor vehicle fuel; inspec- tion, measurement and test- ing thereof; transferring cer- tain duties in respect thereto from treasurer of state to department of agriculture.	
Introduced, placed on calendar..	396
 341 By Oltman, Bekman, Par- ker, Watson of Pottawattamie, Berg, Byers, Hart, Nes- mith, Ridout and McCarville. Relating to rehabilitation of alcoholics; providing for treatment of those voluntari- ly entering state hospitals or committed thereto.	
Introduced, passed on file.....	396
Referred.....	421
Recommended passage.....	454
Sifting recommends calendar.....	901
Committee report adopted.....	1002
Amendment adopted.....	1002
Passed; ayes 47, nays none.....	1002
Reported enrolled.....	1249
Signed by President.....	1249
Sent to Governor.....	1250
Signed by Governor.....	1256
 342 By McCarville. Relating to increase in exemption from tax, of household furniture.	
Introduced, passed on file.....	396
Referred to Judiciary 2.....	421
 343 By Van Eaton. Relating to appointment of a board of auditorium trustees in mun- icipal corporations; pre- scribing organization, pow- ers and duties of such boards.	
Introduced, passed on file.....	396
Referred.....	421
Amendment filed.....	424
Recommended passage.....	476
Committee report adopted.....	539
Amendment withdrawn.....	539
Passed; ayes 50, nays none.....	539
Concurred.....	715
Passed; ayes 44, nays none.....	715
Reported enrolled.....	762
Signed by President.....	762
Sent to Governor.....	762
Signed by Governor.....	803
 344 By Van Eaton. Relating to tax levy to create auditorium fund and an auditorium building fund for municipal corporations.	
Introduced, passed on file.....	397
Referred.....	421

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Amendment filed.....	424
Recommended passage.....	476
Committee report adopted.....	539
Amendment adopted.....	540
Passed; ayes 50, nays none.....	540
Concurred.....	902
Passed; ayes 48, nays none.....	903
Reported enrolled.....	958
Signed by President.....	958
Sent to Governor.....	958
Signed by Governor.....	977
 345 By Lynes. Relating to Board of Educational Exam- iners and certification of teachers.	
Introduced, passed on file.....	397
Referred to schools and educa- tional institutions.....	421
 346 By Claims. Relating to claims of members of the Legislative Advisory Commit- tee, State Office Building; ap- propriations thereto.	
Introduced, referred.....	397
Referred to appropriations.....	421
Recommended passage.....	928
Committee report added.....	945
Amendment adopted.....	946
Passed; ayes 45, nays none.....	946
Reported enrolled.....	988
Signed by President.....	988
Sent to Governor.....	988
Signed by Governor.....	1034
 347 By Claims. Relating to claims of members of the Mu- nicipal Statutes Study Com- mittee; appropriations there- to.	
Introduced, referred.....	397
Referred.....	421
Recommended passage.....	928
Committee report adopted.....	946
Passed; ayes 47, nays none.....	947
Reported enrolled.....	988
Signed by President.....	988
Sent to Governor.....	988
Signed by Governor.....	1034
 348 By Claims. Relating to claims of members of the Governmental Reorganization Commission ("Little Hoover Committee"); appropriations thereto.	
Introduced, referred.....	397
Referred to appropriations.....	421
Recommended passage.....	929
Committee report adopted.....	947
Amendment adopted.....	947
Passed; ayes 44, nays none.....	948
Reported enrolled.....	988
Signed by President.....	988
Sent to Governor.....	988
Signed by Governor.....	1034
 349 By Public Lands and Build- ings. Relating to creation of interim advisory committee with respect to completion of construction of state office building.	
Introduced, placed on calendar..	397
Passed; ayes 45, nays none.....	640
Reported enrolled.....	988
Signed by President.....	988
Sent to Governor.....	988
Signed by Governor.....	1034
Committee appointed.....	1216

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350 By Public Lands and Buildings. Relating to power of executive council to assign rooms in capitol or capitol building to several departments of state; amending to make terms apply to all buildings upon the capitol grounds.	
Introduced, placed on calendar..	398
Passed; ayes 41, nays none ..	622
Reported enrolled .....	1059
Signed by President .....	1060
Sent to Governor .....	1060
Signed by Governor .....	1132
351 By O'Malley and McCarville. Relating to appointment and compensation of juvenile court probation officers and secretaries; compensation thereof.	
Introduced, passed on file .....	398
Referred to compensation of public officers and employees	421
Returned without recommendation .....	520
352 By West. Relating to assessment of real and personal property; providing for local option in counties for elected local boards of review and appointment of field assessors.	
Introduced, passed on file .....	398
Referred to tax revision .....	421
353 By Dalley. Relating to inheritance tax as applicable to trusts.	
Introduced, passed on file .....	398
Referred to judiciary 2 .....	421
354 By Committee of the Whole. Relating to state civil defense; creating a agency therefor in exclusive branch; providing for director thereof and advisory council to governor as head of agency; powers, duties; authorizing tax therefor; providing for appropriation of funds and disbursement thereof.	
Introduced, referred .....	399
Made special order .....	387, 399
Recommended amendment, passage .....	720
Amendments filed .....	
...745, 746, 857, 914, 930, 964, 977	
Committee amendment adopted .....	957
Amendments adopted .....	
...957, 958, 971, 986, 1246	
Record on committee amendment expunged .....	957
Amendment withdrawn .....	958
Amendments withdrawn .....	970, 986
Passed; ayes 41, nays 9 .....	986
Refused to concur .....	1246
355 By Committee of the Whole. Relating to civil defense; providing mutual aid compact with another state.	
Introduced, placed on calendar..	409
356 By Mercer. Relating to Iowa Old Age and Survivors' Insurance System; with reference to extension of retirement benefits formula.	
Introduced, passed on file .....	409
Referred to social security .....	452

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357 By McCarville. Relating to paid vacations for all state employees, based on number of years employed.	
Introduced, passed on file .....	409
Referred to compensation of public officers and employees	452
Recommended indefinite postponement .....	590
Indefinitely postponed .....	647
358 By McCarville. Relating to Iowa Old Age and Survivors' Insurance with reference to state income tax; prohibiting deduction of tax paid therefor.	
Introduced, passed on file .....	409
Referred to ways and means ..	452
359 By Judiciary 2. Relating to legalizing judgments and decrees.	
Introduced, placed on calendar..	409
Passed; ayes 35, nays none .....	612
Reported enrolled .....	762
Signed by President .....	762
Sent to Governor .....	762
Signed by Governor .....	803
360 By Knudson. Relating to notaries public; permitting both officers and employees of corporations to qualify therefor.	
Introduced, passed on file .....	409
Referred to judiciary 1 .....	452
Recommended passage .....	659
361 By Bekman, Henningsen, Hattery, Anderson and Dalley. Relating to increase in General School Aid.	
Introduced, passed on file .....	409
Referred to schools and educational institutions .....	452
362 By Dalley, O'Malley, Van Eaton, Byers and Knudson. Relating to providing fire and police uniforms and equipment by certain cities.	
Introduced, passed on file .....	410
Referred to cities and towns ..	452
363 By Bekman, Dykhouse and Hedin. Relating to increase in salary of real estate commission director.	
Introduced, passed on file .....	425
Referred to compensation of public officers and employees..	453
Recommended amendment, passage .....	500
364 By O'Malley. Relating to Iowa Old Age and Survivors' Insurance System; providing refunds in certain situations, increase of contributions and exemption of those temporarily employed.	
Introduced, passed on file .....	426
Referred to social security .....	453
365 By Zastrow. Relating to duties of state advisory council of the Iowa Employment Security Commission; providing for submission of recommendations thereof to each regular session of legislature.	
Introduced, passed on file .....	426
Referred to social security .....	453

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366 By Aeronautics. Relating to transfer from general fund of state to State Aeronautics Commission, \$30,000 for biennium.	
Introduced, placed on calendar..	426
Referred to appropriations .....	590
367 By Bekman. Relating to deposit of fees from practitioners of cosmetology in general fund of state; designating use of said fees.	
Introduced, passed on file .....	426
Referred .....	453
Recommended passage .....	575
Sifting recommends calendar .....	886
Committee report adopted .....	897
Passed; ayes 39, nays none .....	897
368 By Sharp and Jacobson. Relating to conveyance to United States, of certain lands in Allamakee and Clayton counties; authorizing executive council on recommendation of conservation commission to convey to United States Effigy Mounds National Monument, as a gift.	
Introduced, passed on file .....	426
Referred .....	453
Recommended passage .....	630
Committee report adopted .....	674
Passed; ayes 44, nays none .....	674
Reported enrolled .....	1059
Signed by President .....	1060
Sent to Governor .....	1060
Signed by Governor .....	1132
369 By Dykhouse and Ridout. Relating to prohibition of placing of any deleterious materials on any lands or waters under control of conservation commission, without first obtaining written permission from commission.	
Introduced, passed on file .....	426
Referred to conservation .....	453
370 By Dykhouse. Relating to prohibited destructive acts on lands or waters of the state; giving control thereof to State Conservation Commission.	
Introduced, passed on file .....	427
Referred .....	453
Recommended passage .....	855
Sifting recommends calendar .....	869
Amendment filed .....	869
Committee report adopted .....	880
Amendments adopted .....	881
Passed; ayes 45, nays none .....	881
Reported enrolled .....	1083
Signed by President .....	1084
Sent to Governor .....	1084
Signed by Governor .....	1169
371 By Doud. Legalizing proceedings with respect to issuance of waterworks bonds in Keosauqua.	
Introduced, passed on file .....	427
Proof of publication certified ..	434
Referred to judiciary 1 .....	453
Recommended passage .....	475
Committee report adopted .....	547
H. F. 465 substituted .....	547
Withdrawn .....	548

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372 By Governmental Affairs. Relating to tax administration; abolishing state tax commission; transfer of certain duties to state treasurer; creation of board of tax appeals.	
Introduced, placed on calendar ..	440
Amendment filed .....	594
373 By Governmental Affairs. Relating to creation of department of finance; abolishing state department of banking, department of insurance, division of building and loan under state auditor, real estate commission; transfer of their duties and powers to newly created department of finance.	
Introduced, placed on calendar	441
Made special order .....	771
Re-referred to sifting .....	1249
374 By Governmental Affairs. Relating to creation of department of conservation and natural resources; abolishing Iowa natural resources council, state conservation commission, soil conservation committee and geological survey; transfer of their powers and duties of said newly created department.	
Introduced, placed on calendar..	441
375 By Governmental Affairs. Relating to creation of a division of occupational registration in office of state secretary; defining duties thereof; transfer of license issuing, clerical and other administrative duties from certain examining boards to said division.	
Introduced, placed on calendar..	441
Amendment filed .....	457
Made special order .....	771
Amendment filed .....	887
Re-referred to sifting .....	1249
376 By Governmental Affairs. Relating to office of state fire marshal; placing under direction of attorney general; transferring certain duties relative to inspection of publicly used buildings from secretary of agriculture to said office.	
Introduced, placed on calendar..	441
377 By Governmental Affairs. Relating to transfer of bonded warehouses from jurisdiction of commerce commission to department of agriculture.	
Introduced, placed on calendar..	443
378 By Governmental Affairs. Relating to abolishing commission on uniform state laws which is composed of three attorney members appointed by the Governor, who serve without pay other than expenses; one must attend annual national conference of	



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commissioners; must make annual report to legislature on recommended legislation relative to their field.		appointive offices except on interim committees; requiring delay of two years following expiration of elected term.	
Introduced, placed on calendar..	442	Introduced, passed on file .....	445
379 By Governmental Affairs. Relating to changing office of commerce counsel from jurisdiction of commerce commission to office of attorney general.		Referred to governmental affairs .....	469
Introduced, placed on calendar..	442	386 By Military Affairs. Relating to federal acquisition of real estate within state of Iowa.	
380 By McCarville, Lynes, Augustine and Ridout. Relating to creation of "Public Service Commission of Iowa"; providing regulations with which utilities must comply to do business within state.		Introduced, placed on calendar..	445
Introduced, passed on file ....	442	387 Relating to sewage treatment plants; requiring operation thereof by licensed superintendents or operators; creation of board of examiners of applicants therefor; rules and regulations.	
Referred to public utilities ....	469	Introduced, passed on file .....	445
Amendment filed .....	595-596	Referred to conservation .....	469
381 By McCarville, Lynes, Augustine and Ridout. Relating to establishment of a "Public Service Commission of Iowa"; providing for appointment of members; defining terms in act setting forth powers and manner of conducting business.		388 By Watson of Pottawattamie. Relating to fees to be paid by county boards of supervisors in laying out public highways.	
Introduced, passed on file .....	444	Introduced, passed on file ....	458
Referred to public utilities ....	469	Referred to highways .....	469
Amendment filed .....	596	Recommended passage .....	741
382 By Lord, Mercer, Hart, Dalley and O'Malley. Relating to establishment of a state engineering and architectural library as part of the state library system in the state capitol.		389 By Insurance. Relating to cancellation of insurance policies other than life; giving power to insurer to so do on five days' written notice.	
Introduced, passed on file .....	444	Introduced, placed on calendar..	458
Referred to public libraries ....	469	Amendment filed .....	558
Recommended passage .....	605	390 By Bekman and Berg. Relating to deductions from salaries or wages of governmental employees in fulfillment of any subscription payments to any authorized corporation for group insurance of various kinds.	
383 By Byers, O'Malley, Berg, Dalley and Hedin. Relating to payment for county psychiatric treatment.		Introduced, passed on file.....	458
Introduced, passed on file .....	444	Referred to insurance .....	469
Referred to public health .....	469	Recommended passage .....	680
Amendments filed .....	596, 683	391 By West. Relating to increase of tax levy permissible for cemeteries owned by township wherein located.	
384 By Doud, Prentiss, Fishbaugh, Anderson, Lynes, Berg, Elthon, Hart, Dykhouse, Zastrow and Colburn. Relating to disloyalty; making it a crime to commit acts or advocate acts intended to overthrow government of the United States or state of Iowa or subdivision thereof; relating to subversive organizations generally; including giving financial aid to institutions failing to determine loyalty of officers and employees thereof.		Introduced, passed on file .....	459
Introduced, passed on file .....	445	Referred to tax revision .....	469
Referred to judiciary 1 .....	469	Recommended passage .....	680
Recommended passage .....	659	392 By Doud, Colburn, Elthon, Lynes, Anderson and Mollson. Relating to establishment of minimum foundation program for State of Iowa for purpose of equalizing tax burden in several school districts; procedure for distribution of state aid moneys.	
385 By Prentiss, Doud, Colburn, Risk, Lord and Hultman. Relating to eligibility of members of General Assembly to		Introduced, passed on file ....	459
		Referred to schools and educational institutions .....	469
		393 By Roberts. Relating to issuance of patent to certain land in Monroe county.	
		Introduced, passed on file .....	459
		Referred .....	469
		Recommended passage .....	720

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Sifting recommends calendar ..	853
Committee report adopted .....	863
Passed; ayes 43, nays none .....	864
Reported correctly enrolled .....	988
Signed by President .....	988
Sent to Governor .....	988
Signed by Governor .....	1034
See H. F. 635, amending S. F. 393	1242
394 By Dykhouse, Risk, Hultman, O'Malley, Knudson, Anderson, Mercer, Lynes, Colburn and Vest. Relating to official newspapers; providing rate for publishing proceedings of county board of supervisors at one-half rate for legal notices.	
Introduced, passed on file .....	459
Referred to printing .....	469
Recommended passage .....	590
Withdrawn .....	1007
395 By Dykhouse, Risk, Hultman, O'Malley, Knudson, Anderson, Mercer, Lynes, Colburn and Vest. Relating to fees for publication of legal notices.	
Introduced, passed on file .....	459
Referred to printing .....	469
Recommended passage .....	591
Sifting recommends calendar .....	886
Withdrawn .....	1007
396 By McCarville, Bekman and O'Malley. Relating to Iowa Old-Age and Survivors' Insurance System; providing changes in benefits thereof.	
Introduced, passed on file .....	460
Referred to social security .....	469
397 By Bekman, Bateson and Parker. Relating to board of eugenics; providing for appointment of an executive secretary and other employees; fixing salaries thereof.	
Introduced, passed on file .....	460
Referred to public health .....	469
398 By Bekman, McCarville and O'Malley. Relating to employment of minors; prohibiting any gainful work for those under fourteen years of age and various kinds of work for those under sixteen or under eighteen.	
Introduced, passed on file .....	460
Referred to labor .....	469
Amendments filed .....	558, 607
Returned without recommendation .....	824
399 By Bekman. Relating to salaries of insurance examiners; placing maximum at one hundred fifty dollars per week.	
Introduced, passed on file .....	460
Referred to compensation of public officers and employees ..	469
Recommended passage .....	590
400 By Whitehead and Berg. Relating to handling of school funds; repealing various sections of the Code, enacting substitutions therefor.	
Introduced, passed on file .....	460

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Referred to schools and educational institutions .....	469
Withdrawn .....	1234
401 By Whitehead and Berg. Relating to powers and duties of state comptroller; to apportion to counties interest on certain school funds once a year.	
Introduced, passed on file .....	460
Referred to schools and educational institutions .....	469
Withdrawn .....	1234
402 By Vest. Legalizing proceedings of City Council of Jefferson in improvement to municipal waterworks.	
Introduced, passed on file .....	460
Referred .....	469
Proof of publication certified ..	514, 573
Recommended passage .....	591
Committee report adopted .....	613
Amendment adopted .....	613
Passed; ayes 35, nays none .....	613
Reported enrolled .....	762
Signed by President .....	762
Sent to Governor .....	762
Signed by Governor .....	803
403 By McCarville and O'Malley. Relating to Workmen's and Occupational Disease Compensation Laws; providing non-resident employer and employee be subject to jurisdiction of industrial commissioner with secretary of state lawful attorney; other requirements.	
Introduced, passed on file .....	480
Referred .....	520
Recommended passage .....	658
Sifting recommends calendar .....	869
Committee report adopted .....	884
Passed; ayes 44, nays none .....	884
Concurred .....	1023
Passed; ayes 50, nays none .....	1023
Report enrolled .....	1083
Signed by President .....	1084
Sent to Governor .....	1084
Signed by Governor .....	1169
404 By Prentiss, Doud, Colburn, Bateson and Zastrow. Relating to changes in rules and regulations adopted by administrative agencies of State of Iowa; publishing notice by Attorney General of public hearing in county with respect thereto.	
Introduced, passed on file .....	481
Referred to governmental affairs ..	520
Recommended passage .....	647
Amendment filed .....	661
Withdrawn .....	921
405 By O'Malley. Relating to township levy for fire apparatus and services; confining tax therefor to taxable personal property and buildings.	
Introduced, passed on file .....	481
Referred to tax revision .....	520
406 By Dalley. Relating to homestead tax credit; providing double credit to those	

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seventy-five years of age or older.	
Introduced, passed on file .....	431
Amendment filed .....	502
Referred to ways and means ..	520
 407 By Bekman. Relating to establishment of school zones by cities and towns; providing penalties for violations.	
Introduced, passed on file .....	481
Referred to schools and educational institutions .....	520
 408 By Judiciary 1. Relating to the publication of Rules of Civil Procedure by the Supreme Court and publication of Supreme Court Rules.	
Introduced, placed on calendar..	481
Sifting recommends calendar ..	886
Passed; ayes 46, nays none .....	951
Concurred .....	1247-1248
Passed; ayes 44, nays 1 .....	1248
Reported enrolled .....	1251
Signed by President .....	1251
Sent to Governor .....	1251
Signed by Governor .....	1256
 409 By Judiciary 1. Relating to the duties of township trustees; requiring them to act as overseers of the poor and as fence viewers.	
Introduced, placed on calendar..	481
Withdrawn .....	893
 410 By Judiciary 1. Relating to the number of lighted lamps on a motorcycle.	
Introduced, placed on calendar..	481
Withdrawn .....	892
 411 By Judiciary 1. Relating to corporations not for pecuniary profit to acquire ownership of fire fighting equipment.	
Introduced, placed on calendar..	482
 412 By Judiciary 1. Relating to bonds of cities and towns for street improvement and their payment from street construction fund.	
Introduced, placed on calendar..	482
Withdrawn .....	894
 413 By O'Malley. Relating to an act to create a state trade commission; to define and prohibit unfair sales and unfair trade practices; to prevent advertising or offering for sale goods below actual cost.	
Introduced, placed on file .....	482
Referred to manufacturing, commerce and trade .....	520
 414 By Utzig and Van Eaton. Relating to an act to create housing authorities; provide housing areas; to make land available for such; authorize creation of advisory board to housing authorities.	
Introduced, passed on file .....	482
Referred to Iowa development	520

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415 By Hart and Bekman. Relating to providing state general building aid to assist school districts in financing approved programs of school building construction; administration of by Department of Public Instruction and making an appropriation for such aid.	
Introduced, passed on file .....	483
Referred to schools and educational institutions .....	520
 416 By Hart and Bekman. Relating to providing state equalization building aid to further assist districts which have qualified for state general building aid, but which are financially unable to carry out approved programs; providing administration by state department of public instruction; making appropriation for such aid.	
Introduced, passed on file .....	483
Referred to schools and educational institutions .....	520
 417 By Augustine, Doud, Colburn, Lynes and Mercer. Relating to an act to prevent the Liquor Control Commission from discriminating against a citizen of Iowa and to provide a method of subpoenaing companies selling liquor or wine in Iowa.	
Introduced, passed on file .....	483
Referred .....	520
Recommended passage .....	765
Sifting recommends calendar..	914
Amendments filed 930-931, 965, 1015	
Committee report adopted .....	1025
Amendments adopted .....	1025, 1028, 1029, 1031
Passed; ayes 35, nays 13 .....	1031
Supplemental report .....	1078
 418 By Ridout. Relating to regulation of registration fees of trucks in storage for part of the licensed year and to provide penalty for violation thereof.	
Introduced, passed on file .....	483
Referred to motor vehicles ....	520
 419 By Elthon, Augustine. Relating to an act fixing the number of senators in the general assembly, apportioning them among the several counties according to inhabitants in each, and dividing the state into 50 senatorial districts.	
Introduced, passed on file .....	483
Referred to governmental affairs	520
Recommended passage .....	741
Amendments filed .....	1060-1062, 1250
Announcement relating thereto	1180
 420 By Board of Control. Relating to the purchase of a tract of land to be used as the site for an institutional sewage disposal plant at the Clarinda State Hospital.	
Introduced, placed on calendar	504
Withdrawn .....	1236

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421 By Agriculture. An act relating to manner of submitting statements relative to amount due on feed inspection of commercial feeds.		429 By Lynes and Fishbaugh. Relating to the department of public safety, and the duties of said department with regard to the enforcement of the beer and liquor laws of the State of Iowa.	
Introduced, placed on calendar..	504	Introduced, passed on file .....	505
422 By Berg. Relating to tax exemptions for military service for veterans of Mexican Border service.		Referred to judiciary 1 .....	521
Introduced, passed on file .....	504	Recommended passage .....	659
Referred to military affairs ....	520	Sifting recommends calendar ...	1170
423 By Humbert. Relating to regulating the sale of Spry and Crisco; providing inspection fee and excise tax and enforcement by secretary of agriculture.		Tabled .....	1224
Introduced, placed on file .....	505	Explanations of votes .....	1225
Referred to agriculture .....	521	430 By Dykhouse. Relating to trapping of beaver under permit issued by the conservation commission.	
424 By Elthon, Fishbaugh, Van Eaton and O'Malley. Relating to promotion of education of Christianity in all schools; combatting Communism; maintaining American freedom.		Introduced, passed on file .....	506
Introduced, passed on file .....	505	Referred to conservation .....	521
Referred to schools and educational institutions .....	521	Amendment filed .....	648
425 By Berg, Hultman, Van Eaton, Parker, Hart, Nesmith, O'Malley and Dailey. Relating to prohibition of television set or equipment in any motor vehicle on the highways of this state.		Recommended amendment passage .....	681
Introduced, passed on file .....	505	431 By Van Eaton and O'Malley. Relating to exemption from taxation of municipal and military property for off-street parking.	
Referred to motor vehicles ....	521	Introduced, passed on file .....	506
Recommended amendment, passage .....	823	Referred to ways and means ...	521
426 By Mercer (by request). Relating to licensure and regulation of hospitals under jurisdiction of state board of education and board of control; advisory not mandatory.		Recommended passage .....	742
Introduced, passed on file .....	505	432 By O'Malley. Relating to an act to authorize Boards of Supervisors in any county to contribute to the support and maintenance of mental health clinics, not operated for pecuniary profit.	
Referred to public health .....	521	Introduced, passed on file .....	506
Recommended passage .....	647	Referred to public health .....	521
Withdrawn .....	749	433 By O'Malley. Relating to authorization of permits by the highway commission and boards of supervisors for operation of electric trolley buses or trackless trolley buses on certain rural highways.	
427 By Mercer (by request). Relating to the use of dead bodies or parts thereof for scientific purposes; with special reference to the medical college of the state university.		Introduced, passed on file .....	506
Introduced, passed on file .....	505	Referred to highways .....	521
Referred to public health .....	521	Amendment filed .....	683
Recommended passage .....	648	Recommended passage .....	824
428 By Mercer (by request). Relating to an act to authorize the state board of education to erect, maintain and operate an addition to the Memorial Union Building at Iowa City on a self-liquidating basis.		Sifting recommends calendar ...	928
Introduced, passed on file .....	505	Committee report adopted .....	1123
Referred to schools and educational institutions .....	521	H. F. 527 substituted .....	1123
Recommended passage .....	605	Withdrawn .....	1124
		434 By Bekman, McCarville, Oltman, Watson of Pottawattamie, Parker. Relating to exemption of certain property from taxation; wedding ring, engagement ring and reasonable personal adornment up to and including \$500.00	
		Introduced, passed on file .....	506
		Referred to ways and means ...	521
		Recommended passage .....	742
		435 By Roberts. Relating to fees for an attorney appointed by the court to defend in a criminal case.	
		Introduced, passed on file .....	506
		Referred to judiciary 2 .....	529

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436 By Roberts. Relating to exemption of poll tax of any member of a reserve component of the armed services of the United States.	
Introduced, passed on file .....	507
Referred to ways and means....	529
Recommended passage .....	742
437 By Bekman. Relating to compensation and mileage for appraisers.	
Introduced, passed on file .....	507
Referred to compensation of public officers and employees..	529
Recommended passage .....	590
438 By Elthon. Relating to the nomination and appointment to the board of examiners for professions licensed by the state department of health.	
Introduced, passed on file.....	507
Referred to public health.....	529
439 By Dykhouse and Bekman. Relating to an act prohibiting manufacturers and wholesalers of beer from giving financial aid or furnishing equipment to retailers.	
Introduced, passed on file.....	507
Referred to judiciary 2.....	529
440 By Berg. Relating to viaducts, underpasses and railroad grade separations in certain cities; authorizing cities to participate in any plan with railroad in relocating or changing existing trackage.	
Introduced, passed on file.....	507
Referred .....	530
Recommended passage .....	591
Made special order.....	673
Amendment filed .....	766
Committee report adopted.....	773
Amendments adopted .....	774
Passed; ayes 47, nays none.....	774
Reported enrolled .....	988
Signed by President.....	988
Sent to Governor.....	988
Signed by Governor.....	1035
441 By Berg. Relating to the incurring of indebtedness by cities and towns for the elimination or separation of railroad grade crossings.	
Introduced, passed on file.....	507
Referred .....	530
Recommended passage .....	591
Made special order.....	673
Amendment filed .....	766
Committee report adopted.....	775
Amendment adopted .....	775
Passed; ayes 48, nays none.....	775
Reported enrolled .....	988
Signed by President.....	988
Sent to Governor.....	988
Signed by Governor.....	1035
442 By Berg. Relating to an alternate plan for elimination of the need for viaducts and underpasses for railroad trackage in certain cities.	
Introduced, passed on file.....	507
Referred to railroads.....	530
Recommended passage .....	592
Made special order.....	673
Withdrawn .....	776

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443 By Berg. Relating to the control of the assignment of rooms in the capitol building by the executive council.	
Introduced, passed on file.....	508
Referred to public lands and buildings .....	530
Recommended passage .....	720
Sifting recommends calendar...1170	
Withdrawn .....	1242
444 By Berg and Hedin. Relating to joint use of municipal sewers and providing for an extension of the power of certain cities and towns to contract with each other for protection of the public water supply.	
Introduced, passed on file.....	508
Referred to public health.....	530
445 By Walter, Watson of O'Brien and Risk. Relating to ownership of motor vehicles, providing issuance of certificates; to prescribe penalties for violation.	
Introduced, passed on file.....	508
Referred to motor vehicles.....	530
446 By McCarville and Lynes. Relating to use of cigarette vending machines; providing licensing; providing penalties.	
Introduced, passed on file.....	508
Referred to manufacturing, commerce and trade .....	530
447 By McCarville. Relating to payments charged against an employer for employment security when such claimant is no longer employed.	
Introduced, passed on file.....	508
Referred .....	530
Recommended passage .....	658
Amendment filed .....	826
Sifting recommends calendar...869	
Committee report adopted.....	885
Amendment adopted .....	885
Passed; ayes 44, nays none.....	885
Concurred .....	1024
Passed; ayes 48, nays none.....	1024
Reported enrolled .....	1082
Signed by President.....	1084
Sent to Governor.....	1084
Signed by Governor.....	1169
448 By Jacobson. Relating to snow removal by county equipment from farm driveways.	
Introduced, passed on file.....	509
Referred to highways.....	530
449 By Watson of Pottawattamie. Relating to the leasing of public parks under the jurisdiction of park boards of cities and towns.	
Introduced, passed on file.....	509
Referred to cities and towns....	530
450 By Fishbaugh. Relating to filing and enforcement of a lien on farm crops for value of fuel and lubricants used	

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for the operation of farm machinery in production of said crops.		459 By McCarville, Van Patten, Sharp, Hattery and Watson of O'Brien, Relating to motor vehicles and law of road; provide for inspection; appointment and supervision of official inspection stations.	
Introduced, passed on file.....	514	Introduced, passed on file.....	516
Referred to agriculture.....	530	Referred to highways.....	530
451 By Bekman, Relating to alimony; making judgments, orders and decrees for payment of alimony, liens on real estate only as to delinquent balances.		Amendments filed .....	531, 661
Introduced, passed on file.....	515	460 By O'Malley, Relating to agricultural land credits; golf course for horticultural purposes.	
Referred to judiciary 1.....	530	Introduced, passed on file.....	516
452 By McCarville and Vest, Relating to any peace officer of the state in fresh pursuit of a person believed by him to have committed or attempted to commit a felony.		Referred to tax revision.....	530
Introduced, passed on file.....	515	461 By Prentiss (by request), Relating to the radio communications division in the department of public safety.	
Referred to judiciary 1.....	530	Introduced, passed on file.....	516
453 By Van Eaton, Dailey, O'Malley and Hedin, Relating to conditions under which union security clauses may be written into a labor agreement between employers and union.		Referred to motor vehicles.....	530
Introduced, passed on file.....	515	Returned without recommendation .....	823
Referred to labor.....	530	462 By Prentiss (by request), Relating to the division of radio communications; making it a uniformed division in the department of public safety.	
Amendment filed .....	857-858	Introduced, passed on file.....	516
454 By O'Malley, Relating to payment of the cost of proposed water districts which include publicly owned property.		Referred to social security.....	530
Introduced, passed on file.....	515	Recommended passage .....	856
Referred to public lands and buildings .....	530	463 By Doud, Relating to operation of frozen food locker plants; repealing chapter of Code, substituting new chapter in lieu thereof.	
455 By O'Malley, Relating to unemployment compensation and unemployment benefits; to increase allowable weekly benefits.		Introduced, passed on file.....	516
Introduced, passed on file.....	515	Referred to manufacturing; commerce and trade .....	530
Referred to social security.....	530	464 By Social Security, Relating to making available, federal funds for aid to permanently and totally disabled with addition of appropriations from county and state funds; under supervision of state board of social welfare.	
456 By O'Malley, Relating to provision that benefits may not be denied in cases of labor disputes; lockouts; discharge of employees pending negotiations of labor disputes.		Introduced, placed on calendar..	560
Introduced, passed on file.....	515	Re-referred to social security..	740
Referred to labor.....	530	465 By Social Security, Relating to old age assistance; eliminating statutory income restrictions and United States citizenship requirement for eligibility therefor.	
457 By O'Malley, Relating to improvement of primary roads, requiring approval by county board of supervisors for road or bridge construction contracts involving cost of \$15,000 or more.		Introduced, placed on calendar..	560
Introduced, passed on file.....	516	466 By Social Security, Relating to aid to blind; disregarding first fifty dollars of earned income when computing grant and excepting certain treatment in medical institution.	
Referred to highways .....	530	Introduced, placed on calendar..	561
458 By Motor Vehicles Committee, Relating to the height of vehicles used in transporting other vehicles.		467 By Social Security, Relating to aid to dependent children; consideration of residence in state one year preceding application and after removal from state six months.	
Introduced, placed on calendar..	516	Introduced, placed on calendar..	561

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468 By Judiciary 2. Legalizing certain proceedings with reference to repair of municipally owned toll bridge at Burlington crossing Mississippi river.	
Introduced, placed on calendar..	579
Proof of publication certified...	589
Passed; ayes 45, nays none.....	673
Reported enrolled .....	762
Signed by President.....	762
Sent to Governor.....	762
Signed by Governor.....	803
469 By Board of Control. Relating to changing official designation of State Hospitals at Cherokee, Clarinda, Independence and Mount Pleasant to "Mental Health Institutes."	
Introduced, placed on calendar..	579
Sifting recommends calendar...	988
H. F. 592 substituted.....	1126
Withdrawn .....	1130
470 By Appropriations. Relating to an appropriation to state department of public instruction for specified school aid.	
Introduced, placed on calendar..	579
H. F. 598 substituted.....	690
Withdrawn .....	696
471 By Appropriations. Relating to state department of public instruction for aid to schools for transportation.	
Introduced, placed on calendar..	580
H. F. 599 substituted .....	691
Withdrawn .....	696
472 By Appropriations. Relating to appropriation to state department of public instruction for supplemental aid to certain school districts.	
Introduced, placed on calendar..	580
H. F. 600 substituted.....	692
Withdrawn .....	696
473 By Appropriations. Relating to appropriation of twenty-four million dollars to state department of public instruction for general aid to school districts.	
Introduced, placed on calendar..	580
H. F. 601 substituted.....	694
Withdrawn .....	696
474 By Appropriations. Relating to appropriation to state department of public instruction for use as revolving fund for veterans administration and for school lunch program.	
Introduced, placed on calendar..	580
H. F. 597 substituted .....	695
Withdrawn .....	696
475 By Motor Vehicles. Relating to powers of local authorities to regulate streets and highways; prohibiting turning of vehicles at intersections.	
Introduced, placed on calendar..	598
Withdrawn .....	953

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476 By Conservation. Relating to issuance of hunting and fishing licenses; prohibiting issuance thereof to nonresidents under certain conditions.	
Introduced, placed on calendar..	650
Amendment filed .....	723
Sifting recommends calendar...	901
Amendment adopted .....	997
Passed; ayes 31, nays 13.....	997
Reported enrolled .....	1083
Signed by President.....	1084
Sent to Governor.....	1084
Vetoed by Governor.....	1196
477 By Appropriations. Relating to biennial appropriation to State Board of Education for institutions thereunder; allocating capital improvement appropriations.	
Introduced, placed on calendar..	664
Amendments filed ..767, 806, 869, 887, 931, 1013-1014, 1035, 1062-1063	
Amendments substituted..1067-1069	
Amendments withdrawn..1069, 1072	
Amendments adopted....1070, 1071	
Passed; ayes 48, nays none.....	1072
Explanation of vote.....	1072
Concurred .....	1189
Passed; ayes 50, nays none.....	1189
Reported enrolled .....	1251
Signed by President.....	1251
Sent to Governor.....	1251
Signed by Governor.....	1256
478 By Agriculture. Relating to control of Bang's disease by restricting cattle sale within state unless accompanied by certificate of health showing negative test.	
Introduced, placed on calendar..	664
Amendment filed .....	781
479 By Military Affairs. Relating to various amendments to military code of Iowa, chapter 29, Code 1950.	
Introduced, placed on calendar..	664
480 By Military Affairs. Relating to creation of department of military and veterans affairs under adjutant general; transferring all matters pertaining thereto; abolishing state army board, bonus board, service compensation board.	
Introduced, placed on calendar..	664
481 By Military Affairs. Relating to staggered terms for commissioners of memorial buildings and monuments designed to commemorate service rendered by soldiers, sailors and marines of the United States.	
Introduced, placed on calendar..	664
482 By Judiciary 2. Relating to actions against nonresident owners of watercraft operating any watercraft in any waters of Iowa or Iowa portion of boundary rivers; deeming operation or mooring thereof as agreement by	

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owner to be subject to jurisdiction of district court of this state.	
Introduced, placed on calendar..	707
Amendment filed .....	781
 483 By Judiciary 2. Relating to actions against nonresident owners of aircraft on or overland of Iowa, deeming such operation an agreement by him that he be subject to jurisdiction of district court of this state.	
Introduced, placed on calendar..	708
Amendment filed .....	781
 484 By Compensation of Public Officers and Employees. Relating to appropriation of \$88,068.70 to department of public safety for purpose of paying to peace officer's retirement system the biennium contribution of the state as authorized by law and not heretofore paid by state.	
Introduced, referred .....	726
Recommended passage .....	1045
Committee report adopted.....	1053
Passed; ayes 49, nays none.....	1053
Consent granted to reconsider vote .....	1054
Amendment adopted .....	1073
Passed; ayes 47, nays none.....	1073
Reported enrolled .....	1251
Signed by President .....	1251
Sent to Governor.....	1251
Signed by Governor.....	1258
 485 By Governmental Affairs. Relating to certain inspections made by state department of health and state department of agriculture; to eliminate specific duplications thereof.	
Introduced, placed on calendar..	748
Amendment filed .....	858
 486 By Governmental Affairs. Relating to creation of a department of buildings, equipment and supplies to include division of architecture and division of printing; prescribing certain powers thereof not now included in Code; repealing sections of Code relating to powers of executive council; department director and heads of divisions to be appointed by Governor.	
Introduced, placed on calendar..	748
Made special order .....	770
Amendments filed.....	1084-1089, 1134
Re-referred to sitting.....	1249
 487 By Dairy and Poultry. Relating to cream grading, inspection and transportation; requiring cream not suitable for dairy purposes to be colored blue; prescribing certain tests; requiring all licensed cream trucks to be dustproof and cream to be kept in a reasonably cool condition.	
Introduced, placed on calendar..	768

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 488 By Tax Revision. Relating to increase in levy provided for maintenance of county public hospitals; permitting increase to three mills.	
Introduced, placed on calendar..	809
 489 By Motor Vehicles. Relating to motor vehicles requiring county treasurer's receipts issued for registrations be typewritten or printed by other mechanical machines.	
Introduced, placed on calendar..	810
Sifting recommends calendar...	886
H. F. 497 substituted.....	952
Withdrawn .....	953
 490 By Public Lands and Buildings. Relating to construction of a tunnel from capitol building to new state office building; authorizing advisory committee thereof and executive council to employ architects to prepare plans and specifications and enter into contracts therefor; appropriation therefor.	
Introduced, referred .....	810
Recommended passage .....	1045
Committee report adopted.....	1054
Passed; ayes 43, nays 4.....	1054
Reported enrolled .....	1251
Signed by President.....	1251
Sent to Governor.....	1251
Signed by Governor.....	1256
 491 By Insurance. Relating to coinsurance riders and exceptions thereto, with reference to insurance in excess of a stipulated amount of loss.	
Introduced, placed on calendar..	810
Amendments filed .....	887-888, 965
Sifting recommends calendar...	914
Amendments adopted .....	1005
Passed; ayes 45, nays none.....	1005
Reported enrolled .....	1083
Signed by President.....	1084
Sent to Governor.....	1084
Signed by Governor.....	1169
 492 By Public Health. Relating to the Uniform Narcotic Drug Act; including additional narcotic drugs; providing certain penalties for first, second and subsequent offenses.	
Introduced, placed on calendar..	810
 493 By Schools and Educational Institutions. Relating to equalization of taxes in school districts through imposing tax of fifteen mills on all taxable real and personal property in each county of state.	
Introduced, placed on calendar..	828
Sifting recommends calendar...	869
Amendment filed .....	901
Amendment adopted .....	909
Passed; ayes 27, nays 18.....	912
 494 By Judiciary 1. Legalizing proceedings of board of supervisors of Appanoose County in erecting a building used	



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for storage and repair of county road work machinery, bridge and road building materials.	
Introduced, placed on calendar..	828
Sifting recommends calendar...	988
Proof of publication certified...	1012
Passed; ayes 49, nays none.....	1127
Concurred .....	1194
Passed; ayes 47, nays none.....	1194
Reported enrolled .....	1251
Signed by President.....	1251
Sent to Governor.....	1251
Signed by Governor.....	1256
 495 By Judiciary 1. Relating to payment of expenses incurred under the Uniform Criminal Extradition Act; providing they be paid by county treasurer of county where crime is alleged to have been committed; except when a prisoner escapes from state penitentiary or reformatory, which shall be paid by state, and in cases where prisoner has been paroled to board of parole.	
Introduced, placed on calendar..	829
Sifting recommends calendar...	988
Amendment adopted .....	1127
Passed; ayes 38, nays 5.....	1128
 496 By Governmental Affairs. Relating to inspection and measurement of motor fuels and motor vehicle fuels; adding to Code new section authorizing tests be made in laboratories of state department of agriculture; providing appropriation of \$3,500 for purchase of new testing equipment.	
Introduced, referred to appropriations .....	829
 497 By Social Security. Relating to vocational rehabilitation; authorizing state board for vocational education to operate and maintain centers and workshops therefor; make rules and regulations; defining "Rehabilitation Center" as a facility operated for persons disabled in industry or otherwise.	
Introduced, placed on calendar..	829
 498 By Conservation. Relating to payment by State of Iowa of a certain portion of cost of construction of sanitary facilities, disposal plants and other sewer facilities in lake areas in Dickinson County.	
Introduced, referred .....	859
Returned without recommendation .....	989
Committee report adopted.....	1027
Passed; ayes 50, nays none.....	1021
Reported enrolled .....	1196
Signed by President.....	1196
Sent to Governor.....	1196
Signed by Governor.....	1256
 499 By Conservation. Relating to powers and financing of sanitary districts; providing	

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for tax levy for retirement of bonds thereof.	
Introduced, referred to appropriations .....	859
Returned without recommendation .....	988
Committee report adopted.....	1022
H. F. 613 substituted.....	1022
Withdrawn .....	1023
 500 By Public Health. Relating to county psychiatric treatment; authorizing use of state institution fund established by board of supervisors together with additional levy therefor.	
Introduced, referred to sifting..	860
Sifting recommends calendar...	988
Withdrawn .....	1129
 501 By Military Affairs. Relating to primary and general elections to be held in year 1952; designed to facilitate voting in said elections by qualified electors serving in armed forces of United States, irrespective of what part of world they may be serving in; advancing date for filing of candidates in primaries, time of printing ballots, methods of casting ballots and other changes to be effective only as to primary and general elections held in 1952.	
Introduced, referred .....	917
Sifting recommends calendar...	1170
Passed; ayes 48, nays none.....	1221
Reported enrolled .....	1251
Signed by President.....	1251
Sent to Governor.....	1251
Signed by Governor.....	1256
 502 By Military Affairs. Relating to appropriation for facilities for administration and training of units of Iowa National Guard and Iowa State Guard.	
Introduced, referred .....	917
Recommended passage .....	1170
Amendment filed .....	1171
Committee report adopted.....	1187
Amendment adopted .....	1187
Passed; ayes 50, nays none.....	1187
 503 By Claims. Relating to appropriations to members of House improvement committee.	
Introduced, referred to appropriations .....	980
 504 By Ways and Means. Relating to motor vehicle fuel tax; defining term, "exclusive industrial user".	
Introduced, referred .....	993
Sifting recommends calendar...	1170
Amendment adopted .....	1220
Passed; ayes 47, nays none.....	1220
 505 By Claims. Relating to appropriations to sheriff of Marshall County, to General Mills, Inc., and from sinking fund to certain named school districts.	
Introduced, referred .....	1019

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Recommended passage .....	1170
Committee report adopted.....	1186
Amendment adopted .....	1186
Passed; ayes 50, nays none.....	1186
Reported enrolled .....	1251
Signed by President.....	1251
Sent to Governor.....	1251
Signed by Governor .....	1256

506 By Claims. Relating to appropriations to certain named persons in settlement of claims for damages in accidents on primary roads, collisions with state highway equipment or acts of employees thereof.	
Introduced, referred .....	1019
Recommended passage .....	1046
Committee report adopted.....	1112
Amendments adopted .....	1112, 1117
Passed; ayes 47, nays none.....	1112
Reconsideration .....	1117
Amendment withdrawn .....	1117
Passed; ayes 46, nays none.....	1117
Reported enrolled .....	1251
Signed by President.....	1251
Sent to Governor.....	1251
Signed by Governor.....	1256

507 By Claims. Relating to appropriation of \$5,400.00 to trustee of Robert O. Winn in settlement of claim made against State of Iowa for loss of an arm in conveyor at State Training School for Boys at Eldora, while an inmate therein; providing trustee shall expend such sums necessary for further education and vocational training of minor; requiring that any balance remaining when minor reaches 30 years of age, or sooner if deemed advisable, shall revert to State of Iowa if minor fails in conduct.	
Introduced, referred .....	1019
Recommended passage .....	1046
Committee report adopted.....	1113
Passed; ayes 49, nays none.....	1113
Reported enrolled .....	1251
Signed by President.....	1251
Sent to Governor.....	1251
Signed by Governor.....	1256

508 By Claims. Relating to appropriations of old age assistance fund to certain named persons in settlement of claims against State of Iowa, for burial expenses thereof.	
Introduced, referred .....	1020
Recommended passage .....	1046
Committee report adopted.....	1118
Amendment adopted .....	1118
Passed; ayes 49, nays none.....	1118
Reported enrolled .....	1251
Signed by President.....	1251
Sent to Governor.....	1251
Signed by Governor.....	1256

509 By Claims. Relating to appropriations to certain named persons in settlement of claims for refunds for motor vehicle license.	
Introduced, referred .....	1020

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Recommended passage .....	1046
Committee report adopted.....	1119
Amendment adopted .....	1119
Passed; ayes 49, nays none.....	1119
Reported enrolled .....	1251
Signed by President.....	1251
Sent to Governor.....	1251
Signed by Governor.....	1256

510 By Claims. Relating to appropriations to certain named persons in settlement of variously stated claims made against State of Iowa.	
Introduced, referred .....	1020
Recommended passage .....	1046
Amendments filed .....	1089-1090
Committee report adopted.....	1119
Amendments adopted .....	1119, 1120
Amendment withdrawn .....	1120
Passed; ayes 47, nays none.....	1120
Reported enrolled .....	1251
Signed by President.....	1251
Sent to Governor.....	1251
Signed by Governor.....	1256

511 By Judiciary 1. Relating to legalization of appointments of certain public officials by Governor of Iowa which were not made within statutory time limits, but were confirmed by Senate.	
Introduced, referred .....	1038
Sifting recommends calendar .....	1218
Amendment adopted .....	1222
Passed; ayes 45, nays none.....	1222
Reported correctly enrolled.....	1251
Signed by President.....	1251
Sent to Governor.....	1251
Signed by Governor.....	1256

512 By Claims. Relating to appropriations to members of committee on interstate cooperation.	
Introduced, referred .....	1107
Recommended passage .....	1170
Committee report adopted.....	1185
Amendment adopted .....	1185
Passed; ayes 46, nays none.....	1185
Reported enrolled .....	1251
Signed by President.....	1251
Sent to Governor.....	1251
Signed by Governor.....	1256

513 By Judiciary 1. Legalizing conveyance of certain property in Buchanan County to Iowa State College; authorizing issuance of patent therefor.	
Introduced, referred .....	1107
Sifting recommends calendar .....	1170
H. F. 637 substituted.....	1222
Withdrawn .....	1223

514 By Appropriations. Relating to appropriations for payment of miscellaneous expenses incurred or authorized by Fifty-fourth General Assembly to certain members or employees thereof, authorization of expenditures by Executive Council for specific repairs to capitol, adjacent buildings and grounds; requiring express approval thereof by Budget and Finance Control Committee	
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created by Fifty-fourth General Assembly.		tion of \$300,000.00 to department of public safety for salaries of the increased number of highway patrolmen, as increased by Fifty-fourth General Assembly.	
Introduced, placed on calendar.....	1135	Introduced .....	1226
Passed; ayes 46, nays none.....	1188	Rule suspended .....	1226
Concurred. ....	1245	Passed; ayes 47, nays none.....	1227
Passed; ayes 46, nays none.....	1245	Reported enrolled .....	1251
Reported enrolled .....	1251	Signed by President.....	1251
Signed by President.....	1251	Sent to Governor.....	1251
Sent to Governor.....	1251	Signed by Governor.....	1256
Signed by Governor.....	1256		
515 By Appropriations. Relating to biennium appropria-			

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## HOUSE JOINT RESOLUTIONS AND HOUSE FILES PASSED AND APPROVED—147

H. J. R. 6, 10.

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5, 6, 9, 20, 21, 24, 27, 31, 34, 36, 39, 44, 58, 59, 60, 64,  
65, 69, 76, 81, 86, 88, 90, 92, 94, 96, 109, 111, 115, 117, 125, 130,  
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497, 527, 531, 563, 564, 573, 574, 586, 592, 594, 597, 598, 599, 600, 601, 602,  
606, 613, 614, 615, 616, 617, 619, 624, 628, 630, 631, 633, 634, 635, 636, 637,  
638.

Passed both Houses, vetoed by Governor—H. F. 179.

H. J. R.	Page	H. J. R.	Page
3 By Constitutional Amend- ments. Relating to succes- sion of officers to office of governor; proposing amend- ments to constitution of State of Iowa.		Committee reports adopted . . . . .	945
Received, passed on file . . . . .	249	Passed; ayes 46, nays none . . . . .	945
Referred . . . . .	265	Reported enrolled . . . . .	988
Substituted for S. J. R. 3 . . . . .	328	Signed by President . . . . .	988
Passed; ayes 48, nays none . . . . .	329	Signed by Governor . . . . .	
Reported enrolled . . . . .	374	Committee appointed . . . . .	1132
Signed by President . . . . .	374		
Returned to Chief Clerk of House.		11 By McNeal. Relating to termination of federal rent control.	
		Received, referred to sifting . . . . .	962
		H. F.	Page
6 By Appropriations. Relat- ing to appropriation for printing of 15,000 copies of booklet "The Iowa Govern- ment in Action", published by Iowa State Historical Society.		4 By Buck. Authorizing state board of control to con- struct a domiciliary dormi- tory of not less than 250 bed capacity to replace obsolete building at Iowa Soldiers' Home; appropriation there- for.	
Received, referred . . . . .	265	Received, referred to appropria- tions . . . . .	1083
Recommended passage . . . . .	267	Re-referred to sifting . . . . .	1132
Committee report adopted . . . . .	298		
Passed; ayes 50, nays none . . . . .	299	5 By Palmer. Relating to the entry of criminal judgments.	
Reported enrolled . . . . .	338	Received, passed on file . . . . .	374
Signed by President . . . . .	338	Referred . . . . .	390
Signed by Governor . . . . .	360	Recommended amendment, pas- sage . . . . .	576
		Sifting recommends calendar . . . . .	988
8 By Poston, Robinson, Clark of Marlon, Tierney, Shepard, Ryan and Brookings. Relat- ing to application of George Dewey Ellis for bonus pay- able to veterans of World War I; to authorize action of World War I "Bonus Board" therefor.		Amendment adopted . . . . .	1202
Received, referred to appropria- tions . . . . .	1000	Passed; ayes 47, nays none . . . . .	1202
		Reported enrolled . . . . .	1251
10 By McFarlane, Kuester, Miller of Shelby. Relating to creation of a special commit- tee to study the operations of the Iowa old age and surviv- ors' insurance system; inves- tigate proposal to substitute for federal social security system; to report findings to the Governor for the 55th General Assembly; approp- riation of \$10,000 therefor.		Signed by President . . . . .	1251
Received, passed on file . . . . .	666	Signed by Governor . . . . .	
Referred . . . . .	740		
Recommended passage . . . . .	856	6 By Schwengel and Schroed- er. Relating to the crime of operating a motor vehicle while intoxicated or under the influence of any drug or combination of drugs and al- cohol.	
Re-referred to appropriations . . . . .	879	Received, passed on file . . . . .	261
Recommended passage . . . . .	829	Referred . . . . .	285
		Recommended passage . . . . .	358
		Committee report adopted . . . . .	798
		Passed; ayes 46, nays none . . . . .	798
		Reported enrolled . . . . .	852
		Signed by President . . . . .	852
		Signed by Governor . . . . .	
		7 By Schwengel and Schroed- er. Relating to motor ve- hicles and the law of the	

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road; in regard to intoxication and blood test.	
Received, passed on file.....	227
Referred to judiciary 1.....	244
Amendments filed .....	245
9 By Schwengel and Schroeder. Relating to imposition of sentences for crimes for which maximum punishment is life imprisonment; enabling court to consider seriousness of offense.	
Received, passed on file.....	338
Referred .....	342
Recommended amendment, passage .....	357
Substituted for S. F. 53.....	365
Committee report adopted.....	365
Amendment adopted .....	365
Passed; ayes 50, nays none.....	366
Reported enrolled .....	420
Signed by President.....	420
Signed by Governor.	
17 By Hansen of Carroll. Relating to expenditures of county boards of supervisors for needed repairs and extension; permitting increase without submitting to voters.	
Received, passed on file.....	378
Referred .....	306
Recommended passage .....	436
19 By Voigtmann. Relating to renewal of articles of incorporation; defining words "real value of the stock".	
Received, passed on file.....	387
Referred to judiciary 2.....	390
Re-referred to private corporations .....	432
20 By Voigtmann. Relating to issuance of stock by certain corporations; payment therefor.	
Received, passed on file.....	387
Substituted for S. F. 5.....	617
Passed; ayes 40, nays none....	617
Reported enrolled .....	656
Signed by President.....	657
Signed by Governor.	
21 By Pendleton. Relating to amount a surviving spouse may select from intestate estate; doubling present amount permitted.	
Received, passed on file.....	154
Substituted for S. F. 49.....	200
Passed; ayes 49, nays none.....	200
Reported enrolled .....	228
Signed by President.....	228
Signed by Governor.....	253
23 By Brown, Tierney and Hanson of Lyon. Relating to motor vehicles and law of road; establishing speed limits for night time driving; empowering state highway commission to establish speed zones on primary roads outside of cities and towns.	
Received, passed on file.....	338
Referred to motor vehicles.....	342

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24 By Berry and Olson. Relating to compensation of judges and clerks of primary elections.	
Received, passed on file.....	201
Referred .....	215
Recommended passage .....	286
Committee report adopted.....	651
Passed; ayes 47, nays none.....	651
Reported enrolled .....	719
Signed by President.....	719
Signed by Governor.	
27 By Palmer, McFarlane, Hendrix. Relating to exemptions from moneys and credits, taxation of capital stock of corporations organized under laws of other states having main operating offices and principal factories in Iowa.	
Received, passed on file.....	447
Referred to tax revision.....	469
Withdrawn from committee, returned to House .....	496
Received, passed on file.....	633
Referred to tax revision.....	657
Recommended passage .....	680
Amendments filed..... 888, 1035, 1134	
Committee report adopted.....	1146
Amendments withdrawn...1147, 1149	
Passed; ayes 31, nays 17.....	1151
Reported enrolled .....	1217
Signed by President.....	1217
Signed by Governor.	
31 By Palmer. Relating to cost of care of inmates in Woodward State Hospital and Glenwood State School; providing for creation of lien therefore.	
Received, passed on file.....	447
Referred .....	469
Recommended passage .....	764
Sifting recommends calendar...	888
Committee report adopted.....	1201
Passed; ayes 44, nays 3.....	1301
Reported enrolled .....	1349
Signed by President.....	1250
Signed by Governor.	
34 By Clark of Marion and Burris. Relating to operating motor vehicle while intoxicated; prescribing form of punishment to person convicted of fourth or subsequent offense.	
Received, passed on file.....	154
Amendment filed .....	205
Substituted for S. F. 52.....	238
Amendments withdrawn .....	239
Passed; ayes 50, nays none.....	239
Reported enrolled .....	259
Signed by President.....	260
Signed by Governor.....	284
36 By Munger, Kosek, McFarlane and Butler. Relating to admission in evidence of copies of memorandum requiring reproduction by certain processes which accurately form durable medium.	
Received, passed on file.....	155
Referred .....	193
Substituted for S. F. 9.....	342, 371
Passed; ayes 49, nays none.....	371

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Reported enrolled .....	402	59 By Brown and Goode. Relating to highways; classification, jurisdiction, establishment and vacation thereof; code revision.	
Signed by President .....	402	Received, passed on file .....	201
Signed by Governor.		Referred .....	215
38 By Crosier and Nelson of Woodbury. Relating to duties of attorney general; empowering city or town councils to request his opinion on any question of municipal law not clarified by previous rulings or decisions.		Recommended passage .....	422
Received, passed on file .....	261	Sifting recommends calendar .....	1170
Amendment filed .....	271	Committee report adopted .....	1241
Referred to cities and towns .....	285	Passed; ayes 43, nays 1 .....	1241
39 By Crosier and Nelson of Woodbury. Relating to municipal utilities retirement systems; extending benefits to include employees of municipally owned sewage works.		Reported enrolled .....	1251
Received, passed on file .....	210	Signed by President .....	1251
Referred .....	283	Signed by Governor.	
Recommended passage .....	268	60 By Buck. Relating to participation in Federal Restoration Act; empowering State Conservation Commission to conduct cooperative fish restoration projects; requiring no diversion of license fees paid by fishermen for other purposes.	
Amendment filed .....	287-288	Received, passed on file .....	412
Committee report adopted .....	586	Referred .....	453
Amendment withdrawn .....	586	Recommended passage .....	653
Passed; ayes 50, nays none .....	587	Sifting recommends calendar .....	1170
Reported enrolled .....	603	Committee report adopted .....	1210
Signed by President .....	603	Passed; ayes 47, nays none .....	1210
Signed by Governor.		Reported enrolled .....	1249
44 By Olson. Legalizing special election proceedings and issuance of school building bonds of Wayne Township School District, Mitchell County.		Signed by President .....	1250
Received, passed on file .....	155	Signed by Governor.	
Referred .....	193	64 By Tate, McNeal and Abel. Relating to increase in fees paid for operator's and chauffeur's licenses.	
Recommended passage .....	244	Received, referred to sifting .....	873
Proof of publication certified .....	259	Returned to House .....	879
Committee report adopted .....	292	Received, referred to sifting .....	925
Passed; ayes 50, nays none .....	292	Sifting recommends calendar .....	928
Reported enrolled .....	332	Passed; ayes 43, nays 4 .....	1145
Signed by President .....	332	Reported enrolled .....	1217
Signed by Governor .....	338	Signed by President .....	1217
48 By Crosier and Nelson of Woodbury. Relating to government of cities and towns under mayor-council form of government; re-codifying.		Signed by Governor.	
Recommended passage .....	593	65 By Tate, McNeal and Abel. Relating to increase in number of members of Iowa highway safety patrol.	
Amendment filed .....	596	Received, referred to sifting .....	890
49 By Crosier and Nelson of Woodbury. Relating to payment of sales and use tax by tax-certifying or tax-levying bodies; providing exemptions thereof.		Sifting recommends calendar .....	928
Received, passed on file .....	210	Amendment filed .....	978
Referred .....	233	Amendment adopted .....	1146
Amendment filed .....	478	Passed; ayes 50, nays none .....	1146
Recommended passage .....	593	Reported enrolled .....	1217
Amendment filed .....	596	Signed by President .....	1217
58 By Brown and Goode. Relating to primary roads; re-codifying.		Signed by Governor.	
Received, passed on file .....	348	69 By Van Zwol, Patrick, Hanson of Lyon and Hulsman. Relating to appointment of probation officers in juvenile court; permitting one to serve two or more counties; adjustment of salaries and expenses thereof.	
Referred .....	390	Received, passed on file .....	462
Recommended passage .....	501	Referred .....	469
Sifting recommends calendar .....	1170	Recommended passage .....	520
Committee report adopted .....	1240	Committee report adopted .....	642
Passed; ayes 43, nays 2 .....	1240	Passed; ayes 45, nays none .....	642
Reported enrolled .....	1251	Reported enrolled .....	679
Signed by President .....	1251	Signed by President .....	680
Signed by Governor.		Signed by Governor.	
		76 By Hulsman. Legalizing action of board of supervisors of Osceola County in expenditures relating to con-	

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struction of floor in highway maintenance building of said county.	
Received, passed on file.....	374
Referred .....	390
Recommended passage .....	474
Committee report adopted.....	610
Passed; ayes 35, nays none.....	610
Reported enrolled .....	679
Signed by President.....	680
Signed by Governor.	
78 By Miller of Black Hawk. Relating to public school employees handling of money accruing from school activities and other sources; requiring bond.	
Received, passed on file.....	201
Referred to schools and educational institutions .....	215
Recommended passage .....	390
81 By Aubrey, Nystrom and Judd. Relating to headlights for rail employees when using track power cars at night.	
Received, passed on file.....	433
Referred to railroads.....	453
Recommended passage .....	700
Substituted for S. F. 89.....	727
Committee report adopted.....	727
Passed; ayes 47, nays none.....	728
Reported enrolled .....	762
Signed by President.....	762
Signed by Governor.	
82 By Miller of Black Hawk. Relating to sale, lease or other disposition of property belonging to school district.	
Received, referred to sifting...	961
83 By Brown and Goode. Relating to secondary roads; classification and maintenance thereof; levying of taxes therefor.	
Received, passed on file.....	261
Referred to highways.....	285
Amendment filed .....	478
86 By Sloane and Ryan. Legalizing action of Polk County board of supervisors in making expenditures for housing secondary road equipment and materials.	
Received, passed on file.....	379
Referred .....	390
Withdrawn from committee returned to House .....	448
Referred .....	469
Proof of publication certified...	463
Received, passed on file.....	463
Recommended passage .....	575
Committee report adopted.....	612
Passed; ayes 35, nays none.....	612
Reported enrolled .....	679
Signed by President.....	680
Signed by Governor.	
87 By Nelson of Woodbury, McEleney, Judd and Munger. Relating to police department maintenance fund; permitting increase of tax levy.	
Received, passed on file.....	210
Referred to tax revision.....	233
Recommended passage .....	498

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88 By Sloane and Ryan. Relating to taxes for county public hospitals; raising limitation on annual levy for special taxes for improvement and maintenance thereof.	
Received, passed on file.....	401
Referred to tax revision.....	422
Withdrawn from committee.....	641
Substituted for S. F. 254.....	641
Amendment adopted .....	641
Passed; ayes 45, nays none.....	641
Reported enrolled .....	679
Signed by President.....	680
Signed by Governor.	
89 By Sloane, Moore of Butler, Palmer, Ryan, Nelson of Woodbury, Schwengel, Kosiek, Ringgenberg, Strawman, Crosier and Stevens. Relating to establishing a state building code council; compensation of members thereof; appointment of a state building commissioner.	
Received, passed on file.....	785
90 By Munger, Nelson of Woodbury and Schwengel. Relating to teachers' contracts; issuance of teachers' certificates by board of educational examiners to foreign applicants; providing for exchange teachers either within or without state or United States.	
Received, passed on file.....	278
Referred .....	306
Recommended passage .....	763
Substituted for S. F. 125.....	778
Passed; ayes 46, nays none.....	778
Reported enrolled .....	822
Signed by President.....	822
Signed by Governor.	
92 By Strawman. Relating to purchase of certain land in Jones County adjoining Men's Reformatory at Anamosa; appropriation therefor.	
Received, passed on file.....	248
Referred .....	265, 306
Recommended passage .....	307, 437
Committee reports adopted.....	624
Passed; ayes 41, nays none.....	624
Reported enrolled .....	679
Signed by President.....	680
Signed by Governor.....	978
93 By Sloane and Ryan. Relating to executive council; authorizing sale of certain land to Central Lutheran Church of Des Moines.	
Received, referred to sifting....	976
94 By Sherod, Weiss and Shepard. Relating to bounties on foxes.	
Received, passed on file.....	297
Referred .....	333
Recommended passage .....	471
Amendments filed .....	479, 888, 944
Sifting recommends calendar...	869
Committee report adopted.....	924
Amendment withdrawn .....	944
Passed; ayes 36, nays 6.....	944
Motion to reconsider vote.....	963
Motion to reconsider, withdrawn	993
Reported enrolled .....	1013

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Signed by President.....	1012
H. C. R. 27 adopted by Senate.....	1047
Return of H. F. 94 requested by Senate .....	1047
Reconsideration of vote.....	1052
Amendment to title adopted.....	1052
Passed; ayes 49, nays none.....	1052
Reported enrolled .....	1169
Signed by President.....	1169
Signed by Governor.	
96 By Sloane, Nelson of Woodbury, Munger and Ryan. Relating to parking of vehicles; granting permission to local authorities to permit left-hand curb parking on one-way streets.	
Received, passed on file.....	278
Referred to cities and towns.....	306
Sifting recommends calendar.....	886
Passed; ayes 35, nays 2.....	898
Reported enrolled .....	927
Signed by President.....	928
Signed by Governor.	
97 By Munger, Nelson of Woodbury and Schwengel. Relating to teachers; providing sabbatical leaves of absence.	
Received, passed on file.....	491
Referred to schools and educational institutions .....	521
101 By Walker and McNeal. Relating to termination of farm tenancy; change of date therefor.	
Received, passed on file.....	297
Referred to agriculture.....	333
Recommended indefinite postponement .....	554
Rule suspended .....	598
Re-referred to agriculture.....	598
107 Van Zwol, Hanson of Lyon and Young. Relating to increase of compensation of county board members of department of social welfare.	
Received, passed on file.....	348
Referred to compensation of public officers and employees	390
Recommended passage .....	500
109 By Kosek. Relating to decreasing rate of tax imposed on income, and increasing deductions from computed tax.	
Received, referred to sifting.....	1033
Withdrawn from sifting.....	1143
Substituted for S. F. 279.....	1143
Passed; ayes 46, nays 2.....	1144
Reported enrolled .....	1217
Signed by President.....	1217
Signed by Governor.	
111 By Schwengel, Schroeder, McFarlane and Crosier. Relating to re-appointment of incumbent city assessor to new term without re-examination.	
Received, passed on file.....	201
Referred .....	215
Recommended passage .....	217
Committee report adopted.....	323
Passed; ayes 45, nays none.....	323
Reported enrolled .....	374
Signed by President.....	374
Signed by Governor.	

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113 By Buck, Nelson of Jasper, Pedrick, Ringgenberg, Walter, Pendleton, Abel, Tate, Flene, Oeth, Mooty, Washburn and McNeal. Relating to funds of local warehouse boards; boys and girls 4-H clubs.	
Received, passed on file.....	712
115 By Sloane and Ryan. Relating to increase in salaries paid to court reporters and to clerk and bailiff of municipal court.	
Received, referred .....	918
Sifting recommends calendar.....	988
Passed; ayes 47, nays none.....	1203
Reported enrolled .....	1249
Signed by President.....	1250
Signed by Governor.	
117 By Lucken. Relating to establishing districts for members of boards of supervisors elected at large.	
Received, passed on file.....	401
Referred .....	422
Returned without recommendation .....	660
Sifting recommends calendar.....	928
Amendments filed .....	965, 1014-1015
Committee report adopted.....	1101
Amendments adopted .....	1102-1103
Passed; ayes 35, nays none.....	1103
Reported enrolled .....	1217
Signed by President.....	1217
Signed by Governor.	
123 By Loss and Shepard. Relating to increase in compensation of sheriffs for meals served to prisoners.	
Received, referred to sifting....	918
125 By McNeal and Bloedel. Relating to permits received from other states for dead bodies shipped into the state; authorizing cemetery sexton as authority for final disposition.	
Received, passed on file.....	401
Referred to public health.....	422
Recommended passage .....	454
Committee report adopted.....	624
Passed; ayes 41, nays none.....	625
Reported enrolled .....	679
Signed by President.....	680
Signed by Governor.	
130 By Putney and Bloedel. Relating to qualifications to practice a profession; eliminating discrimination against licensing men as cosmetologists.	
Received, passed on file.....	412
Substituted for S. F. 115.....	587
Passed; ayes 43, nays none.....	588
Reported enrolled .....	603
Signed by President.....	603
Signed by Governor.	
137 By Crosier. Relating to street railway regulations; obstructing driver's view of doorway.	
Received, passed on file.....	433
Referred to public utilities.....	453



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140 By Tate. Relating to minimum wage of teachers in public schools.	
Received, passed on file.....	655
Referred to schools and educational institutions .....	657
142 By Sloane, Nelson of Woodbury, Munger and Ryan. Relating to powers of local authorities to regulate use of streets and highways; prohibiting turning of vehicles at intersections.	
Received, passed on file.....	712
Referred .....	740
Sifting recommends calendar...	886
Amendment adopted .....	951
Passed; ayes 46, nays none.....	952
Reported enrolled .....	988
Signed by President.....	988
Signed by Governor.	
149 By Sloane, Nelson of Woodbury, Munger and Ryan. Relating to powers of local authorities to regulate use of streets and highways; operation of bicycles thereon.	
Received, referred to sifting....	925
150 By Judd and McEleney. Relating to funds derived from parking meters; relieving certain cities from using funds only as specified by statute.	
Received, passed on file.....	261
Referred to cities and towns...	285
Returned without recommendation .....	593
152 By Nelson of Woodbury, Brown, Metz, Kosek, McNeal, Pendleton and Munger. Relating to definition and powers of "a society"; with reference to fair societies.	
Received, passed on file.....	811
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Amendments filed .... 966, 978, 1015	
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Passed; ayes 42, nays 3.....	1100
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Signed by Governor.	
154 By McEleney, Mooty, Lisle and Mensing. Relating to height of vehicles and damage to highway structures caused by increased height.	
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Sifting recommends calendar...	869
Passed; ayes 43, nays 1.....	877
Reported enrolled .....	913
Signed by President.....	913
Signed by Governor.	
155 By Mensing and Palmer. Relating to requiring blood test by persons exempted from marriage licensing provisions on religious grounds; requiring health certificates.	
Received, passed on file.....	379
Referred .....	390
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Sifting recommends calendar...	988
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Passed; ayes 47, nays none.....	1203

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Signed by President.....	1259
Signed by Governor.	
156 By Nelson of Woodbury and Munger. Relating to eligibility of trustees in drainage districts; requiring they be owners of agricultural land.	
Received, passed on file.....	348
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Signed by Governor.	
157 By Mensing and Palmer. Relating to affidavits attached to petitions in action to quiet title.	
Received, passed on file.....	536
Referred .....	573
Sifting recommends calendar...	988
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Passed; ayes 48, nays none.....	1205
Reported enrolled .....	1251
Signed by President.....	1251
Signed by Governor.	
158 By Stevens and Sar. Relating to corn and small grain growers association; changing name to Iowa Crop Improvement Association; purposes and objectives thereof.	
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Sifting recommends calendar...	914
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Passed; ayes 49, nays none.....	1007
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159 By Sloane and Ryan. Relating to change of venue of Justice of Peace court.	
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160 By Meyer. Relating to increase in tax levied for repair, furnishing and care of township buildings.	
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161 By Ludwig. Relating to number of city councilmen to be elected under city manager form of government.	
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Passed; ayes 50, nays none.....	358
Reported enrolled .....	402
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163 By Tate. Legalizing proceedings of Mason City School District for issuance of school bonds.	
Received, passed on file.....	379
Referred .....	390
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166 By Bass and Clark of Ap-		Received, passed on file.....	202
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"Woodward State Hospital		ating to valuation and as-	
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Signed by Governor.	
186 By Goode. Relating to school busses; making it possible for any school teacher to ride on bus of another school district under specific limitations.	
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Passed; ayes 47, nays none.....	1212
Reported enrolled .....	1249
Signed by President.....	1250
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190 By Sloane and Ryan. Relating to divorce and annulment of marriages; extending power of court to enforce decree provisions.	
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191 By Sloane, Schwengel, Ryan, Crosier. Relating to increase in fire department maintenance fund millage rate.	
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192 By Tate, Ryan, Schroeder and Judd. Relating to qualifications of fire and police department employees under civil service.	
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199 By Robinson. Relating to appointment of a guardian for a minor owning property not exceeding \$500.	
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Signed by President.....	762
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200 By Robinson. Relating to termination of exhausted guardianships, extending value thereof to \$500.	
Received, passed on file.....	536
Substituted for S. F. 174.....	732
Passed; ayes 46, nays none.....	733
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Signed by President.....	762
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207 By Davis. Relating to motor vehicles and granting of restricted drivers' licenses under certain conditions.	
Received, referred to sifting....	1009
209 By Hanson of Lyon. Legalizing action of board of supervisors in Lyon County in authorizing salary payment to certain deputy county officers.	
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212 By Robinson. Relating to certificates of consent for marriage; giving power to divorced parent having legal custody of a minor.	
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213 By Banks, Building and Loan. Relating to legalizing payment, certification or acceptance of check or other negotiable instrument or any transaction by bank or trust company in this state performed on any legal holiday or outside regular banking hours.	
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Committee report adopted .....	327
Passed; ayes 46, nays none.....	327
Reported enrolled .....	374
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Signed by Governor.	
214 By Banks, Building and Loan. Relating to maintenance and use of a savings bank's "surplus" fund; including state banks and trust companies in that regard.	
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Referred .....	265
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Reported enrolled .....	679
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Signed by Governor.	
215 By Banks, Building and Loan. Relating to per diem compensation paid to any member of an examining committee of a bank.	
Received, passed on file.....	248
Referred .....	265
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Recommended passage .....	324
Committee report adopted.....	327
Passed; ayes 47, nays none.....	327
Reported enrolled .....	374
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Signed by Governor.	
216 By Banks, Building and Loan. Relating to payment in property other than cash for capital stock; equalizing requirements of Iowa incorporated banks with requirements of other types.	
Received, passed on file.....	262
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Recommended passage .....	307
Committee report adopted.....	625
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Reported enrolled .....	679
Signed by President.....	680
Signed by Governor.	
217 By Banks, Building and Loan. Relating to expenses of banking department in paying traveling expenses of superintendent of banking to district, state and other required meetings; establishing limitations thereon.	
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218 By Palmer. Relating to legalizing judgments and decrees.	
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221 By Judiciary 1. Relating to legalizing acts of notaries public and acknowledgments, in line with policy of re-enactment every ten years.	
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Reported enrolled .....	374
Signed by President.....	374
Signed by Governor.	
223 By Judiciary 1. Relating to taking of acknowledgments within the state by a notary public; amending to permit for any county in the state.	
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224 By Conservation, Drainage and Flood Control. Relating to milldams and races; with respect to domestic water consumption.	
Received, passed on file.....	262
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225 By Conservation, Drainage and Flood Control. Relating to floodways and flood control; clarifying category of public agencies to be submitted to resources council for review.	
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226 By Conservation, Drainage and Flood Control. Relating to permits for construction of dams; with respect to powers of Iowa natural resources council.	
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Referred to conservation.....	285
Recommended passage .....	472
227 By Palmer. Relating to legalizing and validating orders, judgments and decrees entered prior to July 4, 1951, as regards service of notice by publication or posting.	
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Substituted for S. F. 246.....	529
Passed; ayes 47, nays none.....	563
Reported enrolled .....	589
Signed by President.....	589
Signed by Governor.	

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228 By Palmer. Relating to legalizing and validating orders, judgments and decrees entered prior to July 4, 1951, where acceptance of service of notice was done by an attorney or his agent.	
Received, passed on file.....	536
Substituted for S. F. 247.....	563
Passed; ayes 46, nays none.....	564
Reported enrolled .....	589
Signed by President.....	589
Signed by Governor.	
229 By Smith. Legalizing proceedings of school board director of Lloyd Township, Dickinson County. In issuance of bonds and levying of taxes.	
Received, passed on file.....	536
Referred to Judiciary 2.....	573
Recommended passage .....	575
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Passed; ayes 41, nays none.....	616
Reported enrolled .....	679
Signed by President.....	680
Signed by Governor.	
232 By Walter, Buck, Kuester, Washburn, Davis and Bass. Relating to color and mounting of lighting devices and reflectors on motor trucks or trailers owned by state when in use removing snow or sanding on any public street or highway.	
Received, passed on file.....	634
Referred .....	657
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Signed by Governor.	
236 By Boothby. Legalizing and validating proceedings of school board of Cherokee with reference to conveyance of real estate.	
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Recommended passage .....	789
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Reported enrolled .....	886
Signed by President.....	886
Signed by Governor.	
237 By Palmer. Relating to wills; legalizing thereof in line with policy of re-enactment every ten years.	
Received, passed on file.....	401
Substituted for S. F. 321.....	618
Passed; ayes 40, nays none.....	619
Reported enrolled .....	679
Signed by President.....	680
Signed by Governor.	
238 By Schwengel. Relating to individual accident, health and sickness insurance policies; making uniform the law relating thereto.	
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Passed; ayes 43, nays none....	877
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Signed by President.....	928
Signed by Governor.	
244 By Miller of Black Hawk, Brookings, Bass and Shifflett. Relating to examination of school activities funds annually.	
Received, passed on file.....	713
Referred to schools and educational institutions .....	740
245 By Uhlenhopp. Legalizing and validating proceedings of school directors of Hansell, in Franklin County, in issuance of building bonds.	
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Referred to judiciary 2.....	573
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Passed; ayes 43, nays none....	571
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Signed by President.....	589
Signed by Governor.	
247 By Lisle. Relating to inspection of motor vehicles.	
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249 By Ryan and Sloane. Relating to deposit of bond or securities by associations selling stock on installment plan.	
Received, passed on file.....	634
Referred to banks, building and loan .....	657
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252 By Gallup, Walker, Meyer, Walter and Davis. Relating to appropriation from general fund of state of \$3,000.00 for use in paying miscellaneous expenses of special committee of the House in investigating Iowa Department of Agriculture, as regards an anti-freeze product.	
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253 By Sloane and Ryan. Relating to increase in compensation of petit jurors.	
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262 By Langland. Relating to misdemeanors committed in cemeteries; designed to prevent vandalism therein.	
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263 By Munger, Sloane, Oberman, Ryan and Aubrey. Relating to retirement systems for policemen and firemen; with regard to injuries sustained while participating in duties thereof outside present limits.	
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264 By Lisle, McFarlane, Buck, Goode, Brookings, Hendrix, Patrick, Palmer, Butler and Klemesrud. Relating to workmen's compensation law; increasing certain benefits thereunder.	
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Committee report adopted.....	853
Passed; ayes 45, nays none....	853
Reported enrolled .....	927
Signed by President.....	928
Signed by Governor.	
265 By Lisle, McFarlane, Buck, Goode, Brookings, Hendrix, Patrick, Palmer, Butler, Klemesrud. Relating to unemployment compensation, increasing weekly benefit amounts; providing automatic adjustment of funds depending on amount of state funds.	
Received, passed on file.....	687
Substituted for S. F. 184.....	882
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Reported enrolled .....	913
Signed by President.....	913
Signed by Governor.	
271 By Nelson of Woodbury and Munger. Relating to tax redemption; special assessment certificate holder or lien holder.	
Received, passed on file.....	713
Referred to judiciary 2.....	740
281 By Schwengel, Moore of Butler and Schroeder. Relating to funds, services, equipment provided by federal governmental agencies; regulating acceptance for use by public, tax-supported school systems under supervision of superintendent of public instruction.	
Received, referred to sifting....	1083
283 By Walter, Buck, Brookings and Bass. Relating to fruit tree reservations; permitting greater distance between plantings.	
Received, passed on file.....	634
Referred to agriculture.....	657
Recommended passage .....	781
286 By Morris. Relating to management of public utilities by boards of trustees.	
Received, referred to sifting....	949
287 By McFarlane. Relating to civil rights of persons appointed to office by mayor; preserving thereof even in temporary appointment in certain cities.	
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288 By Schwengel, Strawman, Poston, Nelson of Woodbury, Patrick, Futney, Kosek, Miller of Shelby and Ryan. Relating to termination of con-	

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tracts for construction of public improvement when construction thereon is stopped because of national emergency; adjustment of compensation; settlement method in disputes in connection therewith.		322 By Judiciary 2. Relating to number of lighted lamps required on motorcycle.	
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Signed by President.....	1250	Received, passed on file.....	413
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292 By Kosek. Relating to qualification for membership in fraternal beneficiary societies; permitting members to purchase additional life insurance therefrom.		Sifting recommends calendar..	886
Received, passed on file.....	821	Committee report adopted.....	892
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294 By Klemesrud, Hanna and Young. Relating to county officers; granting of vacations with pay.		Reported enrolled.....	927
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		Signed by Governor.....	
313 By Van Zwol. Relating to certain requirements for district, superior and municipal court judges.		324 By Judiciary 2. Relating to revocation of certificates of building and loan associations.	
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Received, passed on file.....	832	Reported enrolled.....	927
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Recommended indefinite postponement.....	852	Signed by Governor.....	
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318 By Judiciary 1. Relating to claims against estates, guardianships or trusts; limiting time within which certain actions can be taken.		Received, passed on file.....	749
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Amendment filed.....	559	327 By Kosek. Relating to permanent registration; extending closed periods by ten days.	
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319 By Judiciary 1. Relating to examinations for school teachers.			
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Sifting recommends calendar..	886	334 By Cornick. Relating to issuance of a land patent in Henry county to W. P. McClure.	
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320 By Martin. Relating to temporary transfer of funds of Monroe County.		Committee report adopted.....	617
Received, passed on file.....	537	Passed; ayes 41, nays none.....	618
Referred.....	573	Reported enrolled.....	679
Proof of publication certified..	590	Signed by President.....	680
Sifting recommends calendar..	853	Signed by Governor.....	
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Reported enrolled.....	886	339 By Van Zwol and Mallonee. Relating to recovery of damages for injury or death of husband or father; confer-	
Signed by President.....	886		
Signed by Governor.....			

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Received, passed on file.....	713
Referred to judiciary 1.....	740
<b>340</b> By Schwengel and Schroeder. Relating to nonresident schools, correspondence schools and various technical schools; requiring licensing and regulation of representatives thereof.	
Received, referred to sifting....	1033
<b>344</b> By Hendrix, Bass, Norland, Kuester, Voigtmann, Langland and Sar. Relating to inheritance tax; providing for reciprocal exemptions between states.	
Received, passed on file.....	635
Referred to tax revision.....	657
<b>348</b> By Nelson of Woodbury. Relating to appointment and increase in compensation of juvenile court probation officers and secretaries.	
Received, referred to sifting....	1009
Sifting recommends calendar....	1170
Passed; ayes 47, nays none....	1215
Reported enrolled .....	1249
Signed by President.....	1250
Signed by Governor.	
<b>349</b> By Clark of Marlon. Relating to legalizing proceedings of city council of Pella.	
Received, passed on file.....	537
Substituted for S. F. 256.....	623
Passed; ayes 40, nays none....	623
Reported enrolled .....	679
Signed by President.....	680
Signed by Governor.	
<b>350</b> By Printing. Relating to publishing official proceedings of the county board of supervisors; fixing the rate of one-half that for legal notices.	
Received, referred to sifting....	900
Sifting recommends calendar....	928
Passed; ayes 49, nays none....	1006
Reported enrolled .....	1059
Signed by President.....	1060
Signed by Governor.	
<b>351</b> By Printing. Relating to fees for publishing legal notices in newspapers.	
Received, referred to sifting....	900
Sifting recommends calendar....	928
Passed; ayes 49, nays none....	1006
Reported enrolled .....	1059
Signed by President.....	1060
Signed by Governor.	
<b>355</b> By Judiciary 2. Relating to codification of various legalizing acts concerning corporations.	
Received, passed on file.....	537
Referred to judiciary 1.....	573
Sifting recommends calendar....	853
Recommended passage .....	855
Committee report adopted.....	875
Passed; ayes 47, nays 1.....	875
Reported enrolled .....	913
Signed by President.....	913
Signed by Governor.	

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<b>357</b> By Patrick. Relating to personal tax exemption for any person entering United States armed forces; with respect to all personal property in excess of \$300 used in making a livelihood.	
Received, passed on file.....	718
Referred to tax revision.....	740
Recommended passage .....	791
Sifting recommends calendar....	938
Committee report adopted.....	1207
Passed; ayes 48, nays none....	1207
Reported enrolled .....	1249
Signed by President.....	1250
Signed by Governor.	
<b>360</b> By Roads and Highways. Relating to taxation and registration of motor vehicles engaged exclusively in interstate commerce; providing for certain reciprocity agreements to protect Iowa from violations of certain laws by non-resident operators.	
Received, passed on file.....	687
Referred to highways.....	740
Recommended passage .....	825
Sifting recommends calendar....	886
Amendments filed.....	901, 914, 940
Committee report adopted.....	995
Amendments adopted .....	995
Passed; ayes 42, nays 6.....	996
Explanation of vote.....	996
Reported enrolled .....	1059
Signed by President.....	1060
Signed by Governor.	
<b>362</b> By Sloane and Ryan. Legalizing certain action of the board of supervisors in Polk County with respect to county poor fund.	
Proof of publication certified...	497
Received, passed on file.....	537
Proof of publication certified...	573
Referred to judiciary 2.....	573
<b>363</b> By Sloane and Ryan. Relating to care of insane persons; annual tax permitted to be levied by board of supervisors for care of those outside state hospital; providing for increase in permissible levy therefor.	
Received, referred to sifting....	1027
<b>364</b> By Sloane and Ryan. Relating to increase in annual tax board of supervisors may levy for maintenance of juvenile detention home and school.	
Received, referred to sifting....	1000
<b>365</b> By Roads and Highways. Relating to secondary roads; with respect to petitions, pro rata shares of funds and right of appeal to highway commission.	
Received, referred to sifting....	873
Sifting recommends calendar....	1170
Passed; ayes 41, nays 2.....	1242
Reported enrolled .....	1251
Signed by President.....	1251
Signed by Governor.	

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369 By Robinson. Relating to court paroles; limiting time of termination of suspended sentence and parole.		Referred to public lands and buildings	740
Received, referred to judiciary 2	712	Recommended passage	764
Recommended amendment, passage	717		
370 By Sloane and Ryan. Relating to increase in acreage limitation on schoolhouse sites.		396 By Motor Vehicles. Relating to motor vehicles; fees for registration whenever owner of car removes car previously placed in storage.	
Received, referred to sifting	961	Received, passed on file	635
Withdrawn from sifting	1125	Substituted for S. F. 305	794
Substituted for S. F. 270	1125	Passed; ayes 45, nays none	795
Passed; ayes 49, nays none	1126	Reported enrolled	852
Reported enrolled	1217	Signed by President	852
Signed by President	1217	Signed by Governor.	
Signed by Governor.		399 By Motor Vehicles. Relating to registration plates issued for motor vehicles; authorizing department to issue single plate in lieu of two.	
376 By Pendleton and Schwengel. Relating to securities and investments of trust funds; authorizing agreements for deposit and joint control of funds and property.		Received, passed on file	635
Received, passed on file	713	Substituted for S. F. 304	792
Referred to judiciary 2	740	Amendment adopted	794
		Passed; ayes 44, nays none	794
378 By Lucken. Legalizing proceedings in issuance of bonds by Consolidated School District of Union Township in Plymouth county.		Reported enrolled	868
Received, passed on file	538	Signed by President	868
Proof of publication certified	573	Signed by Governor.	
Referred to judiciary 1	573	400 By Motor Vehicles, Commerce and Trade. Relating to motor vehicles, lights and reflectors.	
Recommended passage	766	Received, passed on file	635
Sifting recommends calendar	863	Referred to motor vehicles	657
Committee report adopted	866	Rules suspended	698
Passed; ayes 49, nays none	866	Withdrawn from committee	698
Reported enrolled	913	Substituted for S. F. 306	698
Signed by President	913	Passed; ayes 45, nays none	698
Signed by Governor.		Reported enrolled	740
379 By Oppedahl and McNeal. Legalizing operation of public park in Wright county.		Signed by President	740
Received, passed on file	538	Signed by Governor.	
Proof of publication certified	573	401 By Robinson. Relating to payment of small legacies to minors or incompetents, from estates or trust funds less than \$500.	
Recommended passage	576	Received, passed on file	538
Referred to judiciary 2	573	Referred to judiciary 1	573
Committee report adopted	611	Sifting recommends calendar	988
Passed; ayes 35, nays none	611	Passed; ayes 48, nays none	1204
Reported enrolled	679	Reported enrolled	1249
Signed by President	680	Signed by President	1250
Signed by Governor.		Signed by Governor.	
386 By Ringgenberg, Moore of Butler, Paul, Pieper and Miller of Black Hawk. Relating to establishment of a state engineering and architectural library as part of the state library system in the state capitol.		408 By Roads and Highways. Relating to the expenses of the Highway Commission involved in the weighing and inspection of motor vehicle trailers.	
Received, referred to sifting	925	Received, passed on file	718
388 By Moore of Butler, Nelson of Woodbury, Walker and Hansen of Carroll. Relating to increase in fees of justice of peace.		Referred to highways	740
Received, referred to sifting	918	Recommended passage	825
391 By Miller of Black Hawk and McFarlane. Relating to purchase of buildings to be used as township halls.		Sifting recommends calendar	914
Received, passed on file	713	Committee report adopted	1003
		Passed; ayes 45, nays none	1004
		Reported enrolled	1059
		Signed by President	1060
		Signed by Governor.	
		409 By Roads and Highways. Relating to the condemnation of land by the highway commission for drainage of highway, storage of material and equipment, and for weighing stations.	
		Received, passed on file	737



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Referred to highways.....	740
Recommended passage.....	825
Sifting recommends calendar.....	914
Committee report adopted.....	1004
Passed; ayes 45, nays none.....	1004
Reported enrolled.....	1059
Signed by President.....	1060
Signed by Governor.	
 410 By Butler and McNeal. Relating to increase in weight limit on pickup truck registration; permitting pickup and light delivery trucks to weigh 1,500 pounds.	
Received, passed on file.....	786
Sifting recommends calendar.....	988
Passed; ayes 48, nays none.....	1206
Reported enrolled.....	1249
Signed by President.....	1250
Signed by Governor.	
 417 By Board of Control. Relating to the purchase of a tract of land to be used as the site for an institutional sewage disposal plant at the Clarinda state hospital.	
Received, passed on file.....	687
Sifting recommends calendar.....	1170
Passed; ayes 31, nays 3.....	1226
Reported enrolled.....	1251
Signed by President.....	1251
Signed by Governor.	
 418 By Judiciary 2. Relating to bonds of cities and towns for street improvement and clarifying with reference to street construction fund.	
Received, passed on file.....	714
Sifting recommends calendar.....	888
Passed; ayes 49, nays none.....	894
Reported enrolled.....	927
Signed by President.....	928
Signed by Governor.	
 420 By Schools, Libraries, State Educational Institutions. Relating to establishment of department of public instruction; board of public instruction; election of members thereof; prescribe powers and duties; appointment of superintendent of public instruction; abolish boards of educational examiners and vocational education.	
Received, passed on file.....	491
Referred to schools and educational institutions.....	521
Amendment filed.....	661
Recommended amendment, passage.....	858-855
 421 By Compensation of Public Officers and Employees. Relating to fees to be charged by county recorder, county sheriff, county auditor, county treasurer, clerk district court.	
Received, passed on file.....	568
Referred.....	590
Recommended passage.....	605
Made special order.....	749
Amendment filed.....	806-807
Committee report adopted.....	813
Amendments adopted. 814, 815, 1111	
Passed; ayes 43, nays 2.....	815

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Concurred.....	982
Insisted.....	982
Conference committee appointed	983
Conference report.....	1078
Conference report adopted.....	1111
Passed; ayes 47, nays 2.....	1111
Reported enrolled.....	1217
Signed by President.....	1217
Signed by Governor.	
 422 By Compensation of Public Officers and Employees. Relating to compensation of county officers, deputies, assistants, clerks, attorneys and assessors.	
Received, passed on file.....	615
Referred.....	630
Recommended amendment, passage.....	721-723
Made special order.....	749
Amendments filed. 782, 807, 808,	826
Committee report adopted.....	817
Amendments adopted.....	819, 820, 850, 851
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Conference report.....	1012-1018
Conference report and amendments therein, adopted.....	1051
Passed; ayes 48, nays 1.....	1051
Reported enrolled.....	1169
Signed by President.....	1169
Signed by Governor.	
 425 By Smith. Relating to an act to legalize and validate the proceedings of the directors of the consolidated school district of Lake Park.	
Received, passed on file.....	538
Proof of publication certified...	573
Recommended passage.....	576
Referred to judiciary 2.....	578
Committee report adopted.....	614
Passed; ayes 35, nays none.....	614
Reported enrolled.....	679
Signed by President.....	680
Signed by Governor.	
 426 By Butler and Frey. Relating to public nuisance in regard to fish and game regulations; contraband articles, devices.	
Received, passed on file.....	714
Referred to conservation.....	740
Recommended passage.....	855
 427 By Putney. Relating to manner of submitting statements relative to amount due on feed inspection; notarizing by feed inspectors or an employee of the department of agriculture.	
Received, referred to sifting....	1000
 430 By Roads and Highways. Relating to maximum weight of vehicles; mandatory schedule of penalties which a court must follow.	
Received, passed on file.....	714
Referred to highways.....	740
Recommended passage.....	825
Sifting recommends calendar...	914

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Passed; ayes 45, nays 2.....	1001	Sifting recommends calendar...1170	
Reported enrolled .....	1059	Amendments filed....1171, 1199, 1218	
Signed by President.....	1060	Amendments adopted .....	1239
Signed by Governor.		Passed; ayes 43, nays none.....	1239
436 By Nelson of Woodbury.		Reported enrolled .....	1251
Relating to compensation of		Signed by President.....	1251
employees of the state con-		Signed by Governor.	
servations department; to in-		450 By Klemesrud. Relating to	
crease salaries of director		transfer of college credits as	
\$750 and game wardens \$500.		such student may direct;	
Received, referred to sifting....	1034	transfer not conditioned upon	
Sifting recommends calendar...1170		payment of any fees or	
Passed; ayes 45, nays none.....	1214	charges covered by scholar-	
Reported enrolled .....	1249	ship grant.	
Signed by President.....	1250	Received, referred to sifting....	925
Signed by Governor.		453 By Motor Vehicles, Com-	
437 By Lucken, Ryan, McEl-		merce and Trade. Relating	
eney and Tate. Relating to		to motor vehicle dealers, de-	
an act to provide for stag-		fining used motor vehicle and	
gered three-year terms for		second-hand motor vehicle.	
commissioners charged with		Received, passed on file.....	786
the construction and opera-		Substituted for S. F. 308.....	797
tion of memorial buildings		Amendment adopted .....	797
and monuments.		Passed; ayes 44, nays none.....	797
Received, referred to judiciary 2	712	Reported enrolled .....	868
Recommended passage .....	717	Signed by President.....	868
Sifting recommends calendar... 988		Signed by Governor.	
Committee report adopted.....	1210	454 By Motor Vehicles, Com-	
Passed; ayes 47, nays none.....	1211	merce and Trade. Relating	
Reported enrolled .....	1251	to the stopping of vehicles at	
Signed by President.....	1251	certain railroad crossings;	
Signed by Governor.		local authorities to control	
439 By Schwengel and Schroed-		certain dangerous crossings.	
er. Relating to manufactur-		Received, passed on file.....	786
ers' free distribution of		Substituted for S. F. 303.....	792
cigarettes.		Passed; ayes 44, nays none.....	792
Received, passed on file.....	786	Reported enrolled .....	852
Recommended passage .....	845	Signed by President.....	852
Committee report adopted.....	851	Signed by Governor.	
441 By Palmer. Relating to an		457 By Roads and Highways.	
act to legalize certain issues		Relating to the limit on	
of capital stocks of Iowa cor-		amounts of fuel which busses	
porations.		and trucks may bring into	
Received, passed on file.....	786	the state in the fuel tanks of	
Sifting recommends calendar... 853		such vehicles.	
Passed; ayes 46, nays none.....	876	Received, passed on file.....	786
Reported enrolled .....	913	458 By Roads and Highways.	
Signed by President.....	913	Relating to weighing of ve-	
Signed by Governor.		hicles; to control, direct and	
447 By Appropriations. Relat-		weigh traffic whether on the	
ing to an act to appropriate		highways or on private prop-	
funds from the primary road		erty.	
funds to the industrial		Received, passed on file.....	749
commissioner for payment		Referred .....	763
of workmen's compensation		Recommended passage .....	825
claims of employees of the		Amendment filed .....	826
state highway commission;		Sifting recommends calendar... 914	
for each year of the bien-		Committee report adopted.....1003	
num, \$40,000.		Amendment adopted .....	1003
Received, passed on file.....	525	Passed; ayes 45, nays 2.....	1003
Referred to appropriations.....	530	Reported enrolled .....	1059
Recommended passage .....	574	Signed by President.....	1060
Committee report adopted.....	599	Signed by Governor.	
Passed; ayes 50, nays none.....	599	459 By Roads and Highways.	
Reported enrolled .....	646	Relating to information	
Signed by President.....	646	given on application of vari-	
Signed by Governor.		ous types of truck and bus	
449 By Motor Vehicles, Com-		registration; requiring rec-	
merce and Trade. Relating to		ord of the type of fuel used,	
regulation of motor carriers;		as an aid to enforcing exist-	
to establish safer operation		ing laws.	
on the highways; defining		Received, passed on file.....	786
terms and certain authority,			
with special reference to li-			
ability insurance.			
Received, referred to sifting....	867		

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465 By Sherod. Relating to an act to legalize proceedings of the waterworks bonds for the town of Keosauqua.	
Received, passed on file.....	538
Substituted for S. F. 371.....	547
Rule suspended.....	547
Passed; ayes 39, nays none.....	548
Reported enrolled.....	589
Signed by President.....	589
Signed by Governor.	
466 By Oppedahl. Relating to tax levy to maintain city halls; authorize cities and towns to levy tax therefor.	
Received, passed on file.....	786
474 By Sloane and Ryan. Relating to assistance for blind persons; first \$50 per month of earned income to be disregarded.	
Received, referred to sifting....	949
Sifting recommends calendar....	1170
Passed; ayes 47, nays none.....	1212
Reported enrolled.....	1249
Signed by President.....	1250
Signed by Governor.	
478 By Lisle, Gallup and McFarlane. Relating to increase of allowance to \$50 per month without loss of benefits under the Iowa old age and survivors' insurance system.	
Received, passed on file.....	714
Referred to social security.....	740
479 By Washburn. Relating to legalizing the action of the board of supervisors of Mills county, in authorizing certain salary payments to certain deputy county officers.	
Received, referred to judiciary 2	712
482 By Burris. Relating to compensation of members of board of social welfare; to establish same salaries for all members of social welfare commission.	
Received, referred to sifting....	1083
Sifting recommends calendar....	1170
Passed; ayes 47, nays none.....	1213
Reported enrolled.....	1249
Signed by President.....	1250
Signed by Governor.	
483 By Agriculture 2. Relating to handling and sale of market milk; providing for a voluntary grade "A".	
Received, referred to sifting....	873
Sifting recommends calendar....	983
Amendment filed.....	1015
Amendment withdrawn.....	1200
Passed; ayes 47, nays none.....	1200
Reported enrolled.....	1251
Signed by President.....	1251
Signed by Governor.	
485 By Meyer, Olson, Boothby, Soeth and Ringenberg. Relating to the control and destruction of noxious weeds, term employment and compensation of weed commissioner.	
Received, referred to sifting....	873

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Sifting recommends calendar....	988
Passed; ayes 38, nays 7.....	1205
Reported enrolled.....	1251
Signed by President.....	1251
(In Journal as "486")	
Signed by Governor.	
489 By Nelson of Woodbury and Munger. Relating to group insurance in certain cities of lesser population than now allowed.	
Received, referred to sifting....	1000
490 By Appropriations. Relating to an act, authorizing expenditures by the state highway commission from the primary road fund, in sum of \$9,882,516.00 for each year of biennium.	
Received, passed on file.....	525
Referred.....	530
Recommended passage.....	574
Committee report adopted.....	600
Passed; ayes 50, nays none.....	600
Reported enrolled.....	646
Signed by President.....	646
Signed by Governor.	
491 By Appropriations. Relating to an act making appropriation to defray expense of inaugural ceremonies and reception.	
Received, passed on file.....	525
Referred.....	530
Recommended passage.....	721
Committee report adopted.....	874
Passed; ayes 45, nays none.....	874
Reported enrolled.....	913
Signed by President.....	913
Signed by Governor.	
492 By Appropriations. Relating to transferring of monays from the industry revolving funds at the state penitentiary and state reformatory to general fund of state.	
Received, passed on file.....	525
Referred.....	530
Recommended passage.....	790
Committee report adopted.....	812
Passed; ayes 49, nays none.....	812
Reported enrolled.....	868
Signed by President.....	868
Signed by Governor.	
494 By Social Security. Relating to employment security, providing disqualification for one year where claimant has wrongfully claimed benefits.	
Received, passed on file.....	714
Referred to social security.....	740
Sifting recommends calendar....	928
Re-referred to sifting.....	1151
495 By Social Security. Relating to employment security and providing a penalty for the making of a false statement or representation.	
Received, passed on file.....	714
Referred to social security.....	740
Sifting recommends calendar....	928
Re-referred to sifting.....	1151

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497 By Walker, Stevens, Putney, Sloane and Judd. Relating to motor vehicles and law of the road; requiring receipts by the treasurers shall be either typewritten or printed by other mechanical means to insure readability.		563 By Morris, Bass, Mallonee and Uhlenhopp. Relating to specific powers and duties of state comptroller; changing apportionment of school fund interest from annual to semi-annual basis.	
Received, referred to sifting.....	925	Received, referred to sifting.....	950
Withdrawn from sifting.....	952	Sifting recommends calendar.....	1170
Substituted for S. F. 489.....	952	Passed; ayes 47, nays none.....	1234
Passed; ayes 44, nays none.....	953	Reported enrolled.....	1251
Reported enrolled.....	988	Signed by President.....	1251
Signed by President.....	988	Signed by Governor.....	
Signed by Governor.....		564 By Morris, Bass, Mallonee and Uhlenhopp. Relating to school funds; transfer of certain funds to State Treasurer.	
498 By Shepard and Loss. Relating to motor vehicle definitions of words and phrases; emergency vehicle defined to include vehicles of sheriff and deputy.		Received, referred to sifting.....	950
Received, referred to sifting.....	925	Sifting recommends calendar.....	1170
526 By Pedrick and Ryan. Relating to motor vehicles operation; permitting the young holders of restricted permits to drive at all times under certain supervision.		Passed; ayes 46, nays 1.....	1233
Received, referred to sifting.....	961	Reported enrolled.....	1251
527 By Ryan and Sloane. Relating to the issuance of permits for the operation of electric trolley buses, or trackless trolley buses on certain rural highways.		Signed by President.....	1251
Received, passed on file.....	961	Signed by Governor.....	
Substituted for S. F. 433.....	1123	573 By Appropriations. Relating to appropriation of \$500,000 to board of control for scientific observation, rechecking and treatment of mentally ill persons.	
Amendment adopted.....	1124	Received, passed on file.....	602
Passed; ayes 49, nays none.....	1124	Referred.....	630
Reported enrolled.....	1217	Recommended passage.....	790
Signed by President.....	1217	Committee report adopted.....	904
Signed by Governor.....		Passed; ayes 48, nays none.....	904
530 By Judiciary 2. Relating to corporations not for pecuniary profit; permitting rural groups who wish to acquire and own fire fighting equipment to incorporate for such purpose.		Reported enrolled.....	927
Received, referred to sifting.....	961	Signed by President.....	928
531 By Social Security. Relating to Iowa old age and survivors' insurance system; increases the amount of earnings to \$200 in place of \$50 per quarter; except for those already under coverage; eliminates occasional and intermittent workers.		Signed by Governor.....	
Received, passed on file.....	822	574 By Appropriations. Relating to appropriation to board of control for support of institutions under the board of control.	
Sifting recommends calendar.....	1170	Received, passed on file.....	602
Passed; ayes 47, nays none.....	1233	Referred.....	630
Reported enrolled.....	1251	Recommended passage.....	790
Signed by President.....	1251	Committee report adopted.....	905
Signed by Governor.....		Passed; ayes 49, nays none.....	905
533 By Miller of Black Hawk and Goode. Relating to county boards of education; authorizing them to rent books and instructional aids to the pupils of the various districts.		Reported enrolled.....	988
Received, referred to sifting.....	950	Signed by President.....	988
560 By Buck, McNeal, Walter and Mensing. Relating to number of inhabitants in county for purpose of zoning.		Signed by Governor.....	
Received, referred to sifting.....	1115	586 By Oppedahl and Nelson of Woodbury. Relating to joint use of sanitary sewer system; authorizing adjacent cities and towns to contract therefor.	
		Received, referred to sifting.....	961
		Sifting recommends calendar.....	1170
		Passed; ayes 46, nays none.....	1223
		Reported enrolled.....	1251
		Signed by President.....	1251
		(In Journal as "585")	
		Signed by Governor.....	
		592 By Board of Control. Relating to change of official designation of the four state hospitals for mentally ill, to "Mental Health Institutes," at city or town wherein located.	
		Received, referred to sifting.....	926
		Withdrawn from sifting.....	1126
		Substituted for S. F. 469.....	1126
		Amendment adopted.....	1129
		Passed; ayes 35, nays 8.....	1130
		Reported enrolled.....	1217
		Signed by President.....	1217
		Signed by Governor.....	

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594 By Judiciary 2. Legalizing certain proceedings of Board of Supervisors of Howard county with reference to an elevator at county home, for which the county poor fund was used to defray expenses thereof.	
Received, referred to Judiciary 2.	712
Sifting recommends calendar.	869
Proof of publication certified.	871
Passed; ayes 39, nays none.	878
Reported enrolled.	927
Signed by President.	928
Signed by Governor.	
597 By Appropriations. Relating to appropriation to State Department of Public Instruction for use as revolving fund for veterans administration and for school lunch program.	
Received, passed on file.	656
Referred.	657
Rules suspended.	695
Withdrawn from committee.	695
Substituted for S. F. 474.	695
Amendment adopted.	696
Passed; ayes 48, nays none.	696
Reported enrolled.	762
Signed by President.	762
Signed by Governor.	
598 By Appropriations. Relating to appropriation to State Department of Public Instruction for use for specified school aid.	
Received, passed on file.	656
Referred.	657
Rules suspended.	690
Withdrawn from committee.	690
Substituted for S. F. 470.	690
Amendment adopted.	690
Passed; ayes 49, nays none.	691
Reported enrolled.	762
Signed by President.	762
Signed by Governor.	
599 By Appropriations. Relating to appropriation of six million dollars to State Department of Public Instruction for state aid to schools for transportation.	
Received, passed on file.	656
Referred to appropriations.	657
Rules suspended.	691
Withdrawn from committee.	691
Substituted for S. F. 471.	691
Amendment adopted.	692
Passed; ayes 49, nays none.	692
Reported enrolled.	762
Signed by President.	762
Signed by Governor.	
600 By Appropriations. Relating to appropriation of four million dollars to State Department of Public Instruction for supplemental aid to certain school districts.	
Received, passed on file.	656
Referred to appropriations.	657
Rules suspended.	692
Withdrawn from committee.	692
Substituted for S. F. 472.	692
Amendment adopted.	693
Passed; ayes 49, nays none.	693
Reported enrolled.	762
Signed by President.	762
Signed by Governor.	

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601 By Appropriations. Relating to appropriation of twenty-four million dollars to State Department of Public Instruction for general aid for school districts.	
Received, passed on file.	656
Referred to appropriations.	657
Rules suspended.	694
Withdrawn from committee.	694
Substituted for S. F. 478.	694
Passed; ayes 48, nays none.	695
Reported enrolled.	719
Signed by President.	719
Signed by Governor.	
602 By Appropriations. Relating to an additional appropriation of sixty-five thousand dollars for payment of printing for Fifty-fourth General Assembly.	
Received, passed on file.	656
Referred.	657
Recommended passage.	781
Committee report adopted.	875
Passed; ayes 48, nays none.	876
Reported enrolled.	913
Signed by President.	913
Signed by Governor.	
605 By Judiciary 2. Relating to Intrastate Fresh Pursuit; making such procedure harmonize with the uniform act in five other states; with additional clauses giving protection to peace officers assisting in such pursuits.	
Received, passed on file.	714
Referred to Judiciary 1.	740
606 By Judiciary 1. Relating to Attorney General with reference to administrative adoption, amendments, repeal of rules and regulations adopted by administrative agencies, boards, commissions, departments other than a court; requiring publication thereof through office of Attorney General.	
Received, passed on file.	804
Amendments filed.	827, 901, 914
Sifting recommends calendar.	869
Amendments adopted.	891, 919, 920
Amendments withdrawn.	891, 919, 920
Passed; ayes 48, nays none.	920
Reported enrolled.	988
Signed by President.	988
Signed by Governor.	1403
611 By Judiciary 2. Legalizing proceedings authorizing issuance of waterworks bonds by Lidderdale in Carroll County.	
Received, referred to sifting.	950
613 By Conservation, Drainage and Flood Control. Relating to sanitary districts; authorizing board of trustees to include adjacent property seeking benefits thereof; to contract with city or town to undertake operation of sewage facilities; providing for imposition of tax for retirement of bonds thereof and general financing thereof.	
Received, referred to sifting.	962
Withdrawn from sifting.	1022

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Substituted for S. F. 499.....	1022
Passed; ayes 50, nays none.....	1022
Reported enrolled.....	1059
Signed by President.....	1060
Signed by Governor.	
614 By Appropriations. Relating to biennium appropriation for state fair board.	
Received, referred.....	873
Recommended passage.....	929
Committee report adopted.....	956
Passed; ayes 48, nays none.....	956
Reported enrolled.....	988
Signed by President.....	988
Signed by Governor.	
615 By Appropriations. Relating to biennium appropriation for state soil conservation committee.	
Received, referred.....	873
Recommended passage.....	1047
Committee report adopted.....	1122
Passed; ayes 49, nays none.....	1122
Reported enrolled.....	1217
Signed by President.....	1217
Signed by Governor.	
616 By Appropriations. Relating to biennium appropriation to state comptroller from motor vehicle fuel tax, for use in defraying expenses in motor vehicle fuel tax refund work.	
Received, referred.....	874
Recommended passage.....	929
Committee report adopted.....	956
Passed; ayes 48, nays none.....	956
Reported enrolled.....	988
Signed by President.....	988
Signed by Governor.	
617 By Appropriations. Relating to biennium appropriation for various departments and divisions thereof of State of Iowa, for salaries and various purposes provided in Code.	
Received, referred.....	950
Amendments filed.....	978, 990, 1015, 1036
Recommended passage.....	989
Committee report adopted.....	1040
Amendments adopted.....	1048, 1049, 1050, 1051
Amendment withdrawn.....	1049
Passed; ayes 49, nays none.....	1051
Refused to recede.....	1109
Conference committee appointed.....	1109
Conference committee report.....	1151
Second conference committee appointed.....	1184
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629 By Appropriations. Relating to compensation of employees of state during next biennium; making them subject to approval of comptroller and executive council with certain exceptions; adding Supreme Court employees and those of Clerk of Supreme Court to exceptions previously stated in Chapter 40, Acts of 53rd General Assembly.	
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632 By Judiciary 2. Relating to funds of closed receiverships held by Department of Banking on January 19, 1951; limiting time in which actions may be brought to recover said funds; making provision for disposition of such funds.  
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634 By Appropriations. Relating to creation of general contingent fund of state for biennium; appropriating two million dollars from general fund; specifying purposes for which may be used, providing for report of dispositions made thereof.  
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635 By Judiciary 2. Relating to amendment to Senate File 393 passed by 54th General Assembly and approved by Governor; said Senate File providing for issuance of patent to certain tract of land in Monroe county; herein required correction of names of parties to whom patent issued.  
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